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Summary record of the 4th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 1 May 2012, at 3 p.m.

Chairperson: Mr. Pillay

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The meeting was called to order at 3 p.m.

Consideration of reports

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

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

Articles 1 to 9 (continued)

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

2. **Ms. Daskalová** (Slovakia) said that women constituted one third of each of the three groups, namely experts, Government officials and non-governmental organizations (NGOs), that made up the Government Council for Human Rights, National Minorities and Gender Equality and that its deputy chair was a woman. Moreover, the Council's committee on gender equality was mostly composed of women. In June 2011, the Government had established a working group on the rights of lesbian, gay, bisexual and transgender (LGBT) persons which had held consultations with NGOs on involving representatives of the LGBT community in policymaking with a view to better protecting their rights. The deputy prime minister had repeatedly spoken out in favour of the rights of the LGBT community and had supported several events in that connection. The Anti-Discrimination Act prohibited discrimination on the basis of sexual orientation.

3. **Ms. Lanáková** (Slovakia) provided extensive statistical data on several aspects relating to employment. Unemployment had been at a historic low in 2008, but it had since grown as a result of the global economic crisis and stood at 13.16 per cent. It was currently on a downward trend, however, and the unemployment gap between men and women had continued to close. Youth unemployment had risen to 33.6 per cent in 2010, but showed no significant gender disparity. The unemployment rate for 55–64 year-olds had also grown and was lower for men than women. Recent graduates and workers over 50 accounted for the largest number of long-term unemployed. The average unemployment benefit was € 289 per month, compared to the minimum wage of € 317 or the average wage of € 786. Workers were entitled to unemployment benefits if they had contributed to the insurance scheme for the equivalent of two years over three calendar years, or over four years for seasonal workers. Workers had to have paid into the pension scheme for a minimum of 15 years prior to retirement and pensions were calculated on the basis of the national average wage. Men and women tended not to receive equal pay for equal work and the wage gap between them was widening.

4. Workers with disabilities constituted a growing share of the unemployed. The Act on Employment Services encouraged the employment of disabled persons and set out the obligations of employers towards such employees. Measures had been implemented to promote protected workplaces, defined as workplaces where persons with disabilities made up at least 30 per cent of staff. Financial incentives had been instituted for setting up protected workplaces, hiring persons with disabilities and refitting facilities to meet the needs of those employees. The Act had been amended to remove obstacles to the employment of disabled persons, provide skills training to that population group and ensure the sustainability of protected positions. The annual budget allocated to supporting the employment of such persons had increased steadily since 2008 and stood at over € 30 million. The number of workplaces defined as "protected" had also risen over that period, to 5,606.

5. The Collective Bargaining Act recognized two types of strikes, those staged for the purpose of resolving a labour dispute and those unrelated to collective bargaining. The right to strike could not be invoked by any of the following groups in situations where a work stoppage would constitute a threat to civilians or property: health-care professionals, social services personnel, staff of nuclear and gas and crude oil facilities, judges and prosecutors, the armed forces, civil aviation employees, firefighters, emergency rescue crews and telecommunication personnel.
6. Regarding workplace health and safety, in 2010 the labour inspection authority had carried out 559 investigations into workplace accidents, including 48 fatal ones. During the reporting period there had been 1,913 serious workplace accidents, more than three quarters of which had resulted in an inability to work of at least 42 days. Fatal accidents were concentrated in the manufacturing, transport and storage and wholesale sectors, as were cases of significant injury resulting in an inability to work of at least 42 days. Most workplace injuries were caused by falls or heavy or sharp objects. The first 10 days of time off work were covered by the employer and any additional time, up to 52 weeks, was covered by social insurance, which also protected self-employed workers.
7. The Act on Employment Services also regulated the entry of foreign nationals into the labour market. An organization registered in Slovakia could employ third-country nationals, provided that they had a work permit or a temporary residence permit, as well as holders of a European Union Blue Card and asylum-seekers.
8. **Mr. Pollák** (Slovakia) said that any segregation of Roma children in schools usually occurred at the elementary level. The fact that some Roma children had to be bused to schools some distance from their home was the result of the size of school catchment areas, not of a discriminatory policy. The Government provided support to pupils from disadvantaged families, such as funding for textbooks and school meals. Scholarships were available to help cover the cost of secondary education or vocational training. Efforts were being made to counter segregation and improve the education of Roma children. Schools with at least 100 pupils from disadvantaged families received subsidies, 50 per cent of which were earmarked for hiring auxiliary staff to meet the needs of Roma children. There were plans to review the criteria for placing Roma pupils in specialized schools to ensure that such placements occurred only when absolutely necessary, and a strategy was in place to achieve full school completion among Roma by 2020.
9. **Ms. Ondrášová** (Slovakia) said that, while the overall number of students was dwindling, the number in areas with high concentrations of Roma was actually on the rise. The fact that education had been devolved to local governments was a determining factor in the heterogeneity of infrastructure and services. The Government was considering instituting voluntary boarding schools for children from marginalized groups.
10. **Mr. Texier** asked how unemployment benefits were calculated, from what point a person was considered unemployed and for how long benefits were paid. He wished to know how extensive the informal market was, since it could skew employment figures. He wondered if the minimum wage was sufficient to meet Slovakia's obligations under article 7 of the Covenant. He asked what the contribution period was to receive a full pension and what percentage of the base wage constituted a full pension. Noting that the wage gap was widening, he enquired what steps the Government was taking to close it.
11. **Mr. Abdel-Moneim**, referring to paragraphs 51 and 52 of the replies to the list of issues (E/C.12/SVK/Q/2/Add.1), asked for further information on the exceptions to unemployment benefits set out in the Act on Social Insurance and the reasons for excluding some groups.
12. **Ms. Lanáková** (Slovakia) said that she could only speak to the unemployment figures based on self-reporting and registration by workers. Individuals became officially

unemployed on the day they registered with and submitted an application to the unemployment office. Individuals who had contributed to the insurance scheme and registered with the unemployment office could receive unemployment benefits for up to six months. At the end of that period, they could apply for welfare, provided that they fulfilled certain criteria. The minimum wage was determined on the basis of several factors, such as the overall situation of the labour market and the cost of living. The issue of illegal work was addressed in the Illegal Work Act, which granted the authority to inspect workplaces to bodies such as the departments of labour inspection and social affairs.

13. **Mr. Martynov** requested the delegation to provide in writing all the relevant figures on employment of persons with disabilities. He wished to know if and how regional employment disparities had evolved during the period under consideration. Noting that, based on paragraph 55 of the State party's replies, the eligibility criteria regulating access to social assistance benefits were extremely restrictive, he requested additional information on its policy and practice in that connection.

Articles 10 to 12

14. **Mr. Riedel** expressed disappointment at the lack of disaggregated data in the report and asked for more such data to be provided in future. He commended the State party on its assessment of the problem of access to drinking water, but wondered what measures it was taking to rectify the situation. He asked how the prevalence of HIV/AIDS had evolved since 2006. Quoting paragraph 77 of the replies, he requested clarification on what was meant by "stabilized" and on concrete measures being taken to ensure that mentally ill patients received care. He wished to know what alternatives were available to women in cases where a physician refused to perform an abortion. He requested information on the tangible effects of the State party's anti-tobacco policies and data on tobacco consumption disaggregated by age and gender.

15. **Ms. Barahona Riera** asked if domestic violence was a specific offence under the Criminal Code, what concrete protection measures were in place for victims, how many cases had been prosecuted and how many convictions had been handed down. She wished to know whether unmarried couples were recognized under the law and what rights they enjoyed compared to married couples. She also enquired about any specific law guaranteeing the rights of senior citizens, whether they were covered by the health-care system and if there was a minimum non-contributory pension plan. Similarly, she asked if the health-care system covered all persons and whether treatment was provided to individuals who had not paid into it, such as undocumented migrants, especially children and pregnant women. She expressed concern that the new law adopted in 2011 was a step backwards regarding access to contraceptives and noted that contraception was internationally recognized as a basic element of health care. She requested further information on sexual and reproductive health education in schools and on institutional alternatives to abortion in cases of conscientious objection.

16. **Mr. Schrijver**, noting that neither the report nor the written replies addressed the issue of trafficking in persons, asked how widespread the problem was in Slovakia, in particular with respect to women and children; if information that trafficking mainly affected Roma was correct; what policies and measures were in place to combat the problem; and in what areas there was room for improvement.

17. **Mr. Atangana** said that the reply to question 20 of the list of issues had been conflated with the reply to question 19, despite the fact that the questions addressed separate issues. The Committee had expected to find information concerning the updated State Family Policy in a separate reply and would therefore appreciate additional information on that subject.

18. **Mr. Kedzia**, noting that Slovakia had been one of the first countries to sign the Council of Europe Convention on preventing and combating violence against women and domestic violence, enquired whether it planned to ratify the Convention in the near future. He asked why the National Sexual and Reproductive Health Programme had not yet been adopted; whether additional programmes were being prepared; and to what extent civil society was involved in devising such programmes.

19. **Mr. Dasgupta** said the fact that compliance with the Act that had introduced a ban on smoking in the workplace was monitored by the Slovak Trade Inspection, State Veterinary and Food Administration and not by the Ministry of Health meant that overall responsibility was diffused, making it difficult for the Committee to determine the scope of the legislation. He would be interested to know whether the Act protected non-smokers in public places that were also enclosed spaces and why the Ministry of Health had no supervisory role in such an important health-related matter.

20. **Ms. Shin Heisoo** said that the Committee required additional information in order to determine the extent of the coverage offered by the national health-care system. According to the report, the significantly higher infant mortality rate among the Roma community was attributable to social rather than medical factors. She emphasized that the Roma themselves were not to blame for poor hygiene or the low vaccination rate and that it was the responsibility of the Government to investigate and remedy that situation. Given that the National Sexual and Reproductive Health Protection Programme and the National Programme of Care for Women, Safe Maternity and Reproductive Health had yet to be adopted, she took it that there was no comprehensive national programme on sexual and reproductive health. With regard to the so-called “baby hatches” or public incubators where mothers could leave their newborn babies up to the sixth week after birth without prosecution, she wished to know whether that initiative was aimed at preventing infanticide or abortion and how the identities of mothers reclaiming their babies and of the babies themselves were verified. Noting that the increasing number of children born out of wedlock and unwanted pregnancies could be attributed to the absence of a comprehensive national family planning programme, she asked whether family planning education was provided in schools and to the general public and what types of contraception were available.

21. **Mr. Abdel-Moneim** said that, while progress had been achieved in developing and reforming the ecological agricultural system for the production of bio-food, the scope of article 11, paragraph 2 (a), was more extensive. He would like to receive information on other agricultural systems that had been developed and reformed. He would also appreciate a diagram illustrating the evolution of the consumer price index during the reporting period and information on taxation in the State party and its impact on the standard of living.

22. **Mr. Tirado Mejía** said that, according to the European Monitoring Centre for Drugs and Drug Addiction, drug use had increased in the State party. He wished to know whether that was indeed the case and, if so, the magnitude of the problem and what policies were in place to address it. Furthermore, he would like to know the Government’s position on the decriminalization of drugs.

23. **The Chairperson**, speaking as a member of the Committee, said that, in its replies to the list of issues, the Government stated that more housing had been made available for marginalized groups such as the Roma. However, according to information provided by the Centre on Housing Rights and Evictions, in 2008, many Roma had been forcibly evicted in various municipalities owing to problems arising from unsettled land ownership and precarious tenure. The Committee would be interested to know whether forced evictions still took place, whether there was any relevant legislation and, if so, whether it enshrined the principles set out in the Committee’s general comment No. 7 on forced evictions. According to Eurobarometer surveys on poverty and social exclusion conducted in 2010,

there were large numbers of homeless people in Slovakia who had no access to basic hygiene facilities or to shelter in winter. He asked whether there was a strategy in place to determine the extent of the problem, its causes and the best way to combat it.

24. **Mr. Kerdoun** (Country Rapporteur) said that, although the State party had taken steps to develop housing and to make it available to marginalized communities, there was a housing shortage in both urban and rural areas. He wished to know how the Government planned to remedy that shortage and to make more housing available to groups in danger of social exclusion, particularly to the Roma community.

25. **Mr. Rosocha** (Slovakia) said that, given that there was no representative from the Ministry of Health present, it would be better to deal with the majority of the health-related questions at the following meeting.

26. **Mr. Pollák** (Slovakia) said that there were very few rental flats in Slovakia as the great majority of the population owned their own homes. However, the Government was intent on remedying the situation by increasing the public housing stock. Act No. 443 on social housing, adopted in 2010, set subsidies for low to medium-standard rental homes at 70 to 75 per cent for marginalized social groups, provided that specific criteria were met. Those subsidies were paid to the various municipalities, which then used them to procure rental flats. In addition, the State Housing Development Fund provided low-interest loans to cover the remaining 25 to 30 per cent not met by the subsidy. Since the introduction of the Fund, around 2,900 flats had been built.

27. Temporary housing was being considered as part of the national strategy to integrate the Roma community by 2020. While such housing would only be an interim solution, it would offer the Roma community better prospects for decent housing. Addressing the housing situation in Roma settlements was often problematic because, in many cases, the status of the land on which the settlements were built was unclear, its owners were unknown or it belonged to a municipality or the Church. The Government was currently devising measures to address unclear land ownership with a view to cooperating with the Ministry of Construction and Regional Development to find a more comprehensive solution to the problem. The health of the Roma community was generally worse than that of the rest of the population owing to reasons related to social status, customs and education. However, assistance had been provided to those Roma living in the worst settlements, ensuring that they received vaccinations at the correct intervals. The Government did not possess statistics on trafficking in persons within the Roma community and often learned of cases only when law enforcement officials became involved. Regional personnel were best placed to offer assistance and advice in such cases. The national strategy to integrate the Roma community by 2020 also sought to bridge the gap between the health of the Roma community and that of the rest of the population. It sought to raise awareness about issues related to sexual and reproductive health within marginalized communities, to enhance the quality of the information available on contraception and to ensure free and easy access to modern contraceptives and to sexual and reproductive health services. The strategy had been reviewed by various ministries, including the Ministry of Health. The Government considered providing access to good-quality drinking water to be a priority. A large proportion of Roma households already enjoyed such access, but there was a Government grant scheme supporting projects aimed at further increasing drinking-water supply.

28. **Mr. Kerdoun** asked why the National Sexual and Reproductive Health Protection Programme was still pending, whether there was another programme being prepared and whether the original programme would be relaunched.

The meeting was suspended at 4.55 p.m. and resumed at 5.20 p.m.

29. **Mr. Rosocha** (Slovakia) said that, during the period 1995–2010, only 343 cases of HIV/AIDS mortality had been recorded. The incidence of the disease in Slovakia was

stable compared with that of other countries in the region, which could be attributed to improved treatment, the effective implementation of preventive programmes and close cooperation with the Joint United Nations Programme on HIV/AIDS (UNAIDS).

30. **Mr. Klenovský** (Slovakia) said that a national programme for mental health had been adopted in 2008, providing comprehensive care to the mentally ill. Moreover, a council for mental health had been established within the Ministry of Health. The council worked closely with civil society and had played an important role in devising the national programme.

31. While the National Sexual and Reproductive Health Protection Programme was still pending, the National Programme of Care for Women, Safe Maternity and Reproductive Health had been adopted, and it addressed some of the issues raised. The number of abortions had fallen steadily since the 1990s. While individual doctors retained the right to refuse to perform an abortion on grounds of conscientious objection, a woman could not be denied an abortion.

32. The homeless and all other persons who were not in a position to pay health-care contributions were insured by the State. They were issued with an insurance card and could receive treatment at any health-care facility. The same applied to immigrants. Asylum-seekers were housed in appropriate asylum facilities overseen by the migration office of the Ministry of the Interior.

33. The Public Health Authority of the Ministry of Health was responsible for conducting investigations into abuse of substances such as tobacco. The Authority had 38 regional branches throughout the country and employed health advisers whom citizens could approach for counselling on health-related issues.

34. **Ms. Ondrášová** (Slovakia) said that the Ministry of Education required schools to monitor children's behaviour, to report any signs of sexual abuse and to take preventive measures, should the need arise. In addition, a national action plan that focused on monitoring and review had been adopted.

35. In 2010, the Ministry of Education had broadened the curriculum to cover topics such as parenthood and how to lead a healthy lifestyle. Special attention was given to the issue of sexual abuse, including the commercial exploitation of children, and the appropriate action to take in such cases.

36. Sex education could be studied as an elective subject in schools and covered the principles of safe sexual behaviour, child pornography and sexual abuse of children.

37. The Ministry of Education worked with various research institutes and pursued a policy aimed at educating young people about sexual relations, marriage, parenthood, family values, health and social values. The policy also sought to teach young people self-confidence, respect, how to withstand peer pressure and how to develop interpersonal and communication skills. It also covered personal safety issues and basic children's rights and provided young people with information on the reproductive cycle, adolescence and childcare.

38. Effective teaching would enable young people to put into practice what they learned at school. Teachers should approach the subject matter with tact, be sensitive to the individual needs of students and keep parents informed of the topics covered in the classroom. Teachers were able to design their own curricula based on discussions with students and an external advisory board and submit it to the school principal for approval.

39. The Ministry of Education was currently addressing the issue of drug abuse in conjunction with other problems such as school bullying and crime and appointed coordinators responsible for the prevention of drug abuse to all schools.

40. **Mr. Riedel** said he would be interested to know of the services available to women who had been refused an abortion and whether those women had access to counselling or could receive alternative treatment. He also wished to know whether awareness-raising campaigns had been launched and to hear about any other practical measures the State party had taken in that regard.

41. **Ms. Barahona Riera** said that the reply to her question on contraceptives had not covered the population in general. She wished to know whether modern contraceptives could be obtained free of charge from public health institutions and whether any legal limitation existed, given that access to contraceptives was essential to family planning. She also enquired as to the status of the National Sexual and Reproductive Health Protection Programme and the reasons why it had not been implemented. The fact that a country was religious should not prevent it from carrying out a national programme, as religion and sexual and reproductive health were separate issues.

42. **Mr. Rosocha** (Slovakia) said that his delegation would provide detailed information on all outstanding issues at the following meeting.

Articles 13 to 15

43. **Mr. Riedel** said that, as in many other countries, inclusive education for persons with disabilities was not widespread in Slovakia. The Convention on the Rights of Persons with Disabilities stipulated that students with disabilities should be taught in mainstream schools insofar as it was feasible to do so. However, the Committee had received reports that only two thirds of disabled students were enrolled in mainstream schools and that the rest attended special schools where they often underperformed. While acknowledging the State party's efforts in urban areas, the Committee would be interested to know of the efforts made in rural areas and whether children with disabilities living in small towns and villages were automatically sent to special schools in the absence of other schooling options. He also requested the State party to provide details on the steps it was taking to improve the situation of persons with disabilities.

44. **Ms. Shin Heisoo** asked how human rights education was provided to students and teachers and how cases of bullying, sexual harassment and threats against Roma students or students with disabilities were dealt with in schools.

45. **Mr. Abashidze** noted that, in Slovakia, there were 13 groups that had been accorded the status of a minority. He enquired as to the procedure governing the award of that status, the criteria applied by the State when granting it and the reasons why a group might be denied it. It was clear that the ability of such groups to exercise their cultural rights depended on whether or not they enjoyed the status of a minority group. In that connection, he requested clarification concerning the limitations on the exercise of cultural rights and the relationship between those rights and temporary special measures to protect minorities.

46. **Mr. Kerdoun** said that, despite the efforts of the State party to assist persons with disabilities, various problems persisted. Moreover, he regretted the lack of statistics on the number of children and adults with disabilities. Such statistics could help the State party to devise programmes to promote equal opportunities for disabled persons both in the educational sphere and in Slovak society in general.

47. Noting that the Ministry of Education was preparing several laws as part of a school system reform, he asked when those laws would be adopted and whether they would entail changes to the school system or simply complement pre-existing legislation.

48. **Mr. Abdel-Moneim**, referring to the changes in payment of tuition fees introduced by an amendment to the University Act, said he would like to know the actual amount of tuition fees, whether they were affordable, the nature of the changes and the number of

private higher education institutions compared to the number of public institutions and the cost difference between them.

49. Alluding to paragraph 307 of the report, he requested clarification on whether religious education was always an alternative to ethics education and on the meaning of “compulsory optional subjects”, which seemed a contradiction in terms.

The meeting rose at 5.55 p.m.