



# Convention on the Rights of Persons with Disabilities

Distr.: General  
23 October 2019

Original: English  
English, Russian and Spanish only

---

## Committee on the Rights of Persons with Disabilities

### List of issues prior to submission of the combined second and third periodic reports of Slovakia\*

#### A. Purpose and general obligations (arts. 1–4)

1. Please inform the Committee on all measures taken to implement the recommendations issued by the Committee in its previous concluding observations (CRPD/C/SVK/CO/1), particularly on measures taken to:

(a) Establish and build the capacity of the focal points and coordination mechanisms to implement the Convention at all levels of the administration and on the progress achieved in this regard;

(b) Review its domestic legislation and bring it into line with the Convention, including the guardianship regime, and mental health, family and electoral legislation, to prohibit all discrimination in laws, regulations and practices against persons with disabilities and to ensure that assessments of disability at all levels of government comply with the human rights model of disability;

(c) Adopt cross-sectoral disability-inclusive policies and ensure the protection of the rights persons with disabilities, including children, Roma people and women with disabilities, throughout the State party's policy framework, and inform the Committee on the progress achieved by the national programme for the development of living conditions (2014–2020) with regard to the rights of persons with disabilities.

2. Please report on mechanisms in place to closely consult with and actively involve persons with disabilities through their representative organizations in public decision-making processes concerning issues relating to persons with disabilities, and to facilitate the establishment and work of organizations of persons with disabilities, particularly those involving women with disabilities, children with disabilities and persons with intellectual or psychosocial disabilities.

#### B. Specific rights (arts. 5–30)

##### Equality and non-discrimination (art. 5)

3. Please provide information on the measures taken to carry out research and to collect and analyse data to identify discriminatory practices against persons with disabilities in the State party, in line with the Committee's general comment No. 6 (2018) on equality and non-discrimination.

---

\* Adopted by the pre-sessional working group at its twelfth session (23–27 September 2019).



4. In view of parliament's rejection in 2019 of the proposal to amend the Anti-Discrimination Act concerning discrimination based on disability, please inform the Committee on the measures taken to:

(a) Ensure that the protection against discrimination encompasses all forms of discrimination based on disability, including direct and indirect discrimination, the denial of reasonable accommodation, discrimination by association, and multiple and intersectional forms of discrimination;

(b) Provide persons with disabilities with individualized supports in all areas of life, and eliminate the discrimination faced by persons with disabilities, in particular, children, migrants, refugees, asylum seekers, older persons, women, intersex persons and persons who identify as lesbian, gay, bisexual or transgender with disabilities, regardless of geographical location, place of residence or ethnic background;

(c) Provide effective judicial remedies and procedural adjustments in cases of discrimination based on disability, including in cases of discrimination by private actors. Please also inform the Committee about the number of complaints lodged about disability-based discrimination, the type of redress and the age and sex of the complainants, since the Committee's previous concluding observations.

#### **Women with disabilities (art. 6)**

5. Please inform the Committee on the measures taken to establish specific legislation and policies regarding women and girls with disabilities and to mainstream disability in gender equality-related legislation and policies. Please also report on the measures taken to adopt gender-responsive budgets to achieve inclusive equality for women and girls with disabilities, in close consultation with women and girls with disabilities, through their representative organizations.

#### **Children with disabilities (art. 7)**

6. Please provide information on:

(a) Measures taken to ensure the inclusion of children with disabilities, in particular Roma children with disabilities, in public policies and programmes to protect the rights of the child, in all areas of life and in all regions and municipalities;

(b) Statistical data on the access of children with disabilities to services provided to the general public, disaggregated by age, sex, ethnic origin and place of residence;

(c) Measures taken to raise awareness of the rights of children with disabilities among the children themselves, their parents, including adoptive and foster parents, relatives and the personnel working with the children, and to guarantee that children with disabilities can express their views freely on all matters affecting them.

#### **Awareness-raising (art. 8)**

7. Please inform on measures taken to raise awareness in society and among families of the rights and dignity of persons with disabilities, foster respect for them, combat disability and gender stereotypes in all areas of life and guarantee the equal recognition for persons with disabilities before the law. Please also inform the Committee on the involvement of persons with disabilities through their representative organizations in the design and execution of awareness-raising strategies.

#### **Accessibility (art. 9)**

8. Please provide information on the status of the draft legislation amending the Act on Land Use, Planning and Building Order (the Building Act), and on other measures taken to guarantee that new and existing buildings open to the public, public transportation and housing are accessible for persons with disabilities. Please indicate the measures taken to ensure affordable and accessible social housing across all regions. Please also inform the Committee on the plans, including timeframes, to ensure the transposition and

implementation of the European Accessibility Act and the Web Accessibility Directive of the European Union.

9. With regard to the Committee's previous concluding observations (paras. 30 and 32), please provide information on the measures taken to:

(a) Ensure that the steps taken to guarantee accessibility include the application and promotion of universal design;

(b) Facilitate accessibility to buildings, transport and other facilities open or provided to the public by, inter alia, developing public signs in Braille and Easy Read formats and providing live assistance, intermediaries, guides, readers, accessible information kiosks, ticket vending machines, websites, mobile applications and professional sign language interpreters.

#### **Right to life (art. 10)**

10. Please provide information on the measures taken to prevent and investigate deaths of persons with disabilities in psychiatric hospitals, including in connection with the use of force or restraints.

#### **Situations of risk and humanitarian emergencies (art. 11)**

11. Please inform the Committee on:

(a) Steps taken to provide early warning systems in all formats, including sign language and electronic formats, to ensure that persons with disabilities can prepare for and respond to emergency situations, in accordance with the Sendai Framework for Disaster Risk Reduction 2015–2030;

(b) Measures taken to ensure respect for and the protection of the rights of persons with disabilities who are asylum seekers, refugees or persons in refugee-like situations, including children with disabilities, and persons with disabilities held in detention facilities, indicating the measures to ensure gender and age accommodations in the judicial and administrative procedures and the provision of accessible information.

#### **Equal recognition before the law (art. 12)**

12. Please provide information on:

(a) Measures taken to abolish any form of guardianship, and on the status of the process to reform the guardianship provisions in the Civil Code and on consultation and involvement of persons with disabilities, through their representative organizations, in this process;

(b) Measures taken to adopt supported decision-making mechanisms in all areas of life, in line with the Committee's general comment No. 1 (2014) on equal recognition before the law;

(c) Measures taken to ensure in law and in practice the rights of persons with disabilities to own or inherit property, control their financial affairs and have access to bank loans, mortgages and other forms of financial credit without any discrimination, and on measures taken to include the private banking sector in these efforts.

#### **Access to justice (art. 13)**

13. Please inform the Committee on measures taken to:

(a) Amend procedural rules to ensure access to justice by all persons with disabilities, including those who are in institutions, such as psychiatric hospitals, without discrimination;

(b) Ensure accessibility of free legal aid to all persons with disabilities in judicial and administrative proceedings, and to provide persons with disabilities with accessible information about their right to access justice;

(c) Ensure continuing education and training to all personnel in the justice, administration and law enforcement sectors on the rights enshrined in the Convention.

#### **Liberty and security of the person (art. 14)**

14. With reference to the Committee's previous concluding observations (para. 44), please provide information on measures taken to repeal provisions in the Health Care Act and the Criminal Code allowing for the deprivation of liberty in social care institutions or in psychiatric hospitals on the basis of perceived or actual impairment or presumed dangerousness. Please inform the Committee on the legal remedies available to persons with disabilities to challenge their deprivation of liberty.

15. Please provide information on the steps taken to oppose the adoption of the draft additional protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, entitled "The protection of human rights and dignity of persons with mental disorder with regard to involuntary placement and involuntary treatment", given that the draft additional protocol violates several provisions of the Convention on the Rights of Persons with Disabilities.

#### **Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)**

16. With reference to the Committee's previous concluding observations (para. 46), please report on measures taken to end the use of net beds; mechanical and chemical restraint in psychiatric institutions, including electroconvulsive therapy; and involuntary or excessive drug treatment. Please also inform on the number and results of investigations, prosecutions and judgments in cases of torture or ill-treatment and on the redress provided for persons with disabilities affected.

17. Please provide information on measures taken to prevent and abolish forced sterilization, contraception and sex reassignment surgery of persons with disabilities, including intersex children, and to provide redress. Please also inform on measures taken to ensure that women and girls with disabilities can exercise their sexual and reproductive autonomy, including opposing any forced treatments based on third-party requests, such as by guardians or family members.

#### **Freedom from exploitation, violence and abuse (art. 16)**

18. With reference to the Committee's previous concluding observations (para. 48), please provide information on:

(a) Legislation and policies in place to prevent any form of exploitation, violence and abuse of persons with disabilities, particularly women and girls with disabilities;

(b) Accessible reporting and complaint mechanisms and procedures for the prompt and impartial investigation of cases involving violence and abuse against persons with disabilities, as well as on victim support services, particularly for women and girls with disabilities, and on specialized training for the police, judicial and prosecutorial personnel;

(c) Steps taken to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence;

(d) Accessible shelters for women and girls with disabilities at risk of violence, gender and age-sensitive psychological rehabilitation and social reintegration services for persons with disabilities who are victims of violence.

#### **Living independently and being included in the community (art. 19)**

19. With reference to the Committee's previous concluding observations (paras. 56 and 58), please provide information on:

(a) Progress made in the deinstitutionalization process of persons with disabilities, as evidenced by data disaggregated by age, sex and ethnicity, as well as on

persons who have been deinstitutionalized and on the number of persons who have regained their legal capacity as a result of the deinstitutionalization process;

(b) Individualized supports, such as personal assistance, available to persons with disabilities, including those deinstitutionalized in the last five years, who live in the community, and on the personnel and the technical and financial means allocated to such support services at the national and local levels;

(c) Measures taken to prevent the reinstitutionalization of persons with disabilities, including older persons with disabilities in small congregated settings, such as group homes;

(d) Measures taken to redirect budget allocations for institutions, including those allocations from the European Structural and Investment Funds, towards initiatives that provide support for inclusion in the community, and to ensure accessibility of mainstream community services at the municipal level. Please provide information about any national targets to increase accessibility of community services and on the indicators of progress.

### **Personal mobility (art. 20)**

20. Please provide information on the measures taken to:

(a) Guarantee that persons with disabilities have effective, affordable access to aids, devices and other assistive technologies for personal mobility, and on measures taken to simplify the conditions and procedures for granting financial contributions and discounts to persons with disabilities;

(b) Facilitate the personal mobility of persons with disabilities, such as through reduced fare policies for persons with disabilities on public transport, including domestic rail services, and free travel for persons travelling as their assistants.

### **Freedom of expression and opinion, and access to information (art. 21)**

21. Please provide information on measures taken to:

(a) Render accessible for persons with disabilities all websites and mobile applications intended for or provided to the public and to adapt all websites and mobile applications of public sector bodies to the European standard on the accessibility requirements suitable for public procurement of information and communication technology products and services in Europe (EN 301 54);

(b) Train sign language interpreters, including the number of graduates of such programmes;

(c) Ensure that persons with disabilities are able to access information intended for the general public and the mass media, and that they can access such information in accessible formats, including audio description, Braille, captioning, Easy Read, plain language and sign language, as well as through interpretation for deafblind persons;

(d) Introduce simultaneous transcription of speech to text and online interpreting services.

### **Respect for home and the family (art. 23)**

22. Please provide information on:

(a) Measures taken to repeal section 12 of Act No. 36/2005 on the family;

(b) Support available to parents of children with disabilities for the purposes of guaranteeing their right to respect for home and the family, and on measures taken against the concealment, abandonment, neglect, segregation and separation of children with disabilities by and from their parents.

### **Education (art. 24)**

23. Please provide information on:

(a) Steps taken to develop, adopt and implement a strategy on quality inclusive education, and a system providing support for students with disabilities, including with intellectual or psychosocial disabilities, in mainstream education. Please include information on the benchmarks, baselines and indicators used for the implementation of the strategy and on the resources allocated to its implementation;

(b) Availability and accessibility of inclusive pre-school education for children with disabilities, including children with intellectual or psychosocial disabilities, and the number of children with disabilities enrolled in inclusive mainstream schools, in special schools and in other segregated school units at all levels of education, as a proportion of the total number of children with disabilities enrolled in school, disaggregated by sex, national or ethnic origin, and urban or rural settings;

(c) The human, technical and financial resources allocated to provide students with disabilities with individualized support, and on the applicable accessibility standards within inclusive education, including those concerning classrooms, playgrounds, sanitary facilities, school transportation, educational material, information and communication technologies, pedagogy, services and equipment;

(d) Measures taken to promote and ensure the training and hiring of teachers with disabilities, and the training of teachers in sign language, orientation and mobility skills.

#### **Health (art. 25)**

24. Please provide information on measures taken to:

(a) Ensure that health-care facilities, services and equipment, including specialist services, are accessible and affordable to all persons with disabilities, in particular persons requiring high levels of support;

(b) Train health professionals and support personnel on the human rights model of disability, and prevent discriminatory and negative attitudes and stereotypes against persons with disabilities, particularly with regard to persons with intellectual or psychosocial disabilities;

(c) Ensure equal access to sexual and reproductive health information and services for women and girls with disabilities.

#### **Habilitation and rehabilitation (art. 26)**

25. Please provide information on measures taken to ensure that habilitation and rehabilitation services enable persons with disabilities to attain and maintain (a) maximum independence; (b) full physical, mental, social and vocational ability; and (c) full inclusion and participation in all aspects of life. Please also provide information on the measures taken to promote accessible and affordable habilitation and rehabilitation.

#### **Work and employment (art. 27)**

26. Please provide information on the measures taken to increase the employment rate of persons with disabilities, particularly women with disabilities, in the open labour market, and on the national targets for creating employment opportunities for persons with disabilities. Please also provide information on measures taken to:

(a) Ensure the transition of persons with disabilities, including those in the process of moving from institutions into the community, from unemployment or employment in sheltered workshops to employment in the open labour market;

(b) Eliminate barriers and discrimination against persons with disabilities in the recruitment process and the workplace, including instances involving the denial of individualized measures.

#### **Adequate standard of living and social protection (art. 28)**

27. Please inform on the measures taken to:

(a) Mainstream disability inclusion in strategies to address poverty, with a particular focus on the policies addressing the situation of women, children and older persons with disabilities;

(b) Develop public housing programmes that are accessible to and affordable for persons with disabilities, on an equal basis with others;

(c) Ensure that all social protection schemes and support services are provided to persons with disabilities without discrimination related to age, gender or socioeconomic status, and ensure the coverage of disability-related extra costs and disability-related schemes after the age of 65 years;

(d) Collect statistical data on poverty, disaggregated by disability, age, gender, place of residence and geographical location, and provide the Committee with the available figures.

#### **Participation in political and public life (art. 29)**

28. Please provide information on the measures taken to:

(a) Implement the Constitutional Court ruling concerning the right to vote of all persons with disabilities, and to repeal provisions in the Elections Act that deprive persons with disabilities their right to stand for elections;

(b) Ensure that voting procedures, facilities and materials are accessible and easy to understand and use, and to ensure that measures to assist voters with disabilities respect the secrecy of the ballot.

#### **Participation in cultural life, recreation, leisure and sport (art. 30)**

29. Please provide information on the measures taken to:

(a) Guarantee to all persons with disabilities, including children with disabilities the accessibility of sports facilities, museums, cultural and natural heritage sites and any other places relevant to the cultural life;

(b) Transpose and implement European Union Directive 2017/1564 on certain permitted uses of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled, and European Union Regulation 2017/1563, implementing the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, in the European Union.

### **C. Specific obligations (arts. 31–33)**

#### **Statistics and data collection (art. 31)**

30. Please provide information on measures taken for the systematic collection, analysis and dissemination of data on the situation of persons with disabilities, disaggregated by sex, age, ethnicity, education, employment status, socioeconomic status and social protection entitlement, for the purposes of informing rigorous programme and policy development.

31. Please also provide information about the use of the Washington Group Short Set of Questions on Disability in the next census.

#### **International cooperation (art. 32)**

32. Please provide information on:

(a) The measures and timeframe to ensure the implementation of the European Consensus on Development and to further advance the rights of persons with disabilities in international cooperation;

(b) The involvement of persons with disabilities, through their representative organizations in the Government Council for the 2030 Agenda for Sustainable

Development, and decision-making procedures related to the national development strategy until 2030.

**National implementation and monitoring (art. 33)**

33. Please provide information on measures taken to:

(a) Ensure technical and budget allocations and coordination among the focal points to implement the Convention at the national, regional and municipal levels;

(b) Provide the operational funding, guarantee the independence and achieve an A Status for The Slovak National Centre for Human Rights, in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights;

(c) Ensure the involvement of persons with disabilities, including children and women with disabilities, and their representative organizations in the independent monitoring framework under the Convention, and to build their capacity to effectively participate in the monitoring process.

---