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Forty-eighth session

Summary record of the first part (public)* of the 5th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 2 May 2012, at 10 a.m.

Chairperson: Mr. Pillay

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The meeting was called to order at 10 a.m.

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (continued)

Second periodic report of Slovakia (continued) (E/C.12/SVK/2; E/C.12/SVK/Q/2 and Add.1 – available in English only; HRI/CORE/1/Add.120)

1. *At the invitation of the Chairperson, the delegation of Slovakia took places at the Committee table.*

Articles 13 to 15 of the Covenant (continued)

2. **Ms. Ondrášová** (Slovakia), replying to questions regarding education for persons with disabilities, said that more needed to be done to improve the situation, despite existing initiatives. The Government intended to take concrete measures to implement the principles of the Convention on the Rights of Persons with Disabilities by supporting accessibility, inclusive education from kindergarten to secondary school and counselling for parents and teachers, among others. Education facilities would be retrofitted thanks to funding from the European Social Fund.

3. Educational establishments set up by local administrations or municipalities were obliged to provide the necessary services to educate children or persons with special educational needs. Where services were lacking, the Government covered the person's or child's cost of transportation to the nearest suitable establishment. Special government-funded programmes were in place for the various categories of children or learners with special educational needs as defined under the Education Act, and when an establishment was unable to provide the necessary services, an individualized programme was then set up. Five per cent of the country's student body had a disability. As to the question asked about automatic placement of students in special schools, there was no such practice. The current procedure was to examine the child, make a diagnosis and then present a tailored proposal to the parents, such as enrolment in a preparatory class, directly in primary school or in a specialized facility, and no decision was taken without the express consent of the child's parents or legal guardian.

4. Regarding the human rights education and training of teachers, the Ministry of Education had designed a plan for the period 2005–2014 and a dozen directives on methodology had been issued to support management staff. Both directives issued in 2012 dealt with human rights education at the primary and secondary level and would be submitted to all stakeholders, including non-governmental organizations (NGOs), the media and civil servants. In addition, Human Rights Olympics had been held for the past four years, with participation growing each year, 5,000 secondary school students having taken part in 2012. As a means of combating bullying, special guidelines had been issued and disseminated on how to deal with the problem. Schools were obliged to monitor such behaviour and measures and sanctions were in place should an incident be reported.

5. Since the report had been submitted, several laws had been adopted, including the act on teaching and specialized staff, which had taken effect on 1 November 2009 and governed all matters related to recruitment, working conditions and training, including staff development. Moreover, a lifelong learning law had been adopted and the Government intended to devote particular attention to vocational training by setting up advisory bodies in order to improve the quality of training and the qualifications of instructors and to align training more closely with the job market. Turning to universities, she said there was a plan to reform the country's network of universities, of which there were too many. One third of

universities were private, while at public institutions, tuition fees applied only to part-time or foreign students. As to so-called compulsory subjects, it was a question more of compulsory choices which students had to make between several subjects, such as ethics or religion.

6. **Mr. Szalay** (Slovakia) said that, for lack of specific legislation, the concept of “national minority” was not defined under Slovak law. All 13 officially recognized national minorities were protected under articles 33 and 34 of the Constitution. Their place in Slovak society, including their representation within the Government’s consultative bodies, was mainly a matter of custom. In deference to those customary practices, the Government usually accepted requests for official recognition made by new minorities. The cultural rights of national minorities were enshrined in article 34 of the Constitution, which ensured that they were protected and promoted, in part thanks to a subsidy programme overseen by the Deputy Prime Minister for European Integration, Human Rights and National Minorities. Fifteen national committees — one for each national minority and two for the Hungarian minority — composed of members of each minority and culture professionals from all the regions, were responsible for selecting a variety of cultural projects according to strictly professional criteria. The cultural programme for national minorities favoured projects that strengthened cultural identity and contributed, through all forms of artistic creation, expression, training and learning, to firmly establishing the values, traditions and languages of minorities, particularly among youths, and to disseminating them among the population, even internationally. Four million euros had been allocated in 2011, while the 2012 budget amounted to 4.5 million euros. Since the programme was guaranteed under a law on subsidies overseen by the Cabinet, its measures were permanent and directly linked to the constitutional rights of national minorities.

7. **Mr. Sadi** asked whether the State party took into account both European and international standards in human rights education. He also wished to know to what extent judges, defence lawyers and all those responsible for applying the provisions of the Covenant were aware of and trained in human rights.

8. **Mr. Marchán Romero** asked for further information on the programme to promote culture among underprivileged groups, including its content and how it was implemented in practice.

9. **Ms. Ondrášová** (Slovakia) said that instructors had to be fully acquainted with both European and international standards, which were part of their basic training. Since 2000, Slovakia had been implementing two- to three-year action plans for preventing all forms of intolerance, racism, xenophobia and anti-Semitism. However, the latest plan, which had ended in 2011, would not be renewed; therefore training for judges and other legal and judicial staff, including police officers, had been made the responsibility of the Ministries of Justice and of the Interior. The Government would shortly be assessing that new arrangement.

10. **Mr. Szalay** (Slovakia) said that the Slovak National Centre for Human Rights would be keeping its B status because, according to a decision of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, it fell short on five of the Paris Principles: scope of the mandate, submission of reports to competent bodies, promotion of the ratification and implementation of international human rights instruments, pluralism and regular meetings. The Centre had produced a report, approved by the Government in April 2011, which had analysed the human rights activities that had been undertaken as well as the operational principles and operations of the mechanisms for the institutional protection of human rights and promotion of equality. The report had concluded that the Centre’s place in the Slovak system of human rights protection needed changing. It suggested four possibilities: (a) transforming the Centre while preserving its function as a national institution for the protection of human

rights and the promotion of equality; (b) preserving the Centre and its function as a national institution for the protection of human rights while transferring the responsibility for promoting equality to the public defender of rights; (c) preserving the Centre and its responsibility for promoting equality while transferring its function as a national institution for the protection of human rights to the public defender of rights; and (d) closing the Centre and dividing up its functions amongst other institutions. Owing to important electoral deadlines, decisions had been postponed to the end of the first quarter of 2013.

11. **Mr. Klenovský** (Slovakia) said that in 2010, thanks to the system of subsidies of the Ministry of Culture, the programme for Roma groups and socially marginalized persons had funded 11 cultural and educational events costing a total of 38,500 euros and 8 such events for a similar amount in 2011. The Office of the Plenipotentiary of the Government for Roma Communities also had a budget that enabled it to support cultural and educational activities in Roma communities. Approximately 100 projects, chosen by the local offices of the Plenipotentiary, had been funded through that channel for an approximate total of 750,000 euros. In 2012, the sum of 833,000 euros had been allocated to financing basic services, such as drinking water, grants, cultural activities and community centres. That budget was useful for financing small projects, which were too complicated to submit to the European Union for municipalities or smaller groups.

12. Turning to questions on health, he said that the mortality rate had decreased from 9.9 per thousand in 2006 to 9.8 per thousand in 2009, and that the average life expectancy had risen from 70.71 years in 2005 to 71.24 in 2006. Most deaths were due to cardiovascular disease, cancers or accidents. While accidents were the main cause of death for those aged between 30 and 40, over-40 men mostly died of cardiovascular disease and women of cancer. According to the national centre for health data, 3,673 beds were used for mentally ill patients, including some in paediatric and geriatric wards, and 633 for drug addicts. The most recent statistics on tobacco consumption dated back to 2006 and, since then, surveys had shown an overall downward trend in consumption, despite a rise among children in primary school and a flattening out among secondary school students. There was no ban on smoking in public places.

13. Where prescribed by a doctor, contraceptives were covered by public health insurance and cost between 9 and 40 euros for three months. Emergency incubators, or so-called baby hatches, had been installed with the help of the “Chance for the Unwanted” civic association in order to save the lives of abandoned children. There were no figures to corroborate the claim that the mortality rate among Roma children had trebled, since data on mortality did not take account of ethnicity or age. Drug use had increased slightly, particularly in the 15–30 age group, and the drug of choice was pervitin.

14. **Ms. Lanáková** (Slovakia) said that the fight against poverty and social exclusion was part of the European Union’s open method of coordination of social protection and social inclusion and was founded on statistical data from the survey conducted by the European Union Statistics on Income and Living Conditions project. In 2009, the at-risk-of-poverty rate had been 11 per cent — or 10.1 per cent for men and 11.8 per cent for women — a figure 2.3 percentage points lower than in 2005 thanks to the country’s economic development and below the European Union average of 16.3 per cent. The social protection system played a significant part in reducing the poverty risk, especially thanks to social transfers. The rate would rise by 6.1 percentage points if social transfers consisted only of retirement benefits, and by 24 percentage points if no social transfers at all were made. In 2009, those at highest risk of poverty had been the unemployed, whose at-risk-of-poverty rate was 48.6 per cent, or 5.2 percentage points higher than in 2008. The level of absolute poverty was due to a shortage of material goods, financial difficulties and the impossibility of living in decent conditions.

15. Gender segregation in the job market was both horizontal and vertical. Discrimination and unequal pay were combated partly through dialogue with social partners with a view to adopting best practices and codes of conduct. The promotion of equal pay was connected to encouraging corporate responsibility. Thanks to exchanges with other European Union members, methods had been devised for labour inspectors to be able to monitor equal pay, and a study on gender equality was being conducted in the public sector. An Equal Pay Day had been instituted on 13 March.

16. Since 1 September 2002, domestic violence had been criminalized and specific forms of that offence were defined in the Criminal Code, which had stiffened penalties for acts of violence committed against a relative. Perpetrators of physical or psychological abuse were liable to 2–8 years' imprisonment; abuse of authority was punishable by 3–10 years' imprisonment, or 5–12 years for repeat offences, while perpetrators of serious injury or homicide were liable to 10–15 years' imprisonment. However, many victims remained convinced that the new criminal provisions did not help them.

17. On 11 May 2011, Slovakia had signed the Council of Europe Convention on preventing and combating violence against women and domestic violence. The Government was analysing the text from a legal standpoint and would be considering potential legislative amendments with a view to submitting a ratification proposal by 31 December 2013.

18. The pension system, to which all workers contributed, was based on the principle of solidarity. The wages taken into consideration when calculating contributions to pension insurance were capped at four times the average wage. The ceiling for calculating benefits was based on a maximum number of retirement points, which was set at three, or three times the average wage. Benefits were calculated according to an equalization system that increased the pensions of the lowest earners while decreasing those of the highest earners. There was also the option of private retirement savings. Although there was no minimum retirement pension, the basis on which a person's pension rights were assessed was at least equal to the minimum wage. The age of retirement was 62 for men and women alike, and early retirement was possible only two years or less before the retirement age.

19. Under the Act on Social Insurance, certain people were excluded from unemployment insurance due to the fact that they were not eligible to work, such as prosecutors, detainees, old-age pensioners and those receiving disability benefits.

20. The Ministry of the Interior coordinated efforts to combat trafficking in persons at the national level by formulating a national action programme every four years that hinged on an action plan combined with strategic measures, the implementation of which was subject to regular reporting. In order to carry out its task, the Ministry relied on various specially formed expert working groups responsible for support to victims and victim groups, prevention and for drafting relevant legislation. The Ministry of Labour, Social Affairs and Family was responsible for regulating victim protection and support by setting the terms thereof in the Act on Social Insurance and other social services legislation. Emergency shelters had been set up for victims of trafficking and were financed as part of victim protection measures. There were also a crisis centre and an orphanage dedicated solely to child victims of trafficking. Child victims were eligible for a support and protection programme, through which they were placed in safe establishments under the management of NGOs accredited by the Ministry of the Interior, in cooperation with the International Organization for Migration. In certain regions, victims received support from legal aid and social assistance services. In 2011, 31 victims of trafficking, including 13 men and 18 women, had received such support and the accredited NGOs had been very effective. The number of victims had been practically the same in 2010.

21. With regard to social benefits, employment incentives had been put in place in 2010 in response to the crisis, specifically to boost the recruitment of persons from underprivileged social groups by certain local and regional authorities. Since the measure had been instituted in 2010, 9,100 jobs had been created in the departments of environmental conservation and cultural heritage protection, generating nearly 30 million euros. The measure had benefited some 4,000 women, 838 students, 4,100 persons over the age of 50, 5,100 long-term unemployed and 400 persons with disabilities.

22. Pursuant to the Act on Assistance in Material Need, individuals who did not have the means to meet their family's basic needs — in other words, who were unable to guarantee one warm meal per day for each family member, the purchase of clothing or the payment of rent — could apply for emergency hardship assistance. Such assistance was granted to any person in a critical financial situation, including Slovak citizens as well as foreigners, stateless persons and asylum seekers, provided that they were not beneficiaries of any other type of social assistance. Only families with no income or whose income was below the minimum wage could receive hardship assistance, except families who received maintenance for a dependant child or an allowance for a child with disabilities, or those with at least one child eligible for unemployment benefits. Emergency hardship assistance could not be awarded to persons having reached retirement age, which was 62, beneficiaries of a disability pension, single parents or parents of children with severe disabilities, since they already received social benefits.

23. The monthly minimum subsistence allowance was 60.50 euros for a single person, 105.20 euros for childless couples, 115 euros for single parents raising up to four children, 147 euros for single parents raising more than four children and 212 euros for couples with more than four children. If the long-term unemployed set up their own business or took courses with that intention, they could apply for an activation allowance for returning to work of 63 euros per month for six months. Individuals in material need who were unfit to work for health reasons were entitled to a monthly benefit of 34.69 euros. In addition, the Government covered certain expenses that the most destitute families could not afford, such as clothing, school supplies and other educational materials, and guaranteed reimbursement of real medical costs, up to 570 euros.

24. Individuals living in social assistance facilities received free health care from doctors and nurses attached to the facilities or were directed, if necessary, to the nearest health centre.

25. **Mr. Pollák** (Slovakia) conceded that it was usually Roma living in camps who were subject to eviction. The problem stemmed from the fact that, in the past, the camps had been set up without authorization on land on the outskirts of cities with no commercial value at the time. However, over time, the value of the land had increased and the owners had legitimately wanted to claim their property rights. That had given rise to a conflict of interest: on the one hand, the rights of the owners and on the other, the Roma's right to land on which to establish their settlements. In collaboration with the Association of Slovak Towns and Municipalities, to which 90 per cent of the country's towns belonged, the Government was attempting to devise a methodology for resolving conflicts, protecting all parties' rights and ensuring that Roma who were being evicted were rehoused, for example with the construction of social housing.

26. **Mr. Sadi** asked whether the State party was considering steps to bring the Slovak National Centre for Human Rights into line with the Paris Principles.

27. **Ms. Barahona Riera** stressed how important it was for the well-being of the population, especially youths, that the State party should adopt a forward-looking rather than a regressive policy on sexual and reproductive health.

28. **Mr. Szalay** (Slovakia) said that the Government would shortly reach a decision regarding the status and powers of the Slovak National Centre for Human Rights.

29. **Ms. Shin** reiterated the need for the State party to formulate, in cooperation with all stakeholders and relevant experts, a comprehensive national programme on sexual and reproductive health that did not limit women's rights in the area and complied with relevant international norms.

30. **Mr. Rosocha** (Slovakia) expressed satisfaction with the opportunity he had been given to present the progress made by Slovakia in implementing the Covenant, and with the frank and constructive dialogue established on that occasion. He assured members of the Committee that the Government of Slovakia would give all necessary attention to the concluding observations, due to be published at the close of the forty-eighth session of the Committee.

31. **The Chairperson** thanked the Slovak delegation and announced that the Committee would publish the concluding observations on Friday, 18 May 2012.

32. *The delegation of Slovakia withdrew.*

The public part of the meeting rose at 12.05 p.m.