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Slovakia

Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.[1] It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

2. Bearing in mind the indivisibility of all human rights, the Committee on the Elimination of Racial Discrimination encouraged Slovakia to consider ratifying those international human rights treaties that it had not yet ratified, in particular treaties with provisions that had direct relevance to communities that might be subjected to racial discrimination, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Migration for Employment Convention (Revised), 1949 (No. 97), and the Domestic Workers Convention, 2011 (No. 189), both of the International Labour Organization. The Committee also encouraged Slovakia to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.[2]

3. The Committee on Enforced Disappearances encouraged Slovakia to speed up the process aimed at ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and to swiftly establish a national preventive mechanism that was in full conformity with it.[3]

4. The Committee on the Elimination of Discrimination against Women encouraged Slovakia to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.[4]

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III. National human rights framework

1. Constitutional and legislative framework

5. The Committee on the Elimination of Discrimination against Women welcomed the international support for the Sustainable Development Goals and called for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development.[5]

6. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged Slovakia to expand input on issues covered by the Recommendation on Science and Scientific Researchers in its national report to the universal periodic review to allow further discussions thereon at the Human Rights Council and the formulation of specific recommendations.[6]

2. Institutional infrastructure and policy measures

7. The Committee on the Elimination of Discrimination against Women noted the measures adopted to increase the capacity of the National Centre for Human Rights to offer free legal services and assistance and noted that the Centre currently had "B" status accreditation under the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). The Committee was concerned, however, about the Centre's insufficient availability of technical, human and financial resources, as well as the clarity of its mandate and its budgetary resources to perform its mandate independently.[7]

8. The Committee on the Elimination of Racial Discrimination recommended that Slovakia provide the Slovak National Centre for Human Rights with adequate resources and institutional guarantees to enable it to discharge its mandate effectively and independently, as both a national human rights institution and an equality body. The Committee referred the State party to its general recommendation No. 17 (1993) on the establishment of national institutions to facilitate the implementation of the Convention.[8]

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

9. The Committee on the Elimination of Racial Discrimination remained concerned about the prevalence of racial discrimination, especially against Roma and persons of African descent, as well as the fact that court proceedings in cases pertaining to racial discrimination continued to be excessively lengthy, having a negative impact on effective access to justice for victims.[9]

10. The Committee on the Elimination of Racial Discrimination reiterated its recommendations that Slovakia intensify its efforts to fully enforce the Anti-Discrimination Act, ensuring that all complaints involving racial discrimination were investigated effectively, and that the country provide training, on a regular basis, to civil servants, judges, magistrates and law enforcement officers to ensure the effective application of the International Convention on the Elimination of All Forms of Racial Discrimination and of national legislation on racial discrimination.[10]

11. The Committee on the Elimination of Discrimination against Women recommended that Slovakia ensure that gender equality and non-discrimination were primary considerations in the allocation of funds under the Next Generation EU recovery plan.[11]

12. The same Committee recommended that Slovakia revise its Anti-Discrimination Act to eliminate any form of discrimination against women in all areas covered by article 2 of the Convention on the Elimination of All Forms of Discrimination against Women.[12]

13. The Committee on Economic, Social and Cultural Rights recommended that Slovakia remove barriers to effective judicial remedy for victims of discrimination under the Anti-Discrimination Act, including by undertaking awareness-raising activities among minority groups, women, migrants and asylum-seekers and persons with disabilities about their rights and the available complaint mechanisms, and continue training of the judiciary on legal standards relating to non-discrimination and extend such training to other legal professionals and government officials**.**[13]

14. The Committee on the Elimination of Discrimination against Women noted with concern the impact of intersecting forms of discrimination on lesbian, bisexual, transgender and intersex women. In particular, the Committee was concerned about the information provided by civil society on the involuntary sterilization of transgender women as a precondition for legal gender recognition and the increasingly hostile environment for transgender women.[14]

15. The Committee on the Elimination of Discrimination against Women recommended that Slovakia ensure that transgender women could continue to obtain legal recognition of their gender and change their names in civil registries without undergoing involuntary sterilization, and commit not to adopt legislation on compulsory sterilization. It also recommended that Slovakia publicly condemn homophobic discourse and violence against lesbian, bisexual, transgender and intersex women and ensure, through mandatory and continuous capacity-building for judges, prosecutors, police officers and other law enforcement officials, that the legal prohibition of hate crimes and hate speech was enforced.[15]

2. Right to life, liberty and security of person, and freedom from torture

16. As at 15 June 2023, UNESCO had recorded one killing of a journalist in Slovakia since systematic reporting began in 2006. According to information provided by the Government, two individuals directly involved in the killing had been prosecuted and the investigation into the instigators of the crime was still ongoing.[16]

17. The Committee against Torture recommended that Slovakia continue its efforts to ensure rehabilitation and redress for victims of torture and cruel, inhuman, or degrading treatment, paying special attention to the allocation of a sufficient number of qualified personnel to meet the needs of victims.[17]

18. The Committee on Enforced Disappearances emphasized the particularly cruel effect of enforced disappearances on the human rights of women and children. Women who were subjected to enforced disappearance were particularly vulnerable to sexual and other forms of gender-based violence. Women who were relatives of a disappeared person were particularly likely to suffer serious social and economic disadvantages and to be subjected to violence, persecution and reprisals as a result of their efforts to locate their loved ones. Children who were victims of enforced disappearance, either because they themselves were subjected to disappearance or because they suffered the consequences of the disappearance of their relatives, were especially vulnerable to numerous human rights violations, including identity substitution. In that context, the Committee placed special emphasis on the need for Slovakia to ensure that gender perspectives and child-sensitive approaches were used in implementing the rights and obligations set out in the International Convention for the Protection of All Persons from Enforced Disappearance.[18]

3. Administration of justice, including impunity, and the rule of law

19. The Committee against Torture stressed that all fundamental legal safeguards should be guaranteed, both in law and in practice, for all detained persons from the outset of the deprivation of their liberty, including the right to be assisted by a lawyer, including during interrogations and, if necessary, be granted access to free legal aid.

20. The Committee against Torture also referred to the right of detainees to request and receive a medical examination by an independent physician, free of charge, or by a doctor of their choice and have the confidentiality of the results of medical examinations respected; and be fully and comprehensively informed of their rights, the reason for their arrest, and any charges against them, in a language they understood and in an accessible manner.[19]

21. The Committee on Enforced Disappearances recommended that Slovakia establish a specific independent mechanism with the power to undertake, without hindrance, regular unannounced visits to all places in which persons might be deprived of liberty, irrespective of their nature.[20]

22. The Committee against Torture advised Slovakia to video record all actions by the police, including during interrogations and through the use of body cameras, and ensure that persons who reported acts of torture and ill-treatment, as well as witnesses to such acts, were protected from reprisals, including criminal charges.[21]

23. The Committee on the Elimination of Discrimination against Women recommended that Slovakia provide capacity-building to judges, prosecutors, police officers and other law enforcement officials on sex-based and gender-based discrimination and ensure that all complaints were adequately registered by police officers, victims were referred to specialized services and crimes were prosecuted and punished.[22]

24. The Committee on the Elimination of Discrimination against Women also recommended that Slovakia to take all necessary measures to eliminate obstacles in obtaining access to justice encountered by women and girls who faced intersecting and multiple forms of discrimination, in particular Roma women and other vulnerable groups of women.[23]

4. Fundamental freedoms and the right to participate in public and political life

25. UNESCO stressed that the Constitution ensured and safeguarded freedom of expression and freedom of the press. Article 26 explicitly guaranteed the right to freedom of speech and access to information. According to the provision, every individual had the right to express his or her opinions through various media, including verbal communication, written content, print media, visual representations, or any other appropriate means.[24]

26. UNESCO recommended that the Government strengthen the independence of the oversight body created by the freedom of information law, in accordance with international standards.[25]

27. UNESCO also encouraged the Government to decriminalize defamation and subsequently incorporate it into the civil code in accordance with international standards. The Government might wish to consider taking advantage of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity as a means to strengthen protection of journalists and freedom of expression.[26]

28. UNESCO urged Slovakia to consider expanding the scope of application of freedom of expression to include scientists and scientific researchers and to address the relevant dimensions of the right to science in its reporting on the impact of the coronavirus disease (COVID-19) pandemic and the assessment of responses thereto.[27]

29. UNESCO stressed that particular attention should be paid to the legal provisions and regulatory frameworks that ensured the implementation of human rights of scientific researchers themselves (e.g. rights of association, freedom of research, expression and publication, equal opportunities and treatment, including for girls and women pursuing a scientific career) and human rights obligations related to the practice of science generally: the human rights related to access to and uses of scientific knowledge through education; the sharing of benefits of scientific progress and its applications with emphasis on non-discrimination and inclusion; protection for the rights of human subjects of research; and promotion of the science-society interface. Furthermore, Slovakia was invited to provide information on any action taken to develop national strategies towards the achievement of the Sustainable Development Goals with emphasis on integrated approaches and broader stakeholder participation.[28]

30. Pursuant to its general recommendation No. 35 (2013) on combating racist hate speech, the Committee on the Elimination of Racial Discrimination recommended that Slovakia ensure that media-related legislation was in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination and other international human rights law standards, in order to prevent, sanction and deter any manifestations of racism in the media, particularly on the Internet. The Committee also recommended that the country ensure that all incidents of hate speech were investigated and prosecuted and that the perpetrators were punished, regardless of their official status, and provide data on the number of hate speech cases reported, the number of prosecutions and convictions and the number of cases in which compensation had been awarded to victims.[29]

31. The Committee on the Elimination of Racial Discrimination recommended that Slovakia adopt effective measures to ensure full participation in public affairs by persons belonging to ethnic minorities, in particular Roma, in both decision-making positions and representative institutions. In addition, the Committee urged Slovakia to intensify its efforts to ensure equal opportunities for participation by ethnic minorities at all levels of government: national, regional and local.[30]

5. Prohibition of all forms of slavery, including trafficking in persons

32. The Committee on the Elimination of Discrimination against Women recommended that Slovakia expediate the amendment of the Criminal Code in order to increase the penalties for human trafficking and criminalize the purchase of sex services from a victim of trafficking.[31]

6. Right to work and to just and favourable conditions of work

33. The Committee on Economic, Social and Cultural Rights recommended that Slovakia remove all disincentives to unionization and ensure full respect for all workers' rights in that regard.[32]

7. Right to an adequate standard of living

34. The Committee on the Elimination of Discrimination against Women recommended that Slovakia adopt effective and targeted measures to reduce poverty among the Roma population.[33]

35. The Committee on the Elimination of Racial Discrimination urged Slovakia to adopt appropriate and effective measures in order to provide access to adequate housing and to improve the living conditions for Roma, in genuine consultation with the affected communities and individuals concerned; and to intensify its efforts to provide security of tenure to Roma communities, including through the legalization of informal settlements, in order to prevent forced evictions, and when they cannot be avoided, ensure that the families and individuals affected are provided with alternative adequate housing and compensation.[34]

36. The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that the Government establish a national accommodation and housing strategy, including social housing that supported integration of the most vulnerable groups within local communities through social housing schemes, including refugees, and provide financial incentives to towns and cities to develop social housing, including for refugees, and renovate unused buildings, including former social housing facilities they owned.[35]

8. Right to health

37. The Committee on the Elimination of Discrimination against Women recommended that Slovakia remove the restrictions to access to safe abortion services, such as the requirement for mandatory counselling, medically unnecessary waiting periods and third-party authorization, in line with recommendations of the World Health Organization.[36]

38. The Committee against Torture urged Slovakia to ensure that all allegations of forced or involuntary sterilizations were impartially investigated, that the persons responsible were held accountable and that adequate redress was provided to the victims. Slovakia should also adopt legislative and policy measures to prevent and criminalize the forced or involuntary

sterilization of women, in particular by clearly defining the requirement for free, prior and informed consent with regard to sterilization and by raising awareness among Roma women and medical personnel of that requirement.[37]

39. The Committee against Torture stated that Slovakia should hasten efforts to eliminate the use of cage beds, and ensure that alternative practices, including the use of seclusion rooms, were compatible with international and regional human rights standards, including the revised standards on means of restraint in psychiatric establishments for adults of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.[38]

40. The Committee on Economic, Social and Cultural Rights recommended that Slovakia invest in preventive public health campaigns and take measures targeted towards groups and persons that had substantial health problems and risks. Slovakia should also improve the regulation of the marketing of alcohol, and that of food and beverages to children consistent with the World Health Organization's set of recommendations on the marketing of foods and non-alcoholic beverages to children (2010).[39]

41. The Committee on the Elimination of Discrimination against Women recommended that Slovakia strengthen efforts to eliminate and sanction the segregation of Roma women in hospital maternity wards, as well as verbal and physical abuse by medical staff, and to ensure Roma women had access to adequate health-care services. The Committee also recommended that Slovakia ensure that Roma women were not subject to involuntary sterilization and facilitate victims' access to justice, including by raising awareness, removing financial barriers, extending the time to lodge complaints, and facilitating their access to medical records and the disclosure of pretrial evidence to support their claims.[40]

9. Right to education

42. The Committee on the Elimination of Discrimination against Women recommended that Slovakia strengthen its efforts to eliminate the segregation of Roma girls in the education system, provide them with equal access to high-quality education at all levels and take effective measures to increase their attendance at the primary and secondary levels through temporary special measures.[41]

43. UNESCO encouraged Slovakia to strengthen efforts to increase enrolment in tertiary education, according to the needs of individuals and society, and pursue efforts to ensure non-discrimination in education and to improve inclusive education, especially for minorities and children with disabilities.[42]

10. Cultural rights

44. UNESCO encouraged Slovakia, as a State party to the Convention for the Protection of the World Cultural and Natural Heritage, the Convention for the Safeguarding of the Intangible Cultural Heritage and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, to fully implement the relevant provisions that promoted access to and participation in cultural heritage and creative expressions and, as such, were conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Slovakia was encouraged to give due consideration to the participation of communities, practitioners, cultural actors and civil society organizations, as well as groups in vulnerable situations (minorities, Indigenous Peoples, migrants, refugees, young people and persons with disabilities), and to ensure that equal opportunities were given to women and girls to address gender disparities.[43]

11. Business and human rights

45. While recognizing the efforts of Slovakia to tackle corruption, the protection of whistle-blowers and the conviction of some high-ranking officers, the Committee on Economic, Social and Cultural Rights remained concerned by the continued levels of corruption in the country and regretted that information on investigations, prosecutions and convictions reflecting the cross-cutting impact of corruption on human rights was so far limited. The Committee recommended that Slovakia further increase investigations,

prosecutions and convictions for corruption, including in cases of gross corruption by high-level officials, and take robust measures to prevent future incidences of corruption.[44]

B. Rights of specific persons or groups

1. Women

46. The Committee on the Elimination of Discrimination against Women recommended that Slovakia take all necessary measures to eliminate obstacles in obtaining access to justice encountered by women and girls who faced intersecting and multiple forms of discrimination, in particular Roma women and other vulnerable groups of women.[45]

47. The Committee on the Elimination of Discrimination against Women urged Slovakia to expediate the enactment of comprehensive legislation on the prevention and elimination of violence against women and the amendment of the Criminal Code to include domestic violence as a category of violent crime and raise the punishment for intimate partner violence and femicide.[46]

48. Recalling general recommendation No. 33 (2015) on women's access to justice, the Committee on the Elimination of Discrimination against Women recommended that Slovakia take all necessary measures to improve the efficiency and effectiveness of judicial proceedings, ensure the implementation of the shift in the burden of proof in cases of sex-based and gender-based discrimination, provide adequate and timely judicial remedies, including financial compensation, and combat the fear of potential stigmatization and victimization for affected women.[47]

2. Children

49. The Committee against Torture recommended that Slovakia clearly and unambiguously ban the use of corporal punishment by parents in the exercise of their rights and obligations, and conduct awareness-raising and educational campaigns for the general public to inform them of the prohibition of the use of corporal punishment against children and its consequences.[48]

50. UNHCR estimated that 53 per cent of refugee children were not enrolled in schools in Slovakia in the 2022/23 school year. The Government had decided to apply compulsory education for all refugee children by September 2024. Early identification, assessment, and targeted support for refugee children at risk, including unaccompanied and separated children, and those affected by violence, abuse, exploitation, and neglect, including at crossing and transit points, and in private and collective accommodation options, required stronger coordination among State and humanitarian child protection actors. A key area of further attention was strengthening national capacities to conduct individualized best interest procedures to support appropriate guardianship and alternative care arrangements, as well as with regard to the return of unaccompanied and separated children to Ukraine.[49]

51. UNESCO reported that most of the recommendations made during the previous universal periodic review cycle had been about continuing efforts to ensure non-discrimination and inclusive education, especially for children with disabilities and minorities.[50]

3. Persons with disabilities

52. The Committee on Economic, Social and Cultural Rights was concerned that the overall approach to disability had not been effective at removing structural discrimination and exclusion. It regretted that support for independent living was not available for the majority of adults and children with disabilities and that they experienced high levels of institutionalization. The Committee urged Slovakia to accelerate progress towards the deinstitutionalization of persons with disabilities and develop comprehensive assessment and support services to facilitate independent living, tailored to individual capacities and needs.[51]

53. The Committee on Economic, Social and Cultural Rights recommended that Slovakia take steps to ensure access to inclusive education and provide reasonable accommodation for

children with disabilities, and to guarantee that their families had the right to choose the form of their education, including the transition of those currently enrolled in special schools and classes.[52]

54. UNHCR reported that the Government provided some humanitarian support, including disability humanitarian grants, but most forms of compensation for people with disabilities were not available for refugees. Up to 20 per cent of the population might need social housing or other housing assistance in the long term due to their vulnerability, including separated families with children who did not have day care, persons with disabilities and older persons without family support. Persons with disabilities, older persons and those with serious health problems faced additional problems related to the affordability of housing. Only a limited number of accommodation centres could ensure barrier-free and necessary access to health and social services.[53]

55. UNHCR recommended that Slovakia develop an action plan focusing on refugees to support and complement the national social protection and assistance mechanisms benefiting persons with disabilities, and collaborate with the disability organizations and refugee communities in developing and implementing assistance programmes.[54]

4. Minorities

56. The Committee on the Elimination of Racial Discrimination recommended that Slovakia intensify efforts to ensure close collaboration and strengthened consultation with the Roma communities and civil society organizations working on Roma issues, and ensure that municipalities, particularly municipalities containing marginalized Roma communities, made full use of relevant funding, including funding from the European Union, to improve the socioeconomic situation of minorities. Slovakia should take appropriate measures to address the disproportionately lower labour market participation of ethnic minorities, particularly Roma, and take appropriate measures to specifically address the disproportionate poverty rate of Roma.[55]

5. Lesbian, gay, bisexual, transgender and intersex persons

57. The Committee on Economic, Social and Cultural Rights recommended that Slovakia develop and implement dedicated legal provisions, policies and programmes to ensure protection from discrimination based on gender identity and sexual orientation. Furthermore, it recommended that the country initiate societal awareness-raising and consultations to overcome discrimination based on sexual orientation, and develop a legal institution, such as registered partnerships or civil unions, that provided protection equivalent to marriage to those in same-sex relationships.[56]

58. The Committee on the Elimination of Discrimination against Women was concerned about the high incidence of gender-related hate speech particularly directed against Roma women, transgender women and women politicians. The Committee urged Slovakia to take steps to criminalize sexist, misogynist, and other forms of gender-related hate speech, including against Roma women, transgender women and women politicians.[57]

6. Migrants, refugees and asylum-seekers

59. UNHCR noted that the amendments to the Act on Residence of Foreigners that had entered into force on 1 May 2017 enabled the police authorities to apply two types of alternatives to detention, namely the obligation to report the place of stay, and the obligation to post bail, in all cases for which detention is considered, and not only in cases of administrative expulsion. Alternatives to detention were applicable to foreigners, including asylum-seekers under Regulation (EU) No. 604/2013 of the European Parliament and of the Council of 26 June 2013 (the Dublin III Regulation), with the exception of those who were deemed a threat to national security, public order or public health. However, in practice, such alternatives had been applied only exceptionally.[58]

60. UNHCR recommended that the Government of Slovakia reduce the current practice of detaining asylum-seekers and those awaiting a Dublin transfer by ensuring that the detention was applied only when it was based on an assessment of an individual's particular circumstances, determined to be necessary, reasonable in all the circumstances, and

proportionate to a legitimate purpose, and upon consideration of available alternatives. UNHCR also recommended that the Government duly consider the availability, effectiveness and appropriateness of alternatives to detention in each individual case and apply alternatives to detention especially in cases of families with children, taking into consideration that children should not be detained for immigration-related purposes and that the detention of asylum-seekers generally should be avoided and considered only as a measure of last resort.[59]

61. The Committee on the Elimination of Racial Discrimination recommended that Slovakia take urgent measures to protect refugees from any form of stigmatization and from acts of racial discrimination, including racist violence, in full consultation with organizations representing refugees, non-governmental organizations, relevant international agencies and other stakeholders.[60]

62. The Committee on Enforced Disappearances recommended that Slovakia ensure that the principle of non-refoulement enshrined in article 16 (1) of the International Convention for the Protection of All Persons from Enforced Disappearance was strictly respected in all cases and without exceptions. In that respect, the Committee recommended that Slovakia consider explicitly incorporating into its domestic legislation a prohibition on carrying out an expulsion, refoulement, surrender or extradition when there were substantial grounds for believing that the person concerned might be in danger of being subjected to enforced disappearance.[61]

63. The same Committee urged Slovakia to ensure that any decision taken in the context of procedures of expulsion, refoulement, surrender or extradition evaluating the risk of a person being subjected to enforced disappearance could be appealed and that such an appeal had suspensive effect, and to guarantee that respect for the principle of non-refoulement was not subject to any conditions.[62]

64. In the follow-up to the recommendations from the previous universal periodic review, UNHCR and the Legal Aid Centre in Slovakia had engaged in partnership to strengthen access to qualified free legal aid for refugees, asylum-seekers, beneficiaries of temporary protection, stateless persons, and people at risk of statelessness. Many individuals from those categories were economically and socially disadvantaged, which affected their access to legal services that could help them understand, protect and defend their legal rights and interests. The Legal Aid Centre had been closely involved in the Slovak Refugee Coordination Forum since 2022, and provided legal aid and counselling to refugees displaced in the context of the war in Ukraine throughout Slovakia, including by joining the mobile outreach of the Blue Dot Safe Space and Protection Hub, in collaboration with UNHCR and Mareena, a Slovak non-governmental organization, to ensure that particularly vulnerable refugees, in particular older persons, persons with disabilities and women caring for young children, had access to legal counselling and representation.[63]

65. UNHCR noted that, in 2022, the Government and society of Slovakia had shown a strong commitment to ensuring the rights and safety of those fleeing the armed conflict in Ukraine, and proactively collaborated with international and civil society stakeholders. Despite that commitment and the favourable protection environment, some challenges remained due to pre-existing capacity gaps in the areas of accommodation, child protection, social services, response to gender-based violence and risks of trafficking in persons, health care, and education. The regional and local authorities had responsibilities over accommodation, education and health, while they had very limited access to resources, including available funding instruments to meet those responsibilities and ensure the protection and inclusion of refugees. Similarly, the line ministries and their respective bodies, such as the Migration Office of the Ministry of the Interior, had not been able to enhance their resources while undertaking responsibilities to protect an unprecedented number of refugees. UNHCR also wished to stress the key role that Slovak volunteers, civil society and non-governmental organizations and the Ukrainian community initiatives had in supporting refugees navigate the national protection systems and essential services in Slovakia and supporting the public institutions responding to refugee needs, including accommodation, health, education and social protection.[64]

7. Stateless persons

66. UNHCR noted that numerous obligations for Slovakia arising out of the Convention relating to the Status of Stateless Persons had not been reflected in national legislation or applied in practice. Slovakia maintained its reservation to article 27 of the Convention, which provided that Convention travel documents would be issued by the country only to those stateless persons who had been granted permanent or long-term residence in Slovakia. A formal statelessness determination procedure had yet to be established by the Government. Despite the difficulty in establishing a reliable estimate of the stateless population, available data suggested that the stateless population in Slovakia was relatively small and homogeneous compared with the number of other groups of foreigners living in Slovakia, with the majority of stateless persons originating from Slovakia or its neighbouring countries.[65]

67. Stateless persons could apply for "permanent residence" for a duration of five years. However, the granting of permanent residence under the Act on Residence of Foreigners was not automatically applicable to all stateless persons, even if they met all the conditions, and remained at the discretion of the Ministry of the Interior. Moreover, granting of permanent residence for stateless persons was also linked with a possibility to obtain Slovak citizenship. The Act on Slovak Citizenship contained provisions that allowed stateless persons with a residence permit to apply for Slovak citizenship after three years of continuous residence in Slovakia. According to the Ministry of the Interior, in 2016, three stateless persons had been granted Slovak citizenship, in 2017 – four, and in 2018 – one.[66]

68. In that context, UNHCR recommended that the Government of Slovakia work towards lifting the reservation to article 27 of the Convention relating to the Status of Stateless Persons; develop a national action plan on statelessness; and facilitate the access to permanent residence for stateless persons, ensuring that they were provided with a right to be "lawfully in" the territory of Slovakia for the entire duration of the relevant proceedings, and facilitate their naturalization.[67]

Notes

1 A/HRC/41/13, A/HRC/41/13/Add.1 and A/HRC/41/2.
2 CERD/C/SVK/CO/13, para. 36.
3 CED/C/SVK/CO/1, para. 19.
4 CEDAW/C/SVK/CO/7, para. 52.
5 Ibid., para. 6.
6 UNESCO submission for the universal periodic review of Slovakia, para. 26.
7 CEDAW/C/SVK/CO/7, para. 16.
8 CERD/C/SVK/CO/13, para. 11.
9 Ibid., para. 6.
10 Ibid., para. 7.
11 CEDAW/C/SVK/CO/7, para. 9.
12 Ibid., para. 11.
13 E/C.12/SVK/CO/3, para. 13.
14 CEDAW/C/SVK/CO/7, para. 44.
15 Ibid., para. 45.
16 UNESCO submission, p. 4.
17 CAT/C/SVK/CO/4, para. 36.
18 CED/C/SVK/CO/1 para. 29.
19 CAT/C/SVK/CO/4, para. 10.
20 CED/C/SVK/CO/1, para. 19.
21 CAT/C/SVK/CO/4, para. 16.
22 CEDAW/C/SVK/CO/7, para. 13.
23 Ibid.
24 UNESCO submission, para. 9.
25 Ibid., para. 23.
26 Ibid., paras. 21 and 22.
27 Ibid., para. 26.
28 Ibid., para. 25.
29 CERD/C/SVK/CO/13, para. 19.

[30] Ibid., para. 23.
[31] CEDAW/C/SVK/CO/7, para. 25.
[32] E/C.12/SVK/CO/3, para. 25.
[33] CEDAW/C/SVK/CO/7, para. 43.
[34] CERD/C/SVK/CO/13, para. 27.
[35] UNHCR submission for the universal periodic review of Slovakia, p. 5.
[36] CEDAW/C/SVK/CO/7, para. 37.
[37] CAT/C/SVK/CO/4, para. 24.
[38] Ibid., para. 20.
[39] E/C.12/SVK/CO/3, para. 38.
[40] CEDAW/C/SVK/CO/7, para. 43.
[41] Ibid., para. 33.
[42] UNESCO submission, para. 20.
[43] Ibid., para. 24.
[44] E/C.12/SVK/CO/3, paras. 8 and 9.
[45] CEDAW/C/SVK/CO/7, para. 13.
[46] Ibid., para. 23.
[47] Ibid., para. 13.
[48] CAT/C/SVK/CO/4, para. 38.
[49] UNHCR submission, pp. 2 and 3.
[50] UNESCO submission, para. 6.
[51] E/C.12/SVK/CO/3, paras. 16 and 17.
[52] Ibid., para. 53.
[53] UNHCR submission, p. 4.
[54] Ibid., p. 5.
[55] CERD/C/SVK/CO/13, para. 13.
[56] E/C.12/SVK/CO/3, para. 15.
[57] CEDAW/C/SVK/CO/7, paras. 20 and 21.
[58] UNHCR submission, p. 5.
[59] Ibid., p. 6.
[60] CERD/C/SVK/CO/13, para. 25.
[61] CED/C/SVK/CO/1, para. 15.
[62] Ibid.
[63] UNHCR submission, p. 2.
[64] Ibid., p. 4.
[65] Ibid., p. 3.
[66] Ibid.
[67] Ibid., p. 4.