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Chair: Mr. Seetulsingh (Vice-Chair)

Contents

Consideration of reports submitted by States parties under article 40 of the Covenant

Fourth periodic report of Slovakia

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In the absence of Mr. Salvioli, Mr. Seetulsingh (Vice-Chair) took the Chair.

The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 40 of the Covenant

Fourth periodic report of Slovakia (CCPR/C/SVK/4; CCPR/C/SVK/Q/4 and Add.1)

1. *At the invitation of the Chair, the delegation of Slovakia took places at the Committee table.*
2. **Mr. Rosocha** (Slovakia), introducing his country's fourth periodic report (CCPR/C/SVK/4), said that the Slovak Government highly appreciated the Committee's work, in particular its monitoring of compliance with the Covenant, which was vital for the effective implementation of that instrument worldwide.
3. As a democratic country governed by the principles of human rights and the rule of law, Slovakia was a party to all the core human rights instruments, and its human rights legislation met the highest internationally recognized standards. During the period under review, it had signed and ratified several international human rights treaties adopted within the framework of the United Nations.
4. In February 2015, the Government had adopted the National Strategy for the Protection and Promotion of Human Rights, the purpose of which was to assess the current state of human rights compliance and protection, and identify areas that required priority attention in the period up to 2020. The Strategy was the first national document to reflect a modern understanding of human rights in line with the country's international legal commitments.
5. In March 2015, the Government had adopted the Concept for the Fight Against Extremism for 2015-2019, which established strategic priorities for the elimination of radicalization, extremism and related antisocial activities that threatened the fundamental rights and freedoms of persons and the foundations of a democratic law-governed State. In 2011, the Committee for the Prevention and Elimination of Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance had been set up as one of the committees within the Government's Council for Human Rights, National Minorities and Gender Equality.
6. Improving the situation of the Roma, particularly children, was a long-term priority for the Government. To that end, in 2012, it had adopted the Strategy for the Integration of the Roma Community by 2020, the objectives of which were outlined in paragraph 161 of his country's report.
7. The Government supported projects to raise awareness of Roma culture, history and language, promoted equal access to compulsory education for marginalized Roma communities and placed special emphasis on desegregation by, inter alia, increasing the capacity and geographical accessibility of standard primary schools.
8. In April 2013, the Anti-Discrimination Act had been amended, as a result of which the definition of indirect discrimination had been extended to include the threat of discrimination, and the definition of affirmative action measures had been adapted to include the elimination of discrimination on account of racial or ethnic origin, or affiliation to a national minority or ethnic group. In addition, the power to implement such measures had been granted to self-governing bodies and private legal entities.
9. The prevention of human trafficking and the provision of support to victims was another of the Government's long-term priorities. Through the National Programme to Combat Human Trafficking for 2015-2018, it was fostering the development of coordinated prevention activities and creating the conditions for effective victim assistance.

10. The legal framework for the punishment of violence against women had recently been reinforced. Victims were entitled to free legal aid in both civil and criminal cases, and the scope and quality of the services available to them had been enhanced. In 2013, the Government had adopted the National Action Plan for the Prevention and Elimination of Violence against Women for the period 2014-2019, which included proposals to draft a bill on domestic violence and violence against women more generally, to establish a coordination and methodology centre and to provide support for services, education and awareness-raising.

11. As part of efforts to reduce prison overcrowding, a law had recently been adopted to expand the use of alternative punishments, including house arrest, which had been applied since 1 January 2016 in order to reduce the number of prison inmates and to facilitate the social reintegration of offenders.

12. He highlighted the role played by the Committee in strengthening the legislative and institutional frameworks in Slovakia. The Committee's concluding observations would provide the national authorities with important guidance on how to enhance the level of human rights protection in Slovakia.

13. **Mr. Politi**, welcoming the delegation, which was large and highly qualified, said that he wished to commend the State party for the positive measures that had been taken during the period under review.

14. Turning to paragraph 1 of the replies to the list of issues (CCPR/C/SVK/Q/4/Add.1), he invited the delegation to clarify whether the reference to "general courts" covered administrative courts and whether the "184 published final decisions" mentioned included the judgments of administrative and appeals courts. He would appreciate disaggregated statistics on cases in which the provisions of the Covenant had been referred to by civil and criminal courts, including courts of first instance. The delegation should state which articles of the Covenant, other than those mentioned in paragraph 1 of the replies, were most frequently referred to in court proceedings and which specific provisions of article 14 had been invoked.

15. It would be interesting to hear what measures had been taken to raise awareness of the Covenant among judges, prosecutors, lawyers and the general public. He also wished to know whether any legislation was in force to govern the implementation of the Committee's Views under the Optional Protocol and which agencies or departments of the executive branch were responsible in that regard. Were there any plans to improve the mechanisms for implementation?

16. He asked whether it was true that individuals could file a complaint directly before the Constitutional Court but could challenge the constitutionality of a law only through an ombudsman. If that was the case, he would welcome information, including statistics, on the complaints that had been filed and on the rulings that had been handed down, including on matters such as reparation and compensation.

17. He would be grateful to receive information on measures that had been adopted or were planned to increase the representation of women in key political bodies and statistics on the number of women in executive positions within the Government and, in particular, the diplomatic service. He would like to know how many women had been appointed as ambassadors and given roles of responsibility within the Ministry of Foreign and European Affairs.

18. With regard to the private sector, he asked what progress had been made in reducing the underrepresentation of women in decision-making positions and what results had been achieved through initiatives undertaken by the Ministry of Labour, Social Affairs and Family, including the pilot project entitled "Family and Work".

19. The delegation should elaborate on the impact of the affirmative action measures introduced under the amended Anti-Discrimination Act and on the steps taken to enhance the effectiveness of those measures in reducing gender inequalities. It should also provide updated statistics on the gender pay gap and details of the media campaign and statistical surveys mentioned in paragraph 56 of the replies to the list of issues.

20. Several cases of illegal sterilization, which often involved Roma women, had been brought before the national courts and the European Court of Human Rights. He would be grateful for confirmation that, as was indicated in paragraph 67 of the State party's replies to the list of issues, the Ministry of Health had not received any complaints of sterilization without consent. Additionally, he wished to know whether an effective monitoring system had been put in place to ensure that the established procedures for sterilization were followed and that women gave their free and fully informed consent before undergoing the procedure. Were individual health-care facilities responsible for implementing the monitoring system or had it been entrusted to a centralized body within the Ministry of Health? Furthermore, it would be helpful to know what measures had been taken to ensure that the health-care professionals tasked with obtaining the informed consent of women were appropriately trained and to raise awareness among women, in particular Roma women, of their rights and the ways in which they could seek redress in the event of an illegal sterilization. With regard to recorded cases of illegal sterilization, information on investigations, prosecutions, judgments and awards of reparation, including monetary compensation, would be welcome.

21. According to reports received by the Committee and the concluding observations of the Committee on the Elimination of Discrimination against Women on the combined fifth and sixth periodic reports of Slovakia (CEDAW/C/SVK/CO/5-6), transgender persons who wished to obtain legal recognition of their gender were in practice forced to undergo sterilization. Could the delegation comment on the matter? What measures had been taken to prevent violations of the relevant norms, guarantee respect for the principle of fully informed consent and ensure that the health-care professionals involved in such cases were suitably trained? Information on investigations into violations of the applicable law in cases of illegal sterilization would also be welcome.

22. **Mr. Bouzid** said that he wished to know whether the amendment to the legislation on the Slovak National Centre for Human Rights had been submitted by 30 June 2016, the deadline stated in paragraph 3 of the State party's replies to the list of issues. Did that amendment address in full the various shortcomings that had been identified during the accreditation process that the Centre had recently undergone, which had resulted in B status accreditation? When had the amendment been ratified or when would it be ratified?

23. **Mr. Fathalla** said that he would be grateful for information on the financial or other reparation awarded to victims of discrimination under the Anti-Discrimination Act and on the provision of legal remedies and aid. He wished to know how the Legal Aid Centre functioned, how many victims had requested its assistance, the nature of the aid requested and how it had responded. Given the lack of provision for a clear and enforceable right to reasonable accommodation for persons with disabilities in the Anti-Discrimination Act, he asked what other measures had been taken to protect such a right. More information was also needed on the Civil Code provisions on the deprivation of legal capacity, as they seemed discriminatory. The Committee would be grateful for clarification of the statistics provided in paragraph 7 of the State party's replies to the list of issues regarding the average duration of court proceedings in cases involving alleged violations of the right to equal treatment and protection against discrimination.

24. More information was needed on the Concept for the Fight Against Extremism. How would it serve to combat extremism and racism and what had been achieved since its adoption? Lastly, the Committee would be grateful if the delegation could respond in full to

paragraph 5 of its list of issues (CCPR/C/SVK/Q/4), since the State party's replies had included only a partial response.

25. **Ms. Jelić** asked whether hate crime had been incorporated into the Criminal Code and for which groups the training projects and educational activities aimed at combating incitement to hatred and racist propaganda had been organized. Had such training been provided for the police? In light of recent examples of the use of extremist rhetoric in the Slovak parliament, including Islamophobic comments, she wondered what measures had been taken to combat impunity. Did paragraph 16 of the State party's replies to the list of issues, which provided information on the prosecution of acts of a racist or xenophobic nature, concern only acts committed on the Internet? More information on the legislation under which such acts were prosecuted, its enforcement and the relevant case law would be welcome, as would information on the enforcement and outcomes of the Act on the criminal liability of legal entities, which had entered into force on 1 July 2016.

26. The State party had provided only a very general response to paragraph 7 of the Committee's list of issues, and the Committee had been informed that, since the failure of the same-sex marriage referendum in 2015, the situation of lesbian, gay, bisexual and transgender (LGBT) persons had worsened. She wished to know what specific measures had been taken to improve the situation of LGBT persons, promote respect for them and ensure that violations of their rights were dealt with appropriately. Was it still true that none of the public pronouncements made against such persons in recent years, including the Slovak bishops' pastoral letter of 2013, had resulted in criminal prosecution or civil proceedings? With regard to the 11 cases of cyberspace extremism mentioned in paragraph 20 of the State party's replies to the list of issues, she wished to know what sanctions had been imposed and whether the process had been transparent.

27. The State party was to be commended for improvements made to the situation of Roma. In that connection, she wished to know the outcomes of the measures mentioned in paragraph 22 of the State party's replies to the list of issues. In her view, a proactive approach was necessary to improve the situation on the ground. With regard to the information provided in the Annex to the State party report on the criteria used to determine the allocation of subsidies, a detailed explanation of criterion (c) would be useful. How did it function in practice and how effective was it? She would be grateful for more information on the measures taken to combat the segregation of Roma children in schools, which remained a serious concern in some areas, including Stará Ľubovňa and Hermanovce.

28. The Committee was concerned that, although the legislative framework for violence against women had been improved, the State party had not yet ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. It should be stressed that violence against women was not always physical and that it also affected refugees, migrants and other vulnerable groups. In that connection, more information on cases of violence against women would be welcome, including information on how many had been reported, led to prosecution and resulted in the award of compensation.

29. **Ms. Waterval** said that she wished to learn about the impact of the Guidelines for the Admission of Pupils with Disabilities to Elementary School, which had been issued in November 2015. How many pupils with disabilities had since been admitted to mainstream schools? Furthermore, data on the number of persons with disabilities would be helpful. She would be grateful for an update on the deinstitutionalization of persons with disabilities and the implementation of community-based alternatives to institutionalization. In that connection, she asked whether the pilot project completed in 2015 had been evaluated. How long would it take to implement, what obstacles had been encountered in the process and were the necessary financial and human resources available? Had the process of deinstitutionalization already begun and, if it had, how many persons with disabilities had

benefited from community-based services? With regard to the legal capacity of persons with disabilities, it would also be helpful to know the date by which the Civil Code would be amended, since it would entail a change in substantive laws. Lastly, she asked how many netted cage beds remained in use in psychiatric and related institutions and what alternatives were available.

The meeting was suspended at 4.20 p.m. and resumed at 4.45 p.m.

30. **Mr. Filčík** (Slovakia) said that the term “general courts” referred to the system of district and regional courts comprising civil, administrative and criminal panels. The figure of 184 final decisions containing references to the Covenant stemmed from a public database of judicial decisions which had been launched in 2011. All courts had been required since then to publish their decisions online. However, it would take some time to implement that procedure fully and the 184 decisions mentioned might not include all decisions containing references to the Covenant.

31. The Justice Academy training courses referred to in paragraph 9 of the replies to the list of issues (CCPR/C/SVK/Q/4/Add.1) were intended to raise awareness of the Covenant and other international treaties ratified by the Slovak Republic among judges, prosecutors and other judicial personnel. However, the courses were not compulsory but based on voluntary efforts on the part of judicial personnel to develop their expertise in all relevant areas.

32. Individuals could file complaints with the Constitutional Court when they considered that rights guaranteed by the Covenant had been violated. However, they were not entitled to challenge specific domestic legislation.

33. There were no disaggregated data concerning most international treaties or articles of the Constitution invoked in judgments of the Constitutional Court. However, some disaggregated data were available for judgments invoking the European Convention on Human Rights. The Court had adopted 15,126 decisions in 2015 based on complaints by natural persons and legal entities.

34. **Ms. Rozborová** (Slovakia) said that 2 of the 15 members of the Slovak Government were women. In addition, 5 of the 13 Slovak Members of the European Parliament were women, a ratio of approximately 38 per cent. Women accounted for an increasing proportion of candidates in all elections. Details of women’s representation in local government and the judiciary could be found in paragraphs 31 and 32 of the report (CCPR/C/SVK/4), and an analysis undertaken by the Ministry of Labour, Social Affairs and Family confirmed that the level of female representation in economic decision-making positions was one of the highest in the European Union.

35. The impact of parenthood on employment clearly comprised a significant gender dimension. The employment rate for parents with children under 6 years of age was less than 40 per cent for women and about 83 per cent for men. The lack of childcare services was a further disadvantage for mothers with young children. In 2015 the Ministry of Labour, Social Affairs and Family had begun implementing the Family and Work project. It played a crucial role in facilitating innovative forms of child care and in encouraging employers to introduce flexible yet socially secure forms of work, especially for mothers with preschool children. A contribution of 50 per cent of the monthly wage would be allocated under the project for employed mothers with children in the 6 to 10 age group.

36. An extensive awareness-raising campaign on the harmful effects of the gender wage gap and vertical segregation had been launched in 2014. Based on the slogan “When I Grow Up”, the campaign had given rise to an intense public debate on gender disparities and their impact on the ambitions of women and men on the labour market and in the private sphere.

37. A project on balanced representation of women and men in leadership positions in public- and private-sector organizations had been launched in 2014. The project, which was co-financed by the European Commission PROGRESS programme, sought to raise awareness among employers and the general public of barriers faced by women in their careers.

38. Several initiatives to promote the mainstreaming of women and girls into entrepreneurship and the areas of technology and intellectual property were being implemented. For instance, the Ministry of Education had launched a comprehensive campaign promoting scientific training courses for both girls and boys.

39. **Mr. Kollár** (Slovakia) said that 8 of his country's 70 ambassadors were women, as were 6 of the 12 directors-general and 17 of the 35 directors in the Ministry of Foreign and European Affairs.

40. There was no legislation concerning implementation of the Committee's Views on individual cases. Any decision by a United Nations treaty body was communicated to the Ministry of Foreign and European Affairs, which consulted other public authorities regarding implementation and prepared a document for approval by the Government. Once the document had been approved and a decision had been taken on concrete action or remedies, the Ministry sent an official reply to the treaty body.

41. **Ms. Rozborová** (Slovakia) said that the issue of the sterilization of Roma women without informed consent had been addressed by various international human rights bodies. Slovakia had provided thorough explanations on numerous occasions regarding legislative and practical measures aimed at preventing the recurrence of such cases in the future. The legislative measures on patients' rights adopted in 2005 complied fully with international standards. Ministry of Health Decree No. 56 of 23 October 2013 specified the details of the advice to be provided prior to obtaining informed consent for sterilization and required the development of templates in the languages of national minorities, including the Romani language. Patients thus received all relevant information from medical practitioners before signing the document.

42. The European Court of Human Rights had delivered judgments in three cases concerning sterilization of women without informed consent. In the landmark judgment concerning the case of *V.C. v. Slovakia*, the Court had not required the Slovak authorities to initiate criminal proceedings on their own initiative, given that medical practitioners had not acted with the intention of ill-treating the applicant. It had found no procedural violation of article 3 of the European Convention on Human Rights. In the case of *N.B. v. Slovakia*, the Court had not accepted the applicant's allegation of an ineffective investigation of her sterilization. It had stated that the case had been reviewed at two levels of jurisdiction and that the General Prosecutor's Office had acknowledged that she had been sterilized contrary to the relevant law inasmuch as her legal representative had not given consent. Hence the evidence had not convinced the Court that the sterilization of Roma women had been a deliberate policy and that medical staff had been racially motivated. The execution of judgments was supervised by the Committee of Ministers of the Council of Europe. The applicants had been paid the financial compensation awarded. The judgments provided domestic courts with important guidance on reviewing claims for compensation. Council of Europe monitoring bodies had recently undertaken two visits to Slovakia and had issued no findings in relation to the sterilization of Roma women. Moreover, no new cases had been communicated to the Ministry of Health.

43. **Mr. Filčík** (Slovakia) said that the Government had been assigned the task of reforming the Slovak National Centre for Human Rights in 2011. The process had not yet been completed but there were plans to submit a final proposal in December 2016. The Centre had received B status accreditation in accordance with the Paris Principles. Issues

relating to inadequate funding for the Centre were being discussed with the Ministry of Finance. Other issues concerned the representation of NGOs and the Government on the Centre's Board and the scope of the Centre's activities.

44. No financial reparations had been awarded in the cases concerning hate crimes because when the issue of reparations for victims arose in criminal proceedings, the matter was referred to a civil court.

45. The Legal Assistance Centre issued an annual report on the services provided. However, the statistics were not disaggregated. In 2015 a total of 5,500 requests for legal assistance had been received and assistance had been granted in 3,976 cases. Legal consultations had been arranged in 248 cases.

46. **Mr. Becler** (Slovakia), referring to the Government's Concept for the Fight Against Extremism for 2015-2019, said that it focused on preventive and repressive action, training courses and improvement of the system. There were four basic strategic objectives: support for anti-extremist committees; awareness-raising; effective monitoring and prosecution of extremist acts; and building the capacity of State bodies to address the problem. A chapter of the Criminal Code defined extremist offences. A specialized department of the Ministry of Justice was currently preparing an amendment to the chapter. The establishment of extremist movements would be criminalized and the Criminal Code would include the offence of apartheid. Statistics for 2015 were currently being compiled.

47. **Mr. Filčík** (Slovakia) said that the Criminal Code included hate crimes under several headings such as incitement to hatred, incitement to violence, and hate speech based on race or religion. The inclusion of incitement to violence based on sexual orientation as an offence was currently being discussed in parliament. Crimes motivated by race, membership of a national minority or colour were subject to more severe penalties.

48. As the Act on the criminal liability of legal entities had entered into force on 1 July 2016, no data were yet available on its implementation.

49. The Ministry of Justice presided over a committee on the rights of lesbian, gay, bisexual and transgender persons. Half of its members were from NGOs and the other half comprised representatives of relevant ministries, the Slovak National Centre for Human Rights and the Ombudsperson.

50. The Ministry of Justice had recently stated that it would submit a draft document concerning ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention) before the end of 2016. Public consultations and meetings with stakeholders would be organized. A bill on victims of crime was also currently being drafted and would be issued in early 2016.

51. **Ms. Ondrášová** (Slovakia) recalled that until 2015 the tendency had been to place students from socially disadvantaged families, who might trail other students in their educational achievement, in special education classes with students who had health problems or disabilities. The Education Act had been amended in 2015 to stop that practice and make the necessary adjustments to the funding allocated for the students concerned. A preliminary report on the effects of that amendment, beginning from September, should be available by the end of 2016.

52. In response to criticism from international bodies relating to the accuracy of diagnostic tests used to identify children for placement in special education classes, the State School Inspectorate had been given new powers to evaluate the accuracy of those diagnoses as well as the performance of students and schools. According to its 2015-2016 report, there had been inadequate progress towards achieving an inclusive system. Problems included resistance from teachers, who preferred the traditional school system, lack of

specialized training and resources and poor individual learning plans, which contained low expectations for students' achievement or were rarely updated or adhered to.

53. Students with special needs, whether because of a health problem or disability or a disadvantaged environment, had been integrated into the regular school system since 2004. The situation in the schools was exacerbated by the fact that classes had children with special health or disability needs, disadvantaged children, minority children and increasing numbers of foreign children. The State Pedagogical Institute was developing new teaching resources and curricula in order to help teachers deal with that new reality. Funding had been received from the European Economic Area Funding Mechanism for the training of teachers dealing specifically with children from the marginalized Roma community. Other resources were likewise being developed for the education of all students. In some areas with large numbers of disadvantaged children, pupils at the primary level were divided into two shifts, each going to school part of the day. That was considered a model for responding to situations where increased enrolment and the added needs of integrated students had strained the capacity of the schools.

54. Many problems remained in regard to the demands of inclusive education. The Government recognized the need for systemic change and was currently reviewing the education system with a view to proposing a new 10-year long-term programme for the national basic education system by the end of 2016; provisions relating to higher education would be added at a later date. A draft would be available on the Internet on 14 November 2016. With regard to the recent court case on the use of "container schools" in Roma communities, she noted that the claims of discrimination had been rejected by the court. The Government had proposed action plans to meet the educational needs of twelve districts identified as the least developed in the country, where there were also large highly marginalized Roma communities. A pilot review of the progress made in one of those districts was to be published shortly.

55. **Mr. Hero** (Slovakia) said that the Roma community had been victims of segregation for hundreds of years and much needed to be done in all areas to improve their lot. More support must be provided to Roma communities and solutions found to improve their quality of life in general across the country. The equivalent of 380,000,000 euros had been allocated to programmes for the Roma for the period 2014-2020. A number of priorities had been identified. Roma communities would receive assistance in the areas of education, employment and social inclusion. Resources would be provided to local governments for the integration of marginalized Roma communities, some 1,072 of which had been identified. Priority funding would be allocated to the 150 most segregated municipalities, with any remaining funds to be distributed to the other communities.

56. Programmes would be launched to improve the living conditions of Roma communities. Support services would be strengthened: community centres with trained community workers would be opened in identified communities and the number of social workers would be increased. Every effort would be made to ensure that Roma children attended preschool classes in order to bring them into the mainstream school system. The capacity of the system would be increased; to that end the Ministry of Education would allocate funds from the State budget, the Ministry of Agriculture would contribute structural funds and municipalities not among the 150 most segregated would receive funds from the Ministry of the Interior.

57. It was, however, difficult to ensure the integration of Roma children and the Roma community in general without their active cooperation. For example, capacity could be added to the school system but that served no purpose if Roma parents did not send their children to school. Some Roma communities occupied land illegally and they were encouraged to move to permanent sites where adequate housing was provided. The Government was monitoring progress made under its Strategy for the Integration of the

Roma with a view to ensuring that funds were spent appropriately, in particular in the priority areas of access to education, housing, employment and training. A report had been prepared at the end of 2015 and the Strategy was currently being updated with a view, *inter alia*, to increasing the preschool enrolment of Roma children.

58. Interim plans to improve the quality of life of segregated communities, increase financial literacy, combat discrimination and change public perceptions would be proposed to the Government. Efforts would continue to fund both interim and permanent housing solutions for Roma families. A healthy communities project operated in 220 Roma settlements to improve access to health care; that project would be extended to 300 settlements in the near future. In the area of employment, public procurement projects would give priority to employing the long-term unemployed and social enterprises were encouraged in areas with large Roma populations. The Government Plenipotentiary for Roma Communities cooperated with other plenipotentiaries, for example those for least-developed districts and national minorities, in the implementation of mutually reinforcing activities.

59. Integration of the Roma was a priority for Slovakia, a priority that had been made a centrepiece of Slovakia's current presidency of the European Council. Measures proposed in that context included three objectives and two Council conclusions relating to the situation of Roma in the European Union States. One conclusion concerned the European Court of Auditors and the integration of Roma across the European Union; another would be adopted at the Employment, Social Policy, Health and Consumer Affairs (EPSCO) Council in December 2016 and would focus on accelerated implementation of national strategies for the Roma based on Slovakia's own experience. Roma youth had tremendous potential; in recognition of that fact a meeting had been organized the previous week to discuss the key role Roma youth could play in improving the situation of their communities; the outcomes of that meeting would be referred to in the concluding document of the Slovak Presidency of the European Union.

60. **Mr. Filčík** (Slovakia) said that the Civil Code would be amended in 2018. As from 1 July 2016, the civil courts could no longer deprive persons of their legal capacity, although restrictions were still possible. The newly created Office of the Commissioner for Persons with Disabilities was looking into the possibility of seeking judicial review of the cases of persons with disabilities who had been stripped of their legal capacity.

61. **Mr. Rosocha** (Slovakia) said that the delegation would try to provide statistics on persons with disabilities at the next meeting.

62. **Ms. Pazartzis** said that it had been reported to the Committee that the sterilization of women, in particular Roma women, continued to be a problem. Most court cases ended with no decision due to long delays exceeding the statute of limitations. To the best of her knowledge only one case had led to a decision awarding a Roma woman compensation, after 10 years. She wondered how much compensation had been ordered and also requested information on the number of such cases dealt with by the national courts and any decisions in those cases, including the amounts of compensation.

63. **Ms. Jelić** requested more information on the number of cases of hate crimes reported and prosecuted.

64. **Mr. Rodríguez Rescia**, noting with regret that only two members of the delegation were women, asked whether the State party intended to increase the number of women ambassadors in the foreign service. He requested information on the rights of transgender persons, in particular whether they were required to undergo sterilization. He expressed concern that in 2015 the referendum on same-sex marriage had been declared void because of the low participation rate. Fundamental human rights, including same-sex marriage and adoption, should be enshrined in law and not made subject to a plebiscite that might result

in violation of those rights. He wondered whether the State party would change its approach or introduce any new measures in that regard.

The meeting rose at 6 p.m.