



SLOVAK NATIONAL
CENTRE FOR
HUMAN RIGHTS

Mid-term report of the Slovak National Centre for Human Rights, UPR 3rd cycle

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The UPR process

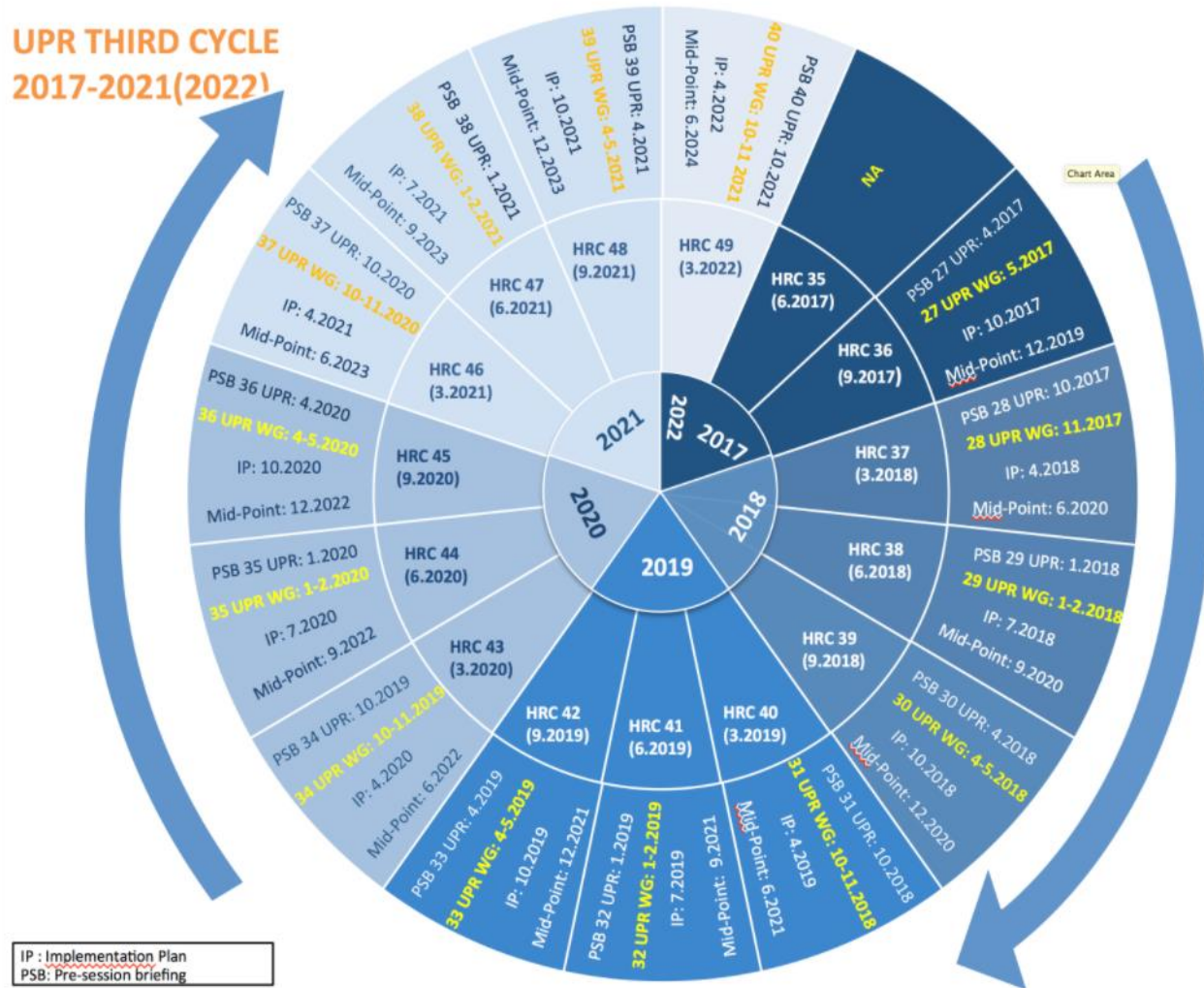
- UN mechanism for monitoring compliance of states with their human rights obligations
- unique peer review process
- state-driven, under the auspices of the UN Human Rights Council
- 5-years cycles (currently 3rd being completed and 4th has already started)



A review cycle (3rd)

Source: UN HRC

UPR THIRD CYCLE 2017-2021(2022)



Slovakia under the review



- reviewed within the 3rd cycle at 32nd session of the UN HRC, 28 January 2019
- received [195 recommendations](#) and accepted 176
- voluntary mid-term report by state adopted at the national level on 3 November 2021, to be submitted to the UN HRC by the end of the year
- 4th cycle review at 46th session of the UN HRC in February 2024

SNCHR activities

- Individual submission for the purposes of the 3rd review
- Presentation in Geneva, pre-session meeting organised by UPR-Info (NGO based in Geneva) for representatives of states to the UN
- Targeted official letters to representations of states accredited to Slovakia (business and human rights agenda, Roma rights, compliance of NHRI with the Paris Principles)
- Individual submission for mid-term review (UPR Mid-term report)



What can you do in the process?

- follow-up on the recommendations given by your state in the 3rd cycle
- monitor human rights situation in Slovakia and report to your home state
- gather information from relevant national stakeholders, HR structures, NGOs...
- formulate recommendations for the 4th cycle



Findings of our mid-term review

- 84 recommendations covered
- focus on recommendations not being properly or fully implemented

Strong and independent NHRI

Business and Human Rights

Anti-corruption and justice system

Media freedom and safety of journalists

Racial and ethnic discrimination

Gender equality and LGBTIQ+ rights

Rights of persons with disabilities





Strong and independent SNCHR

- international standard: the UN Paris Principles (GA resolution)
- 2019 attempt to amend legislation failed
- no legislation being prepared or planned
- financial strengthening
- strengthened internal processes in line with the principles of independence and effectiveness

Australia, Denmark, Bulgaria,
Ireland, Portugal, Singapore,
Finland, **Ukraine**, Mongolia,
Norway, **Republic of Korea**,
Tunisia, Togo



Business and human rights

- international standard: the UN Guiding Principles on Business and Human Rights
- 2020 drafting procedure of the National Action Plan on Business and Human Rights (Ministry of Foreign and European Affairs)
- lack of political will and understanding of the role of different stakeholders
- shortcomings in the participatory process
- currently on hold

Czech Republic, Germany,
Spain, State of Palestine





Gender equality

- conservative attitude towards gender equality
- gender equality as a term replaced by equality between men and women in policy documents, names of official structures etc.
- limiting democratic space for NGOs working on gender issues and LGBTIQ+ rights
- grants to feminist organisations not awarded, change in existing grant scheme
- grants under the EEA Norway put on hold from April 2020 until summer 2021

Uruguay, Vietnam, Ethiopia,
Myanmar, Togo, Moldova





LGBTIQ+ rights

- lack of political will to promote and strengthen the protection of LGBTIQ+ rights
- inaction in preparation of an action plan or other strategical policy document
- legal definition of marriage and no attempts to introduce civil unions or registered partnerships
- 5 proposals in the Parliament in October 2021 stigmatizing LGBTIQ+ persons
 - Constitutional definition of gender identity
 - Prohibition of informing about LGBTIQ+ issues in schools
 - Prohibition of advertisement in education of gender-identity issues and homosexuality
 - Removing the possibility to change a name and a surname after transitioning
 - Prohibition of displaying a rainbow flag at the office of the Public Defender of Rights

Australia, Chile, **Netherlands**,
France, Sweden, Mexico,
Norway





Anti-corruption framework and justice system

- Comprehensive judicial reform introduced – amendment of the Constitution of the Slovak Republic of 9 December 2020
 - Selection of members of the Judicial Council and the possibility to dismiss them before the expiry of their tenure by their appointing authority and its compatibility with the European standards
 - The amendment of the criminal liability regime of judges and the introduction of a new criminal offence of abuse of law
 - Removal of the power of the Constitutional Court to review to compatibility of the constitutional acts with the Constitution

Australia, Canada, United States,
Bahamas, Romania, France



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PROTECTION OF JOURNALISM
SAFETY OF JOURNALISTS

Media freedom and safety of journalists

- Continuous rise in violence and threats against the safety of journalists
 - Two alerts concerning the surveillance of newspaper editors or other forms of threats
- Threats to media freedom in terms of criminal prosecutions of journalists
 - 2020 - initiation of criminal proceedings for the crime of defamation against a newspaper opinion writer –2021 dismissal of charges
 - September 2021 – initiation of criminal proceedings against two journalists revealing the identity of the former intelligence agent before the expire of the statutory time limit – charges dismissed

United Kingdom, Austria,
Germany, Poland, Switzerland,
Sweden, Slovenia, Iceland



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Rights of persons with disabilities

- Inclusive education for children with disabilities - challenges
 - Lack of teaching assistants and financial resources as a barrier to inclusive education - struggle of schools to employ teaching assistants which leads to non-acceptance of a child with disabilities into a particular school
 - No clearly defined conditions for the allotment of teaching assistance to pupils with special needs attending regular schools
 - Lack of accessibility of physical environment of most schools and school facilities to pupils with disabilities – no technical modification to improve accessibility

Iceland, Afghanistan, Poland,
Cyprus, Eritrea





Racial and ethnic discrimination

- elimination of racism, xenophobia, anti-Semitism and other forms of intolerance, including hate speech and hate crime
 - Hate speech and hate crimes have been on the rise during the past years in Slovakia.
 - Disturbing is that a great number of such comments are expressed by public figures.
 - Demonisation inherent in the comments has affected a broad spectrum of groups including LGBTI persons, women, Jews, Muslims, migrants, Roma.
 - The legislative framework prohibits and punishes criminal offences of extremism (as listed in Section 140a of the Criminal Code) and criminal offences committed with a specific motive (Section 140(e) of the Criminal Code) the line between distinguishing what constitutes a crime and what should be classified as a misdemeanor remains blurred.

Romania, Libya,
Kyrgyzstan, Thailand,
Benin





- discrimination of Roma children in education
 - Education of Roma children worsened in 2020 as a result of the COVID-19 pandemic
 - In 2018/2019, the Centre monitored cases of segregation of Roma pupils identified by SSI in elementary schools in Lipany, Liptovská Teplička, Svinia, Hrabušice and Šarišské Michaľany.

Czechia, Hungary, **Slovenia**,
Greece, France



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- discrimination against Roma
 - Despite certain efforts of the state, discrimination of Roma remains alarming.
 - The COVID-19 pandemic further exacerbated marginalization of Roma communities.
 - One of the most stemming issue was the complete lockdown of Roma settlements, including Žehra, Krompachy or Bystrany in 2020.
 - In healthcare, segregation of Roma women at obstetrics and gynecology wards in hospitals in eastern Slovakia is a clear violation of the principle of equal treatment.

Republic of Moldova, Cuba,
Norway, Switzerland, Russian
Federation, Mexico, Venezuela,
Australia, Brazil, Spain,
Germany





Questions & comments





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Thank you for your attention



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