



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

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Committee against Torture

**Information received from Slovakia on follow-up to the
concluding observations on its fourth periodic report***

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* The present document is being issued without formal editing.



I. Information of the Slovak Republic on selected recommendations of the United Nations Committee against Torture following the fourth periodic report of Slovakia

1. Following the request from the United Nations Committee against Torture (CAT/C/SVK/CO/4), Slovakia sends information on the implementation of the recommendations of the Committee addressed to the Slovak Republic, namely on the definition of torture; National Human Rights Institution; involuntary sterilisation of Roma women; and corporal punishment (paras. 8, 12, 24 and 38).

Definition of torture

Follow-up information relating to paragraph 8 of the concluding observations (CAT/C/SVK/CO/4)

2. In the area of prevention of torture, in 2023 the Ministry of Justice of the Slovak Republic (hereinafter referred to as “Ministry of Justice”) focused on legislative processes related to the ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the establishment of the national preventive mechanism. During November and December 2023, the 7th periodic visit of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter referred to as “CPT”) took place. The proposals for immediate measures have been the subject of the Ministry of Justice’s activities in the following months. Possible change and amendment of the definition of torture as a criminal offense, with the proposal to define a crime of other cruel, inhuman or degrading treatment separately will be the subject of discussion for the upcoming amendment of the Criminal Code.

3. Pursuant to the approved Programme Statement of the Government of the Slovak Republic “Better, Calmer and Safer Living”, the goal in the program period 2023–2027 is to adopt specific measures aimed at humanizing the conditions of detention and imprisonment in accordance with international and European recommendations regarding the prevention of torture. These measures should focus mainly on the individualization of form of serving the sentence, development of resocialization and educational programs, and elimination of the negative effects of the prison environment.

National human rights institution

Follow-up information relating to paragraph 12 of the concluding observations

4. Comprehensive reform of the Slovak National Centre for Human Rights as a national human rights institution and equality body will be related to the process of transposition of the EU legislation regarding standards for equality bodies. The proposals for the EU directives in this area are expected to be approved in May 2024. A small amendment regarding the issuance of independent reports and recommendations was approved in March 2023 in connection with EU Pilot no. 4446/13/JUST, but it is not a comprehensive reform.

Involuntary sterilisation of Roma women

Follow-up information relating to paragraph 24 of the concluding observations

5. In November 2021, the Government of the Slovak Republic (hereinafter referred to as “Government”) adopted the resolution no. 674/2021, by which it issued a formal apology to women who underwent sterilisation in violation of the law. The Government apologized for cases of sterilizations and violation of human rights of (mainly) Roma women in years 1966–2004, where the Government called the practices at that time as non-permissible and violation of human rights.

6. In April 2023 a draft law on financial compensation for women sterilized in violation of the law was submitted by an MP to the National Council of the Slovak Republic, which included:

- Proposal of one-time compensation of 5000 EUR;
- Definition of eligible persons (a physical person who underwent sterilization in violation of the law in the period from 1st July 1966 to 31st December 2004);
- Definition of sterilisation (without consent, based on consent given in violation of the law valid at that time, under circumstances that exclude or seriously impair freedom of decision or understanding of the consequences of consent);
- Burden of proof (victims have to submit information on when the sterilisation occurred, in which facility, under what circumstances and if they have available, the relevant medical documentation, otherwise they have to submit affidavit about lack of documentation);
- Relevant ministry for deciding on compensation (Ministry of Health of the Slovak Republic);
- Deadline for submitting an application (until 31 December 2025);
- Help for victims with filling-out the necessary form and receive the forms.

7. Due to the end of the session of the National Council of the Slovak Republic followed by early Parliamentary election, this proposal was not discussed. A similar proposal was submitted for discussion in November 2023, however in February 2024 the National Council of the Slovak Republic did not approve it for the next reading.

8. With regard to current situation concerning sterilization procedures: All services provided as part of health care must in accordance with the law be recorded in the health documentation of the patient. This includes obtaining informed consent for the provision of health care services, as well as for sterilization procedures, as specified in Section 40 of Act no. 576/2004 Coll. on health care, related services, and amendments to certain laws. Proper instruction regarding sterilization procedures is also an integral part of this process. Since 2004, the Ministry of Health of the Slovak Republic (hereinafter referred to as “Ministry of Health”) has not received information regarding new cases of sterilizations performed without informed consent.

Corporal punishment

Follow-up information relating to paragraph 38 of the concluding observations

9. Since January 2016, the Act no. 372/1990 Coll. on misdemeanours is in force by which the illegality of all acts of violence that affect the physical integrity of a next of kin and a person entrusted with care or upbringing, including a child is emphasized.

10. Section 30 subs. 3 of Act no. 36/2005 Coll. on family (hereinafter referred to as “Family Code”) stipulates: *“Parents have the right to use appropriate educational means in raising a child in such way that the child’s health, dignity, mental, physical and emotional development are not endangered.”*

11. This provision has to be interpreted in the light of the general principles enshrined in art. 5 of the Family Code in which the best interest of child is defined as:

- The safety of the child, as well as the safety and stability of the environment in which the child stays;
- Protection of dignity, as well as mental, physical and emotional development of the child;
- Endangering the child’s development by interfering with his dignity and endangering the child’s development by interfering with the mental, physical and emotional integrity of a person who is close to the child.

12. The term “*appropriate educational means*” must be interpreted very restrictively from 1st January 2016. The current legislation does not tolerate corporal punishment as a form of violence in the domestic environment since physical punishments are capable of causing a threat to the values protected by the new art. 5 of the Family Code.

13. According to the Programme Statement of the Government of the Slovak Republic 2023–2027, the medium-term priorities of the Government’s criminal policy include the promotion of changes that will lead to improved protection of women and children from domestic violence, effective prosecution and sanctioning of perpetrators of violence against children, perpetrators of sexual exploitation and harassment, including punishment for acts conducted online.

II. Information of the Slovak Republic on the plans for implementing some of the remaining recommendations of the United Nations Committee against Torture

14. Following the request from the United Nations Committee against Torture (CAT/C/SVK/CO/4), Slovakia sends information on the plans for implementing some of the remaining recommendations of the Committee addressed to the Slovak Republic, namely Recommendations concerning psychiatric care facilities (para 20 a, c, d); Recommendation concerning Gender-based violence (para 22); Recommendation concerning excessive use of force by law enforcement officials, including violence against Roma (para 16 d, e); Recommendation concerning Trafficking in Human Beings (para 30).

Psychiatric care facilities

Follow-up information relating to paragraph 20 (a) of the concluding observations

15. Proceedings on the admission and detention in a medical facility are being regulated by § 252 and subsequent sections of Act no. 161/2015 Coll. the Civil Non-Dispute Code, as amended, effective since July 1, 2016, referring to the provisions of § 6 (9) letters d) and § 9 (4), (5), and (6) letters c) of Act no. 576/2004 Coll. on health care services and their provision, and amending and supplementing certain acts as amended. To guide the provision of health care in the subject area, a “Standard procedure for process management in connection with the hospitalization of an adult patient without informed consent in a psychiatric ward (involuntary hospitalization)” was created, which came into force on April 1, 2020. From the perspective of the Ministry of Health, the revision of the current legislation is not necessary. Prosecutor’s office is responsible for the control of compliance with legal guarantees. The Ministry of Health will concentrate on training mental health professionals in this area in 2024 and 2025.

Follow-up information relating to paragraph 20 (c) of the concluding observations

16. Within the framework of the Recovery and Resilience Plan (specifically Component 12: Humane, modern, and accessible mental health care) the Slovak Republic will, by 2025, develop community psychiatric care by increasing the number of psychiatric inpatient facilities (15 new psychiatric stationaries will be built), construction of psycho-social centers (in number 11) and centers for autism spectrum disorders (in number 3). One of the objectives of the Memorandum on cooperation between the Ministry of Health and the Slovak Psychiatric Association is the development of community psychiatric care. The Decree of the Ministry of Health defining conditions for minimum requirements for staffing and material and technical equipment of individual types of medical facilities has been updated to motivate health care providers specializing in psychiatry and child psychiatry to build psychiatric inpatient facilities. It introduces the so-called community-type psychiatric hospital (foundation for a psychosocial center). Currently, an expert working group has been established at the Ministry of Health, in order to establish a separate standard operating procedure that would regulate community psychiatric care.

17. The national project “Deinstitutionalisation of Social Services – Support for Transformation Teams” was implemented from August 2018 to December 2023 and aimed to support transformation teams of social services facilities in the development of transformation plans and the launch of the process of deinstitutionalisation in communities. The project’s activities were successfully completed by 90 social services facilities. The assessment of the preparedness of the social services facilities was an input document which, in the context of the Convention on the Rights of Persons with Disabilities, will form the basis for the preparation of transformation plans for specific social services facilities.

18. The Ministry of Labour, Social Affairs and Family is currently preparing a national project aimed at continuing to support the process of deinstitutionalisation and the provision of social services at community level. The project will ensure support for social services facilities that want to implement its transformation plan, but also for facilities that want to enter the transformation process. The project will also include awareness-raising activities for the professional and general public in the field of human rights and social services, activities supporting providers in the use of innovative methods of working with beneficiaries with intellectual disabilities and autism spectrum disorder. The project is expected to be launched at the end of 2024 with a duration until the end of 2028.

19. Support for social services at community level is also part of the Slovak Recovery and Resilience Plan, for which an allocation of 211 mil. EUR is earmarked. The aim is to increase the capacity of outpatient social services facilities and community-type residential social facilities. The construction of these social services facilities is until April 2026. Applications are currently being assessed and beneficiaries are contracted.

Follow-up information relating to paragraph 20 (d) of the concluding observations

20. On December 8, 2022, Act No. 495/2022 Coll. was passed, which amends Act no. 576/2004 Coll. on health care, and services related to health care provision. It regulates the definition and types of restraints and the framework rules for their use in institutional health facilities, reflecting the CPT recommendations. It allows the use of a protective bed (net bed) as a means of restriction in the provision of institutional care until December 31, 2024. Starting from January 1, 2025, the use of net beds as a means of restraint will be prohibited. The Ministry of Health has prepared a document called “Strategy for Cancelling Net Beds”, which portrays a commitment to eliminate its usage. As of March 1, 2024, 39 out of 205 protective beds have been discarded, while the remaining 166 beds will be reduced sequentially by December 31, 2024.

21. The training of relevant experts in the field of mental health will take place from September 2024 entitled “Minimum standard for the continuous education study program Management of aggression and behavioural disorders in psychiatry for doctors, nurses, medical assistants - practical nurses, psychologists and paramedics”. From 2024, the Ministry of Health, in cooperation with the Slovak National Center for Human Rights, is also implementing the training of experts in the field of mental health in the area of observing the human rights of patients and the use of restraints following the standards and recommendations of the CPT.

Gender-based violence

Follow-up information relating to paragraph 22 of the concluding observations

22. The Ministry of Health is responsible for fulfilling individual tasks of the National Action Plan for the Prevention and Elimination of Violence against Women for the years 2022–2027. The “Professional guidelines on the procedure of health workers in providing health care to a woman at risk of violence” was revised and contact details of Information offices for victims of crimes were included. “Professional Guidelines on the symptoms and diagnosis of neglect, or abuse of a minor and on the procedure of health care providers when reporting suspected neglect, or abuse of a minor” has been revised in cooperation with the main expert of the Ministry of Health for emergency medicine.

23. The organization co-funded by the Ministry of Health, Healthy Regions, is implementing “National Project Healthy Communities 2B”, which aims to improve the

health conditions and access to healthcare services in Roma communities. Healthy Regions' central mission consists primarily in the activity of Health Education Assistants who work directly in Roma communities, providing health mediation services that help to bridge communication barriers, increase health awareness, and provide psycho-social support to people living in excluded locations.

24. The Ministry of Health is committed to providing full support to the education of health workers and experts with primary focus on preventing violence and developing ethical and social aspects of healthcare provision.

25. Support and protection of women and their children from violence in Slovakia is created and provided mainly by non-public social service providers registered or accredited in accordance with Act No. 448/2008 Coll. on Social Services. The emergency housing facility is, according to the law, a social service of crisis intervention. In this sense, the emergency housing facility also provides safe accommodation for women experiencing violence and their children (also called "safe women's homes"). Under the National Action Plan for the Prevention and Elimination of Violence against Women 2022-2027, the proposal for systematic funding for organisations helping women experiencing violence and their children, including domestic violence, is currently being prepared for a concept of funding reform, which will be a national strategic document defining the basis of the change in the system of financing social services.

26. The National Hotline for Women Experiencing Violence as a social service continues to provide specialised counselling. The National Hotline is part of the national project Prevention and Elimination of Gender Discrimination carried out by the Institute for Labour and Family Research. Advisers of the National Line are ready to talk about all forms of violence to which women and their children are subjected. They also provide assistance to third parties, whether family members of a woman experiencing violence, or her colleagues and friends. As of 2024, the National Hotline will expand its capacity to increase the availability of this service, as well as to provide counselling for cases of sexual violence outside of partner relationships.

27. Furthermore, on 19 April 2023, the Government approved "the Strategy of Prevention of Criminal and Other Anti-Social Activities in the Slovak Republic until 2028". The document contains important tasks for government authorities until 2028, several of which are aimed at addressing the issue of domestic violence.

28. Moreover, under Act no. 274/2017 Coll. on Victims' Rights, a new type of victim support organisations – intervention centres for victims of domestic violence was created in January 2022. These centres proactively contact victims of domestic violence within 72 hours after receiving information from police on expulsion of a violent person from shared household. Intervention centres provide victims help and assistance, including crisis intervention, psychological help, legal help, help and assistance in respect of secondary and repeated victimisation and have a coordinating role. Work of intervention centres is based on multi-institutional cooperation, especially with Police Force. There are 10 intervention centres in Slovakia, at least 1 in every region, the Ministry of Justice provides annual grants for their functioning of approx. 1,6 million EUR in total.

Excessive use of force by law enforcement officials, including violence against Roma

Follow-up information relating to paragraph 16 (d) of the concluding observations

29. Due to technical and financial issues, it is not possible, within the performance of duties by the Police Force, to fully avail of the use of video recordings. The Police Force ensures that audio, video or other recordings are produced of a police intervention, in particular against the persons committing an unlawful act and of the performance of duties by the police officers before, during and after the police intervention, with a view to obtaining all the relevant information on the undertaken intervention and on its lawfulness.

30. The Presidium of the Police Force has been striving for a long time to introduce body-worn cameras into the direct performance of interventions by individual police officers.

A process has been initiated which precedes the procurement of body-worn cameras and their subsequent deployment within the departments of the Police Force.

31. Specialised Police Force divisions and intervention units shall produce audio-visual recordings of their interventions using either cameras clipped to the ballistic helmet or hand-held ones.

32. During interrogations in investigation and summary investigation audio-visual recording is carried out in specific situations: decision of the law enforcement authorities, interrogation of a minor, interrogation of a person with the status of a particularly vulnerable victim.

33. Traffic police officers have their service vehicle equipped with a fixed camera to record their dealing with offences during the supervision of road traffic safety and flow.

34. The Ministry of Interior continues to make every effort to introduce body-worn cameras into the direct service of police officers, in order to provide camera footage of service actions where there is a presumption of the use of coercive measures.

Follow-up information relating to paragraph 16 (e) of the concluding observations

35. In the current period, the implementation of the Action Plans to the Strategy of equality, inclusion and participation of Roma until 2030 for 2022 – 2024, which contain activities aimed at increasing the awareness of the majority and the minority, is taking place. The monitoring report together with detailed implementation of the activities, is available to the public on the website of the Office of the Plenipotentiary of the Government for Roma Communities and is submitted to the Government.

36. The Action Plan for the priority area Combating anti-Roma racism and promoting participation contains educational and awareness-raising programs, including providing training to the public, the Roma community, representatives of various professions (judges, prosecutors, doctors); advocacy activities to support the adoption of the definition of anti-Roma racism in strategic documents; raising awareness about the application of anti-discrimination legislation, etc. The preparation of Action Plans for the years 2025-2027 is currently underway.

37. Within the framework of the development of communication and cooperation with the Roma community, the Ministry of Interior has successfully implemented the project of establishing Senior Officers for work in the Communities (hereinafter “SOC”). The essential preventive benefits of SOC are meetings and visits to families in socially excluded groups, as well as to children in kindergartens and primary schools, in which SOC promote legal awareness, encourage the development of positive interpersonal relations, civil coexistence, explain the importance of compulsory school attendance and others.

Trafficking in Human Beings

Follow-up information relating to paragraph 30 of the concluding observations

38. On October 18, 2023, the Government approved the National Program to Combat Human Trafficking for 2024–2028 with the respective Action Plan. The expert group for the fight against human trafficking has the task of preparing an activity plan for the upcoming 12 months every year. The intention of the National Programme 2024–2028 is to continuously build on the previous National Programme 2019–2023, to apply best practices, thus contributing to the elimination of the possibilities for the commission of the criminal offence of trafficking in human beings, and to the promotion of mechanisms for provision of assistance and support to victims, taking into account the recommendations addressed to the Slovak Republic.

39. With regard to the Roma community, the Office of the Plenipotentiary of the Government for Roma Communities is a member of the expert group for the fight against human trafficking. For the years 2024–2025, the Office will be cooperative in the implementation of specific measures aimed at:

- Ensuring exchange of information of cooperating entities at the national level;

- Carrying out campaigns to increase the general public's awareness of the issue of human trafficking as well as in the translation of materials into the Roma language;
 - Educational activities in cooperation with the Ministry of the Interior for members of the Local Civil and Preventive Services.
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