



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination 107th session

### Summary record of the 2906th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 17 August 2022, at 10 a.m.

*Chair:* Ms. Shepherd

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Consideration of reports, comments and information submitted by States parties under article 9 of the Convention (*continued*)

*Thirteenth periodic report of Slovakia (continued)*

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*The meeting was called to order at 10 a.m.*

**Consideration of reports, comments and information submitted by States parties under article 9 of the Convention** *(continued)*

*Thirteenth periodic report of Slovakia (continued)* (CERD/C/SVK/13;  
CERD/C/SVK/Q/13)

1. *At the invitation of the Chair, the delegation of Slovakia joined the meeting.*
2. **Ms. Ali Al-Misnad** (Country Rapporteur) said that she wished to know how many of the goals that were part of the action plan associated with the National Roma Integration Strategy had been achieved and what impact the measures taken as part of the plan had had. Similarly, she would welcome additional information on the National Strategic Framework for Roma Equality, Inclusion and Participation, a framework that had been established in 2021 and would be in place until 2030, and the accompanying action plan. She would also welcome an indication of whether the activities organized by the State party to raise awareness of and promote respect for other cultures, those of the country's minority communities in particular, took place throughout the country.
3. It would be helpful if the delegation could comment on troubling reports of unpunished discrimination against Roma by the police. It might also comment on reports that the benefits to which Roma women and families were entitled were cut when, for example, a woman who had given birth had left the hospital earlier than she should have, perhaps because she had other children to take care of or had been mistreated by hospital staff, or when a child was taken out of school. The reported lockdown of entire Roma communities during the coronavirus disease (COVID-19) pandemic was also disturbing.
4. She would welcome statistical information on the living conditions of Roma, including with regard to housing, health, education and employment. She would also welcome information on the percentage of Roma living in segregated areas. She wondered whether any research had been done to shed light on the reasons for the overrepresentation of Roma children in State care and what steps were being taken to ensure that such children were not more likely to be taken into care than children as a whole.
5. She asked why, as noted in the State party's report, the representation of ethnic minorities on law-making bodies had been on the decline and what measures had been taken to increase the political participation of minorities. It would be interesting to learn whether there had been any analyses of the limited participation of minorities in political processes.
6. The State party had made commendable efforts to provide its people with adequate housing, but in view of reports that increasing numbers of Roma lived in segregated settlements, often without paved roads or access to drinking water, and that public housing programmes contributed to ongoing segregation, she wondered what type of housing was made available to Roma and what requirements applicants for social housing had to meet. In addition, she would appreciate relevant statistics on Roma residential areas.
7. She wished to know more about the status of the rulings in the court cases heard in connection with the forced sterilization of Roma women, in particular whether the victims had finally been awarded financial compensation. She also wished to know what measures were being taken by the State party to improve the health conditions of Roma, including by stepping up COVID-19 vaccination campaigns in Roma communities, whose members were far less likely than the population as a whole to have been vaccinated against COVID-19.
8. Although the State party had made commendable recent efforts to expand educational opportunities, the Committee still had a number of concerns, including in relation to the disproportionately small percentages of Roma children who attended nursery or secondary school, the high rates at which Roma girls in particular – although also boys – dropped out of school and the ongoing and widespread placement of Roma students from marginal communities in classes or schools for children with intellectual disabilities. She wondered whether the State party had any plans to look into the placement of Roma students in such schools or classes and adopt a diagnostic test that would correct the linguistic and cultural biases of the current tests. She also wondered what the enrolment ratios in the State party's minority communities were, how many minority children were enrolled in secondary schools

– whether general education or vocational schools – and how many were enrolled in higher education.

9. She would welcome information on the State party's integration policy, which had been adopted in 2014 to help ensure that foreigners were properly integrated. It would be interesting to know how many refugees and asylum-seekers there were in the State party, what measures had been taken to protect their rights, including to health, education and employment, what requirements applicants for asylum had to meet, how many asylum applications a year were accepted and what provisions had been made to ensure that Ukrainian refugees could exercise their rights, not least to education for their children. A comment on reports of prison-like migrant detention centres where children were held together with adults and detained migrants had to foot the bill for their involuntary stays would also be welcome.

10. **Ms. Stavrinaki** (Country Task Force) said that she wished to know what had accounted for the increasing but still relatively small percentage of the State party's 100 largest Roma communities that had access to potable water and why not all its Roma communities had such access. She also wished to know what indicators were used to inform the development of domestic policies on Roma and other minorities vulnerable to racial discrimination and what steps the authorities took to ensure that the development of public policies was informed by an awareness of intersecting forms of discrimination. She would welcome an explanation of the lower housing standard referred to in the State party's periodic report (CERD/C/SVK/13, para. 125) and asked what measures were being taken to prevent housing segregation.

11. She wondered what steps the State party had taken to raise awareness among the female Roma victims of forced sterilization of their right to compensation, including, in view of the lengthy judicial proceedings, compensation awarded extrajudicially, and whether the working group on reparation for forced sterilization set up by the State party included Roma women. She would like to know what measures had been taken to enforce anti-discrimination laws in health-care settings, how health-care or other workers ensured that a patient's consent to a procedure was in fact informed and whether the authorities had reached out to Roma communities to inform their members of the services provided in a number of hospitals by newly hired health promotion assistants.

12. As the Country Rapporteur had noted, the Committee would like current data, broken down by gender and age, on the number of refugees and asylum-seekers in the State party. It would be helpful to learn whether the Commissioner for Children had access to migrant detention centres, in which, according to reports, children were sometimes placed, and what health-care services, including reproductive health care, were made available to refugees.

13. **Mr. Balcerzak**, referring to the unprecedented wave of refugees from Ukraine who had fled to Slovakia, asked whether any of those refugees had returned to Ukraine and whether any programmes had been put in place to support the refugees, including those whose children would need to enrol in school, for the medium or longer term. He also asked what had been done to allow Ukrainian refugees to enter the local labour market.

14. **Ms. Chung** said that she would welcome information on migrant workers, women in particular, in the State party. She wondered, for example, how many such workers there were in the State party, what conditions they worked in, what, in general, their economic circumstances were and what measures the Government took to help them better their lot. She would also welcome information on birth registration for the children of undocumented migrant workers.

15. **Mr. Yeung Sik Yuen** said that he wished to know why the State party, appearing to change course, had transferred responsibility for the protection of human rights, including activities organized to combat racial discrimination, from the Slovak National Centre for Human Rights, ostensibly its national human rights institution, to the Office of the Ombudsperson, another independent human rights institution. What plans had been made for those two institutions?

16. **Ms. Esseneme** said that she wondered why Roma children were so often placed in schools or classes for children with intellectual disabilities and whether being Roma was a

disadvantage. She would welcome a comment on reports that Roma, in part because of their lack of ordinary schooling, had trouble finding work and that some employers refused to hire Roma.

17. **Mr. Diaby** said that he would like to know what steps were being taken to adopt a law on the protection of human rights defenders and defenders of minorities. He would also like to know whether the State party had a regulatory agency whose mandate was to combat the perpetuation of stereotypes in the media, including social media, and, if not, what plans had been made to combat that form of discrimination and racism. In addition, he asked whether there was an agency whose role was to investigate allegations of discrimination made against the police.

18. **Mr. Guissé** said that he would be interested to know whether the State party had encountered flows of non-European refugees at its borders, noting reports that persons from Africa, Asia and the Middle East seeking protection elsewhere in the subregion had faced discriminatory treatment and screening. If so, it would be useful to learn how the border authorities had dealt with them.

19. Specific details of the systemic measures to combat racism, racial discrimination, xenophobia and intolerance in follow-up to the Durban Declaration and Programme of Action mentioned in the State party's report would be appreciated.

20. **Ms. Ali Al-Misnad** said that she understood that, between 2014 and 2020, Slovakia had received €9.5 billion from the European Social Fund and the European Regional Development Fund, of which about €400 million had been available for social inclusion measures. She wondered how the State party had used those funds. She wished to know how the €30 million project to make school accessible to everyone, also funded by the European Union, had benefited minority and Roma children.

*The meeting was suspended at 10.40 a.m. and resumed at 11 a.m.*

21. **A representative of Slovakia** said that the Government had recognized Roma as a national minority in 1991, thus affording them the same rights that were enjoyed by other minorities. The term "marginalized Roma communities" referred to groups of Roma who were most dependent on State support and who typically experienced high unemployment, discrimination, inadequate housing and insufficient access to health care. The term was also used by the European Union, including in its Roma strategic framework for equality, inclusion and participation.

22. Regarding measures to counter residential segregation, the Office of the Plenipotentiary of the Government for Roma Communities had taken part in legislative processes relating to housing and planning. The new Act on Land Use Planning, adopted in April 2021, required planners to guarantee sufficient good quality housing for vulnerable and disadvantaged people. The Building Act of 2022 aimed to encourage people to build their own homes and would allow more Roma persons to obtain building permits. Under special regulations for the period 2020–2024, building permits would be granted to applicants who met three conditions: that they owned or had another right to the land or property; that the building would be for their own use or that of their family; and that the proposed building was not located in an unsafe or hazardous area. The Act also provided for a simplified process of building improvements. Persons wishing to make renovations merely needed to obtain the permission of the majority of the people living in the building or area. The Government planned to build 2,000 apartments for Roma within the framework of a new operational programme for the period 2021–2027.

23. With a view to eliminating residential segregation, the Office of the Plenipotentiary for Roma Communities had submitted a reorganization proposal that would strengthen its coordinating role and give it additional competences and greater influence over legislation. The Office would become independent legal entity under the National Council of the Slovak Republic.

24. In its concluding observations of 2018 (CERD/C/SVK/CO/11-12), the Committee had recommended that the State party adopt targeted measures with a view to ending residential segregation affecting Roma, including by explicitly prohibiting construction of walls that separated Roma and non-Roma communities, and by holding accountable local authorities

that encouraged or adopted segregation policies. Consequently, the Ministry of the Interior had drafted an amendment to Act No. 369/1990 on Municipalities so that municipalities might be held accountable if they failed to meet their obligations to provide healthy living conditions and to respect the needs and rights of vulnerable persons. The amended Act covered the use of walls, fences and natural barriers for segregation purposes. The Office of the Plenipotentiary for Roma Communities had not received any complaints about walls, but had intervened in one case relating to the construction of an illegal fence.

25. In marginalized Roma communities, 70 per cent of households had children, compared with 30 per cent of households overall. Roma households were also comparatively large, having an average of 4.3 members, and relatively young, with members having an average age of 27 years, as compared with 41 years in non-Roma households. The Romany language was spoken by 68 per cent of Roma persons over the age of 15 and in 60 per cent of households in marginalized Roma communities with children aged up to 6 years. Many Roma children who enrolled in nursery school did not have a sufficient knowledge of the Slovak language. Children from marginalized Roma communities generally spent less time in kindergarten than other Slovak children. Forty-seven per cent of Roma children from marginalized communities attended Roma-only classes. Only 39 per cent of children and young people aged 14 to 24 years from marginalized Roma communities had attended secondary school, leading to a gulf in educational achievement between the general population and the Roma minority. Two thirds of 16- to 24-year-olds from marginalized Roma communities were not studying or in employment.

26. The employment rate among working-age persons from marginalized Roma communities was 23 per cent. Women from those communities were even less likely to be employed because they tended to assume domestic and childcare responsibilities. Almost three quarters of Roma persons who were employed had stated that they wished to work longer hours but could not find full-time work.

27. In 2020, 87 per cent of Roma persons from marginalized communities lived below the poverty line, as compared with 11 per cent of the general population; the rate had risen by two percentage points since 2018 owing to the COVID-19 pandemic. Fifty-two per cent of children in marginalized Roma communities came from families experiencing severe material deprivation.

28. In terms of housing, most Roma lived in brick-built houses or apartment blocks; 15 per cent lived in makeshift housing. In marginalized Roma communities, over half of households owned their property; however, 88 per cent of inhabitants lived in overcrowded households according to the Eurostat definition. Roma households lived in dwellings that on average measured 40 m<sup>2</sup> – half the national average – with each room shared by three people. Moreover, 28 per cent of Roma persons lived in homes without a drinking water supply and were obliged to use public water sources. Almost half of marginalized Roma communities were located in places with environment pollution issues. Despite experiencing much worse living conditions, the inhabitants of marginalized Roma communities spent a higher than average proportion of their income on housing.

29. Regarding health, 56 per cent of Roma aged 16 to 60 years did not go for regular check-ups with a general practitioner. A high proportion of Roma respondents perceived their health as “not good”.

30. During the first wave of the COVID-19 pandemic, many Roma persons from marginalized communities had lost their jobs or had their working hours shortened, with the result that their financial situation had deteriorated. While 20 per cent of Slovak pupils had participated in online learning during school closures, children from marginalized Roma communities had been unable to do so. Despite the distribution of printed learning materials, 14 per cent of children living in marginalized Roma communities had received no education whatsoever during the pandemic. Many children had complained that they had no computer or Internet access, that the distance learning system was too complicated, or that they had nobody to help them.

31. To combat structural discrimination, improve Roma persons’ access to employment and reduce poverty, the Government had implemented a number of national projects within the framework of the Strategy of the Slovak Republic for Roma Integration by 2020. Those

projects had succeeded in providing high quality services for people from marginalized Roma communities, most of whom were excluded or at risk of poverty, affording them greater opportunities to improve their living standards. Hundreds of jobs had been created and tens of thousands of services provided in the spheres of employment, housing, health, education, finance and social insurance.

32. The project to support the pre-primary education of children from marginalized Roma communities was focused on promoting broad social inclusion. Under the project, parental assistants worked with Roma families and children in their home environment and cooperated with field social workers and community centres to solve families' problems. The project had already played a crucial role in mitigating the impact of the pandemic on marginalized Roma communities.

33. The Government had continued to implement the national project to provide for community centres in towns and municipalities with significant marginalized Roma communities, through which crisis or emergency interventions were provided for people who were threatened by social exclusion or who faced hardship. A total of 102 villages were currently participating in the project. Some 21,000 people had received assistance in dealing with issues such as indebtedness, unemployment, personal hygiene, addiction, domestic violence, bullying and prostitution.

34. Despite the challenges posed by the COVID-19 pandemic, the Government had successfully implemented a project under which participating municipalities had been provided with legal support to resolve questions of conditions of use and ownership of land under settlements of marginalized Roma communities. It had also published the Atlas of Roma Communities in 2019, for which surveys had been conducted to assess living conditions in over 800 Roma settlements. The Atlas, which would soon be published in a digital format, was used in the Government's efforts to ensure that the funds allocated to the Roma population were distributed evenly among the different communities. Unfortunately, allocated funds had not always been distributed at all because certain municipalities and self-governing regions had chosen not to participate in the funding programme. In order to motivate more municipalities and self-governing regions to take part, they were no longer required to contribute to the funding from their own budgets. Elsewhere, the Government had continued to invest millions of euros in projects aimed at improving local infrastructure and services for Roma communities, including by promoting access to drinking water, developing waste management facilities and building roads. Approximately €111 million had also been distributed under the Catching-up Initiative of the European Union.

35. **A representative of Slovakia** said that the policy of the Ministry of Education was to promote inclusiveness and equal access to high-quality education without segregation of any kind. The Government had adopted a national action plan on education, under which all children were required to complete a year of pre-school before starting their primary education. One of the specific aims of that policy was to prevent children from marginalized Roma communities from being at a disadvantage when enrolling in primary schools. The Ministry of Education had also recently published a document presenting a new methodology under which all school pupils were assessed on the basis of several risk factors. The purpose of the document was to define an early intervention system to help teachers to identify pupils at risk of failing at school. Once identified, active measures were proposed to provide those pupils with the support they needed to succeed in their education.

36. In recent years, the Government had been helping kindergartens and elementary and secondary schools to implement an inclusive education model. Inclusive teams had been established to support pupils who needed particular help with their studies and, as of 1 January 2023, an amendment to the Education Act would make it harder for schools to exclude those pupils. A new action plan also provided for a series of support measures for children with learning disabilities, meaning those pupils would be supported on the basis of their diagnosis but of their actual needs. Under the inclusive education model, measures had also been taken to break down communication barriers for Roma pupils. Teachers and other school staff could seek further advice and information on inclusive education at regional support centres.

37. The Ministry of Education had made plans to invest more money into funding after-school activities for children from disadvantaged communities. It had also created the role of the support adviser at kindergartens and schools, with responsibility for developing special after-school activities for children with health issues and disabilities.

38. **A representative of Slovakia** said that an expert group within the Ministry of Health had made a series of recommendations aimed at controlling the spread of COVID-19 in marginalized Roma communities. The recommendations had been issued following targeted research and consultations with representatives of non-governmental organizations and other interested parties. The various stakeholders had all agreed that the key to addressing the pandemic in marginalized communities was to ensure fast, effective coordination and adequate health-care capacities at the local level. On the basis of the recommendations, the Ministry of Health had produced a visual tool presenting the steps that members of the public were required to follow under different circumstances during the pandemic. The Ministry of Health had also produced a brochure, which had been published in both Slovak and the Roma language, containing basic information on the COVID-19 vaccination and the vaccination registration process.

39. The Government was committed to ensuring the national health-care system was free from all segregation. Data was being collected on the health conditions of marginalized Roma communities, which the Ministry of Health could then use to formulate policies aimed at narrowing the health gap between Roma people and the overall population of Slovakia. Other objectives set by the Government as part of its current health-care strategy included exempting people living below the minimum subsistence level from having to pay for medicine, establishing a system to report discriminatory practices in health-care provision and ensuring sufficient health-care capacities in marginalized Roma communities.

40. The Government had launched the national “Healthy Communities” project to remove barriers and improve access to health care for members of marginalized communities. Implementation of the project, which benefited from the input of experts from the public and private sectors, had led to the creation of the new role of health education assistant in hospitals. The tasks assigned to the new position included facilitating communication between hospital staff and Roma patients and their families, and supporting general practitioners and health-care professionals in outpatient clinics. To date, 13 health education assistants had been recruited in 11 of the hospitals participating in the project. The project had recently been renewed by the Government in recognition of the results that it had achieved.

41. **A representative of Slovakia**, speaking via video link, said that the Ministry of Health had made a concerted effort since 2018 to ensure that Roma women and girls enjoyed full access to their reproductive rights. Training courses on the specific support required by Roma mothers and their newborn babies had been delivered to health-care professionals, above all in the eastern regions of Slovakia where the majority of the country’s Roma communities lived. Health-care providers were required by law to comply with the new standards concerning reproductive rights and the Ministry of Health carried out checks at hospitals to ensure that all patients were receiving an adequate level of care.

42. With regard to migrants, all refugees and migrant children were entitled to free public health care under national law. The legislation had recently been amended to ensure that migrants from Ukraine who had applied for temporary protection were also provided with State-covered health services, and the Ministry of Health had made plans to extend that cover to all asylum-seekers by the end of the year.

43. **A representative of Slovakia** said that the political will existed in Slovakia to ensure that Roma women who had been sterilized without their consent were adequately compensated. A working group, which included representatives of the Ministry of Health and the Ministry of Justice, had recently drafted a legislative proposal on the matter. Although Roma women were not represented in the working group, and no public consultations had yet been held, the author of the bill had participated in informal meetings with non-governmental organizations representing victims of sterilization and those organizations would be given the opportunity to comment on the final draft. Once the amount of compensation had been finalized, the working group would meet with representatives of the

Ministry of Finance to discuss the allocation of funds. It was expected that between 500 and 600 women would be eligible for compensation. Applications would not be subject to administrative proceedings; they would instead be considered by a special commission with the power to rule on eligibility for compensation. No measures had yet been taken to raise awareness of the compensation process among Roma women. However, the Government would be willing to consider launching a campaign to promote the process once the legislation had been adopted and the final level compensation had been determined.

44. **A representative of Slovakia** said that members of the national minorities had the right to participate in activities that affected them. Political participation took place exclusively through elections and the activities of political parties and movements. While there was no prohibition on political parties that represented specific national minorities, no political party that explicitly defended the interests of a national minority had won seats in the most recent parliamentary elections. There was, however, the highest-ever number of members of the National Council from national minorities: three were Hungarian, three were Roma and one was Czech. In the 2019 elections to the European Parliament, a member had been elected who was a former Plenipotentiary for the Roma Communities. At the municipal level, members of national minorities could stand in elections as party or independent candidates and there were approximately 50 municipal mayors of Roma origin. The ethnic origin of members of local parliaments was not recorded but the most recent Atlas of Roma Communities had revealed that representatives of the Roma community had been elected in 202 municipalities.

45. A law had been adopted to regulate funding for national minority cultures and an independent public institution had been set up that received guaranteed funding from the State budget. In 2022, that funding amounted to €9.6 million, which was distributed among the 13 national minorities. The Roma community received 22 per cent of that funding and elected Roma representatives were responsible for choosing the projects that would benefit from it. Such funded projects were in mostly areas with a higher concentration of national minorities, but some of the funding was allocated to inter-ethnic dialogue with the majority population.

46. **A representative of Slovakia** said that the border with Ukraine was the border of the Schengen area and significant efforts had been made to help persons who had crossed that border following the outbreak of war in Ukraine. The Ministry of the Interior was responsible for managing the domestic impact of the crisis in Ukraine and help had also been received from the public and from abroad. All persons from a third country who had crossed the border with Ukraine had been exempted from Schengen border rules and allowed to enter Slovak territory and stay for 90 days. Any person was able to seek asylum and legal provisions had been adopted to provide temporary shelter for persons who had entered the country due to that conflict, including non-Ukrainian citizens who had enjoyed international protection or were legally resident in Ukraine prior to 24 February 2022 but were unable to return to their countries of origin for security reasons. Refugee assistance centres provided access to transport, health care, humanitarian, social and employment support. The centres also had units of the Border and Alien Police that provided registration services for temporary protection and shelter.

47. European Union member States had provided support, including technical support, to build an emergency camp. A memorandum of understanding with the United Nations Children's Fund (UNICEF) was being drafted, which would focus on child protection – including the protection of children and other vulnerable persons from human trafficking and exploitation – and the provision of education, health care and other services to children. Since 24 February 2022, more than 705,000 persons had crossed the border, more than half of whom had since left the country. The majority of those persons held Ukrainian nationality. Information was provided to such persons in English, Slovak and Ukrainian.

48. **Ms. Ali Al-Misnad** said that, while it was clear that efforts had been made to protect the rights of minorities, the situation of children and young persons from minority groups remained a cause of particular concern. Roma children grew up in segregated areas, often remained segregated throughout their education as adults struggled to find employment. Further efforts were needed so that such children could receive a good education, find jobs and have hope for their future.



49. **Ms. Stavrinaki** said that it was important to consider how the measurement of discrimination would be used to make improvements. She wondered what would happen to the fences mentioned by the delegation – would they be demolished? It would be helpful to know the extent to which the Roma population was covered by health assistance measures and whether hospitals were in the most useful locations. She also wished to know whether the State party intended to introduce incentives for Roma to train as teachers. It was important to involve the affected persons in processes that had a direct impact on them.

50. **Mr. Diaby** said that he wished to know whether persons arriving in the State party from Ukraine were at risk of statelessness, and if so, how many persons were considered at risk of statelessness. He asked whether there was a dedicated body that determined the status of stateless persons, whether the State party had ratified the two international instruments on statelessness and whether any action plan was in place to tackle that issue. He would appreciate information on the response to the sanctions imposed on Slovak football by the Union of European Football Associations (UEFA) for racism, including details of any legal measures taken and investigations or prosecutions.

51. **A representative of Slovakia** said that the coming period would involve a focus on young persons and education. The money allocated to that work from European structural and investment funds would be used to focus on the most vulnerable persons and develop human potential, including through a national employment project. Support would also be provided for dual education, which would allow Roma children to train in a profession while at secondary school and then move into a post at a sponsoring company. An action plan on health care for the period 2022–2024 would involve an analysis of needs. It was explicit even in the title of the National Strategic Framework for Roma Equality, Inclusion and Participation until 2030 that the affected population should participate in that work.

52. **Mr. Amir** said that, if members of the Roma community were indeed fully-fledged citizens of the State party, they should be treated as such. Clarifications were needed in order to ascertain whether the State party treated Roma like other citizens, rather than as a separate category of citizen.

53. **Ms. Ali Al-Misnad** said that she welcomed the detailed responses of the delegation to the Committee members' questions and looked forward to receiving further information in writing.

54. **Mr. Kubla** (Slovakia) said that he was grateful for the opportunity to hold an open and constructive dialogue with the Committee and thanked Committee members for their comments. The requested information would be provided within the specified time frame and he looked forward to receiving the Committee's concluding observations.

*The meeting rose at 12.50 p.m.*