



REFERENCE: CERD/FU/GH/fm

15 May 2015

Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, in the course of its 86th session, considered the follow-up report submitted by the Government of Slovakia, pursuant to Rule 65 (1) of the Rules of Procedure of the Committee.

The Committee welcomes the timely submission of the report, in response to its request to receive information within one year on the implementation of the recommendations contained in paragraphs 6, 8, 11 and 16 of the concluding observations (CERD/C/SVK/CO/9-10), adopted following the consideration of the State party's combined 9th and 10th periodic report during its 82nd session in February-March 2013.

The Committee appreciates the opportunity provided to continue its dialogue with the State party, and would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on actions taken by the State party on these issues be included in its 11th to 12th periodic reports to be submitted in a single document on 28 May 2016.

Paragraph 6 of the Concluding Observations: The Committee commends Slovakia for having strengthened legislative guarantees with the regard to fight against extremism. It welcomes the revision of the Criminal Code establishing bias motivation on the ground of national and ethnic origin or racial hatred as an aggravating circumstance in the State party. The Committee welcomes the information that organizations denying or restricting rights of people on the basis of their nationality, race, origin, etc. or promoting hatred or intolerance can be declared illegal and dissolved.

His Excellency
Mr. Fedor Rosocha
Permanent Representative of the Slovak Republic
to the United Nations
Geneva
Email: pm.geneva@mzv.sk

The Committee thanks the Slovak Republic for statistical data on the number of individuals convicted in 2013 for racially-motivated crimes. It encourages the State party to ensure that its legislation is effectively enforced bearing in mind the Committee General Recommendation no. 25 (1993) on article 4 of the Convention.

Paragraph 8 of the Concluding Observations: The Committee thanks the State party for its response, noting however that incitement to racial hatred is still observable in the Slovak society despite legislative measures and the Concept of Combating Extremism for 2011-2014. It also thanks the State party for statistical data on the number of individuals convicted for racially-motivated crimes but underlines the very limited number of prosecutions and convictions. Bearing in mind its General Recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, the Committee stresses that the absence or small number of complaints, prosecutions and convictions relating to acts of racial discrimination should not be viewed as necessarily positive. This may reveal either that victims have inadequate information concerning their rights or do not trust the police and judicial authorities. This may also simply reveal that the law is not effectively enforced. The Committee once again urges the State party to take necessary measures to apply appropriate sanctions for hate speech by all, including politicians, governmental officials or media professionals as well as promote tolerance and prevent racial discrimination in the media and on the Internet.

Paragraph 11 of the Concluding Observations: The Committee thanks Slovakia for the information regarding implementation of a number of projects that aim at inclusion of Roma children into the school system. However, the Committee is still concerned about persistent segregation of Roma children in Slovak schools and their overrepresentation in specialized classes or schools. It is also concerned that the establishment of module schools for children in marginalized Roma communities in 2013 may deepen their isolation. The Committee reiterates its recommendation that the State party take appropriate actions regarding the right of Roma children to education by involving Roma communities and actively cooperating with Roma parents and associations.

Paragraph 16 of the Concluding Observations: The Committee encourages Slovakia to continue with its efforts in addressing inequality of Roma in access to social housing. Despite these efforts, the Committee is concerned by the information according to which throughout 2013 and 2014 the municipalities or other administrative authorities were independently deciding on building the so-called Anti-Roma walls. The Committee expresses its concern at reported cases of forced evictions in Žilina, Košice, Snina and Prešov in course of the year 2014 affecting low-income families, mainly Roma. While welcoming the draft Building Act, the Committee urges the State party to take into account its General Recommendation No. 27 (2000) on discrimination against Roma, by ensuring that this legislation further combats segregation of Roma communities in housing, acts firmly against local measures denying residence to and unlawful expulsion of Roma. The Committee also notes the commitment by Slovakia to provide comprehensive information on the implementation of these recommendations in the next periodic report.

Rest assured, Excellency, that the Committee looks forward to continuing its constructive dialogue with the Government of Slovakia, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



José Francisco Calí Tzay
Chair

Committee on the Elimination of Racial Discrimination