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Summary record of the 4266th meeting

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Chair: Mr. Soh

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

Consideration of reports submitted by States Parties under article 40 of the Covenant
(continued)

Fifth periodic report of Slovakia (CCPR/C/SVK/5; CCPR/C/SVK/QPR/5)

1. *At the invitation of the Chair, the delegation of Slovakia joined the meeting.*
2. **A representative of Slovakia**, introducing his country's fifth periodic report (CCPR/C/SVK/5), which covered the period from 2016 to 2024, said that Slovakia was a democratic country governed by the rule of law and human rights principles. It was a party to all the core United Nations human rights instruments and was bound by both the Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights) and the Charter of Fundamental Rights of the European Union.
3. The Constitution, which enshrined the principle of the primacy of international human rights treaties over domestic law, served as the basis for the protection of civil and political rights. The latest amendment to the Constitution preserved all the key principles relating to the rule of law, including the independence of the judiciary and the protection of fundamental rights. The Anti-Discrimination Act formed the basic legal framework for protection against discrimination in a range of areas, including labour relations, access to education, and the provision of goods and services.
4. The Slovak National Centre for Human Rights had recently seen an increase in its human and financial resources, which had enabled it to expand its monitoring and advisory activities. The Act establishing the Centre was set to be amended with a view to progressively aligning the Centre's legal status with the Paris Principles.
5. The country's institutional architecture for the protection of human rights was based on the principle of participation and included, for example, the Council of the Government of the Slovak Republic for Human Rights and Gender Equality, an advisory body that facilitated dialogue between the State and civil society. The recent establishment of the Council of the Government of the Slovak Republic for National Minorities, an independent advisory body to the Government, in response to a long-standing request by representatives of 15 national minorities, had strengthened the effective participation of national minorities in public affairs and policymaking.
6. The amendments to the Act on Non-Profit Organizations that had been adopted in April 2025 had recently been found unconstitutional by the Constitutional Court. The Court's decision showed that the principles of the rule of law and the separation of powers were upheld in practice and that the Court played a crucial role in the democratic order. The Act on the Right of Assembly had been amended following the attempted assassination of the Prime Minister in 2024. All individual and political rights, including the right of peaceful assembly, must be exercised within a framework that took national security into account.
7. The Government had adopted a strategy for preventing and combating radicalization and extremism for the period up to 2028, which set out measures to raise public awareness and to promote cooperation between State institutions and the non-governmental sector, among other things. It had also adopted a strategy for the prevention of crime and other anti-social activities covering the same period, which reflected a multidisciplinary, evidence-based approach to crime prevention.
8. Starting in February 2023, steps had been taken to establish information offices for victims of crime that offered information on topics such as antisemitism, hate speech and media literacy and provided first aid to victims. The legislation on victims of crime had been amended several times to strengthen the position of victims in criminal proceedings and to prevent secondary victimization. The category of particularly vulnerable victims had been introduced to allow for individual needs assessments, special rooms for the questioning of child victims and particularly vulnerable victims had been set up, and efforts had been made to facilitate access to State compensation. There were specialized centres for the provision of legal and psychosocial support to victims of domestic violence.

9. There were plans to establish a mechanism for monitoring crimes committed against journalists, and to develop a strategy for the implementation of Recommendation CM/Rec(2024)2 of the Committee of Ministers of the Council of Europe to member States on countering the use of strategic lawsuits against public participation, by the end of May 2026. Working groups on the impact of generative artificial intelligence on news reporting and on the challenges of adopting artificial intelligence-based technologies in newsrooms had been established in 2026.

10. In response to the Committee's recommendations, the Government had adopted several measures to strengthen the inclusion and effective participation of Roma, to prevent discrimination against them and to create the conditions for their full enjoyment of the rights enshrined in the Covenant. The strategy for the equality, inclusion and participation of Roma for the period up to 2030 and the accompanying action plans set out specific measures in the areas of education, employment, healthcare and housing that were being implemented through coordination between the relevant local and national authorities and in consultation with representatives of the Roma community. The Government had apologized publicly for the illegal sterilization of women and was set to adopt legislation on the compensation of victims of forced sterilization.

11. A housing policy for the period up to 2030 had been adopted with the overall aim of ensuring access to adequate, affordable housing for all. Significant legislative reforms had been undertaken to address segregation in education, and compulsory pre-primary education had been expanded to include younger age groups. As of September 2025, Ukrainian refugee children had been included in the compulsory education system to support their integration into society.

12. Despite the progress that had been achieved, there were still challenges to be addressed. The Government remained committed to implementing the strategies that had been adopted, to strengthening its monitoring and data collection mechanisms, and to maintaining a constructive and open dialogue with the Committee. It was grateful to the Committee for its guidance, which had helped to strengthen the country's legislative and institutional framework, and it wished to reaffirm its support for the human rights pillar of the United Nations system, especially the treaty bodies.

13. **Mr. Teraya** said that his questions would cover both long-standing concerns and more recent observations, including reports of shrinking civic space. The Committee had received relatively few civil society submissions ahead of the review, and civil society organizations had been unable to engage with the Committee in person. Nevertheless, the meetings would be webcast, and the Committee hoped that the review process would contribute to the expansion of civic space.

14. Regarding the recent amendments to the Constitution introducing article 7 (6) and (7) on matters of national identity, he would appreciate clarification as to how the State Party interpreted those amendments in relation to other constitutional provisions, including article 1 (1), which established Slovakia as a rule of law State not bound by any ideology or religion, and article 1 (2), which referred to the State's respect for the general rules of international law. He wondered how those amendments were interpreted in the light of article 27 of the Vienna Convention on the Law of Treaties, which stated that a Party could not invoke the provisions of its internal law as justification for its failure to perform a treaty, and what safeguards were in place to ensure that the amendments could not be used to limit the State's fulfilment of its obligations under the Covenant. It would be helpful if the delegation could describe the intended scope of the amendments and indicate whether the concept of national identity was based on any specific criteria or jurisprudence, how legal certainty was ensured, and whether the amendments affected the State Party's understanding of the scope of its obligations under the Covenant or the domestic process for implementing the Committee's concluding observations and Views.

15. He would be interested to know whether the State Party had a single framework for implementation of the Committee's recommendations, including specific time frames and indicators, and, if so, which authority was responsible for maintaining it. He wondered how

progress in that area was reviewed and whether the outcomes of such reviews were made public. He would welcome some examples of recommendations that had been fully implemented, with supporting evidence.

16. Regarding the State Party's implementation of the Committee's Views concerning communication No. 3193/2018 (*Jandiev v. Slovakia*), the Committee remained concerned that adequate compensation had not yet been provided to the author. It would be helpful if the delegation could provide an update on the author's current condition and indicate whether there had been any changes in the State Party's position or the measures taken since the State Party's last submission on the matter.

17. He would be interested to know how the Public Defender of Rights, the Commissioner for Children and the Commissioner for Persons with Disabilities coordinated their work in practice and whether a follow-up mechanism was in place to ensure that their recommendations were implemented. He would like to know how many centres for victims of domestic violence were operational; what their geographical coverage was; how access for children, persons with disabilities, minorities and migrant women was ensured; and what indicators were used to measure the effectiveness of those centres. He would appreciate information on the status of the reform of the National Equality Body. In particular, he wondered how the reform would ensure that the body was independent, had access to adequate resources and could engage meaningfully with civil society and address discrimination effectively. He would also like to know whether the 2025 amendments to the Constitution had any implications for the mandates, independence or operating environment of the aforementioned institutions.

18. It would be helpful if the delegation could explain how the State Party ensured that civil society organizations, members of the legal profession and the wider public were aware of the Covenant and the reporting process and were able to engage meaningfully and safely in that process. He would be interested to know how many civil society organizations had been consulted during the preparation of the State Party's report and at what stage of the process their input had been sought. He wished to know whether training on the Covenant was provided systematically to judges and prosecutors and whether the impact of such training on judicial reasoning had been assessed. He would appreciate clarification as to the legal status of the Covenant in domestic law. In particular, he wondered whether individuals could invoke the Covenant directly before the courts and whether the Covenant was applied by the courts as an enforceable standard or primarily as interpretive guidance. Lastly, he would like the delegation to indicate whether the 2025 amendments to the Constitution had affected the activities of civil society organizations or the courts' ability to give full effect to the rights enshrined in the Covenant.

19. **Mr. Fernández Liesa**, noting that the Slovak National Centre for Human Rights had been accredited with category B status since 2007, said that he would like to know whether there were plans to amend Act No. 308/1993 in order to strengthen the Centre's mandate and ensure the independence of its members, with a view to obtaining category A status.

20. **Mr. Helfer** said that he would appreciate information on the progress achieved under the various anti-discrimination action plans that had been adopted. He would like to know what steps had been taken to give effect to the recommendations made to Slovakia during the fourth cycle of the universal periodic review concerning the full implementation of the Anti-Discrimination Act and whether the State Party would consider amending the Act to provide explicit protection against indirect and intersectional discrimination.

21. He wondered whether the State Party would consider increasing the capacity of the Slovak National Centre for Human Rights to provide discrimination complainants with legal representation. He would be interested to know what was being done to decrease the length of judicial proceedings, reduce court fees and increase the compensation awarded to victims of discrimination.

22. He wished to know how the State Party would ensure that the recent constitutional amendments relating to national identity did not infringe on the rights of lesbian, gay, bisexual and transgender persons, including their rights to privacy and family life. In the light of reports that the amendments had made gender transitions legally and practically impossible, it would be helpful if the delegation could clarify whether transgender individuals

could still change their legal gender, how the concept of “biologically determined sex” was defined and how the State Party ensured that the amendments did not discriminate against transgender or intersex persons.

23. He would like to know how and within what time frame the State Party intended to comply with its positive obligation, as a member of the Council of Europe, to ensure comprehensive legal protections for same-sex couples. It would also be helpful if the delegation could describe the steps taken to ensure that the legal consequences of same-sex marriages entered into in other States members of the European Union were recognized, in accordance with the Committee’s jurisprudence and the recent ruling of the Court of Justice of the European Union concerning Slovakia.

24. The Committee had received reports that protections against hate speech targeting lesbian, gay, bisexual and transgender persons were underenforced and that government officials had used stigmatizing language to describe such persons, including during parliamentary debates. He would like to know how the State Party would ensure that the use of stigmatizing rhetoric by public officials did not create a permissive environment for discrimination and violence against lesbian, gay, bisexual and transgender persons, and whether the State Party intended to publicly condemn homophobic discourse. Lastly, he wondered whether the State Party would consider amending the Criminal Code to provide protection against hate speech based on gender identity.

25. **Ms. Tigroudja** said that she wished to echo the concerns expressed by various international bodies about the persistence of racist hate speech and the potential negative impacts of the recent constitutional amendments relating to the concept of national identity. The State Party had indicated that the Criminal Code did not refer specifically to hate crime but rather to the offence of extremism. She would appreciate clarification as to the legal definition of that offence, which appeared to be very vague, as well as accurate, disaggregated and up-to-date statistics on the number of persons convicted of extremism with racial hatred as an aggravating circumstance. She would welcome information on the measures taken to identify victims of hate crime, to encourage them to file complaints and to protect them from secondary victimization. She would also like to know what steps had been taken to identify and address the root causes of acts of hate speech against Roma, migrants, non-citizens, women, Muslims and Jews committed by individuals or politicians, including online and in the press.

26. In view of reports that Roma continued to face systemic discrimination in access to public services, justice, healthcare and decent living conditions, she wished to know what measures had been taken to address structural and intersectional discrimination against Roma, including discrimination on the basis of gender identity and sexual orientation; and how the State Party measured the progress made in that area since the publication of the sixth report of the European Commission against Racism and Intolerance on Slovakia in 2020 and the concluding observations of the Committee on the Elimination of Racial Discrimination on the thirteenth periodic report of Slovakia in 2022 ([CERD/C/SVK/CO/13](#)).

27. **Ms. Šurlan** said that she would like to invite the delegation to comment on reports that Roma children faced segregation in education and that when they were placed in mainstream schools, they experienced stigmatization and a lack of support from staff, as well as reports that there were low rates of pre-primary education attendance and high rates of dropout among Roma, resulting in low rates of labour market participation. She wondered whether the State Party had considered providing special training to teachers to enable them to create a safe and friendly school environment and to strengthen cooperation between teachers and parents. She would like to know how the State Party monitored, promoted and facilitated compliance with the legal obligation to enrol children in pre-primary education from the age of 5 years; whether the State Party had considered introducing scholarships or other similar measures; and whether the State Party had considered monitoring schools in which there was a risk of segregation.

28. Regarding the two strategies on gender equality mentioned in paragraphs 118 and 120 of the State Party’s report, she would like to know whether the strategies included targets or indicators that could be used to monitor their implementation and whether any reports on their implementation had been issued. She would be interested to know whether targets

relating to the representation of women in elected positions and appointed public positions had been set and what measures had been taken to increase the representation of women in high-ranking positions in both the public and the private sectors. In the light of reports that patriarchal stereotypes persisted and that campaigns advocating patriarchal family values had been conducted, she wished to know what steps had been taken to promote and raise awareness of the principle of gender equality as enshrined in national law and the international human rights treaties to which Slovakia was a party.

The meeting was suspended at 4 p.m. and resumed at 4.25 p.m.

29. **A representative of Slovakia** said that article 1 (2) of the Constitution established a general commitment to abide by the rules of international law and constituted *lex generalis*, whereas the newly introduced article 7 (6) and (7) should be understood as *lex specialis*. Such an interpretation of the Constitution was coherent and consistent with the case law of the Constitutional Court, which confirmed that, while human rights and freedoms must be interpreted in accordance with the State's obligations under international law, the Constitution took priority over international law when conflicts arose because it was based on national self-determination. The concept of national identity had a recognized legal basis in article 4 (2) of the Treaty on European Union, which called for respect for the national identities of member States inherent in their fundamental political and constitutional structures.

30. Regarding the relationship between article 27 of the Vienna Convention on the Law of Treaties and article 7 (6) and (7) of the Constitution, he wished to reiterate that the case law of the Constitutional Court confirmed that human rights and freedoms must be interpreted in accordance with the State's obligations under international law, provided that those obligations were compatible with the Constitution. The absolute supremacy of international law was contested in legal scholarship, especially where fundamental national values were involved. Conflicts between the State's constitutional law and its international obligations should be resolved through good faith cooperation and judicial and political dialogue, reflecting an approach based on theories such as constitutional pluralism as opposed to rigid monism or dualism. It was worth noting that the national identity enshrined in article 7 (6) and (7) of the Constitution was defined by openness and was evolving rather than fixed. It would be shaped by the democratic values of Slovak society and the influence of international law.

31. Regarding the concern raised about legal certainty, it was widely understood that constitutional provisions were general and abstract, allowing for the evolution of concepts over time. Article 7 (6) and (7) of the Constitution identified specific areas relating to identity, such as family, marriage, culture and language. A clearer definition of each component was provided by legislation, judicial and administrative practice and legal doctrine. A definition of national identity that was based on legislation offered more legal certainty than one that was based on ad hoc interpretations issued by the Constitutional Court. At the same time, the requirement for legal certainty was at odds with the fundamental requirement that national identity should remain fluid and open to interaction with otherness. Critics of article 7 (6) and (7) of the Constitution were effectively questioning the very concept of national identity, which had a legal basis in the case law of the Court of Justice of the European Union, the European Court of Human Rights and numerous European constitutional courts.

32. The recent amendments to the Constitution had no bearing on the status of the Covenant in national law. The Covenant could be directly invoked by legal or natural persons in any administrative or court proceedings. Its status was established in article 154c of the Constitution and it took precedence over national legislation in cases where it provided broader protection of human rights. Lastly, the amendments would not affect the right to a fair trial or the independence and impartiality of the judiciary in any way.

33. **A representative of Slovakia** said that, in its Views on communication No. 3193/2018 (*Jandiev v. Slovakia*), the Committee had found that Slovakia had violated the author's rights under article 7 of the Covenant. The Slovak authorities had submitted a response in January 2025. Pursuant to the Views, the Slovak authorities were obligated to regularly monitor the author's condition, in cooperation with the authorities of the Russian Federation. Accordingly, personnel from the Embassy of the Slovak Republic in Moscow

had visited the prison in November 2024 and again in November 2025. In its reports, the Embassy had confirmed that the diplomatic guarantees provided by the Office of the Prosecutor General of the Russian Federation were being complied with and that the author was in good physical and psychological condition. As requested, the Committee's Views had been disseminated to all relevant institutions. The decision not to comply with the Committee's request to refrain from extraditing the author to the Russian Federation had been taken on the basis of the decision of the European Court of Human Rights of 24 March 2016 declaring the author's claim inadmissible and the ruling of the Constitutional Court of May 2018. Since the Committee's Views were not legally binding and court rulings on the case had already been handed down, precluding further examination of the matter according to the principle of *res judicata*, the Slovak Republic did not intend to compensate the author.

34. **A representative of Slovakia** said that Slovakia had ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2023. Pursuant to article 17 of the Optional Protocol, the national preventive mechanism had been established in the same year. The different aspects of the mandate of the national preventive mechanism were performed by three existing institutions: the Public Defender of Rights, the Commissioner for Children and the Commissioner for Persons with Disabilities. The Office of the Public Defender of Rights was legally authorized to freely access and carry out preventive visits to places of deprivation of liberty, including detention centres and facilities for asylum-seekers, in order to assess any risk factors that might lead to torture or inhuman treatment. During the visits, members of the visiting team could communicate freely and privately with persons deprived of their liberty and could request information from the management, check documentation and evaluate the material and hygiene conditions. Following each visit, a report describing the conditions and outlining specific recommendations for the facility was drawn up and sent to the relevant authorities. An annual report on the activities of the national preventive mechanism was submitted to the Government.

35. The Office of the Commissioner for Children performed the duties of the national preventive mechanism in respect of facilities for children who were either in conflict with the law or under the care of the State, carrying out monitoring visits to social protection centres for children and families, juvenile detention centres and other facilities. In 2023, one unannounced monitoring visit had been conducted, to the children's residential centre in Pezinok, based on a risk assessment. In 2024, 11 such visits had been carried out. Based on the visits, 60 recommendations had been drawn up and 30 examples of good practice identified. The Office of the Commissioner for Children also ran awareness-raising activities at children's facilities and supported all measures aimed at preventing ill-treatment.

36. The Office of the Commissioner for Persons with Disabilities carried out monitoring visits to facilities for adults with disabilities, including psychiatric hospitals and long-term care facilities, paying attention to issues such as patient admission procedures, the use of restraints and the availability of complaint mechanisms. A team specifically trained to carry out such visits had made two unannounced visits to psychiatric care facilities and social services facilities in 2023 and had expanded the scope of its monitoring to additional facilities in 2024.

37. The Ministry of Justice cooperated with the national preventive mechanism and responded to the recommendations set forth in its visit reports. It worked with the staff of the relevant facilities to address shortcomings and improve conditions. The reports also informed specialized training for staff on human rights and the prevention of ill-treatment.

38. **A representative of Slovakia** said that civil society had participated in the preparation of his country's fifth periodic report. As per the standard procedure, the report on the implementation of the Committee's previous concluding observations had been discussed by the Council of the Government for Human Rights, National Minorities and Gender Equality, the Government's permanent expert advisory body in the field of human rights, which comprised representatives of all relevant public bodies and of civil society. The Committee's concluding observations had been translated into Slovak and were publicly available on the website of the Ministry of Foreign and European Affairs, along with those of other treaty bodies and the corresponding reports submitted by Slovakia.

39. **A representative of Slovakia** said that the Office of the Plenipotentiary for Roma Communities had developed a new housing solution for Roma communities in segregated areas pursuant to Act No. 201/2022. As part of the new national project, plots of land had been obtained for Roma communities in some 200 municipalities. The project had been financed using European Union funds, the State budget and funds from the communities themselves. In addition, there had been several calls for proposals to refurbish and develop housing in areas where Roma communities were concentrated, with multimillion euro budgetary allocations. The response to those calls had shown the very high level of interest among municipalities in addressing the issue. A national project had been launched to assist municipalities with the allocation of plots of land to Roma communities, including for the development of sanitation. Many plots had already been delivered and recorded in the land register. In addition, assistance was provided for the legalization of buildings in Roma areas that had been constructed without a building permit between 1990 and 2024.

40. A system for the rapid provision of affordable and high-quality modular housing for Roma communities had also been introduced, under which some 40,000 homes would be made available. The houses were not provided free of charge, but rather through a system of co-payment. Financial incentives were offered for families who properly maintained the areas outside their houses and ensured that their children attended school. After a number of years, tenants would be able to purchase their modular homes outright for a symbolic price. The houses would meet all legal and building standards.

41. **A representative of Slovakia** said that, in 2025, significant amendments had been made to the legislative framework with the aim of strengthening equal access to quality inclusive education and preventing discriminatory practices in education, including the segregation of Roma children. The overarching objective was the systematic modernization of education and the removal of structural barriers. The amendments integrated anti-segregation principles into multiple areas of educational governance and funding. One of the key changes was the gradual lowering of the age of compulsory education: pre-primary education would be made mandatory for 4-year-olds as of 2027 and 3-year-olds as of 2028, with a view to better preparing children from socially disadvantaged backgrounds for primary school. The reforms also involved the fundamental restructuring of special education. Desegregation was being reinforced through new rules governing public schools and catchment areas. Municipalities were required to define their school districts taking into account not only capacity and accessibility, as in the past, but also the prohibition of segregation. Regional authorities could order amendments to municipal ordinances that failed to comply with desegregation principles. The new law on school financing established specific sanctions for non-compliant schools.

42. The Ministry of Education was implementing a national project designed specifically to combat segregation, as part of which various tools and methods were being tested in 13 localities. One of the localities involved in the project was Stará Ľubovna, which had been at the centre of a Supreme Court ruling on the educational segregation of Roma children. Based on the results of that project, systematic solutions would be developed with a view to preventing and abolishing segregation.

43. **A representative of Slovakia** said that the national project on support for educational opportunities sought to address the placement of Roma children in special schools. The objective of the project was to create a targeted support system for pupils with the potential to complete mainstream primary education and to establish a reliable mechanism for their transition from special to mainstream schools. Key activities included the reassessment of pupils aged 6 to 10 years who had been diagnosed with mild intellectual disabilities, primarily those from Roma and socially disadvantaged backgrounds. Temporary adaptation classes would be created for small groups of 4 to 10 pupils to help them catch up academically, strengthen their resilience and socioemotional skills and prepare them for entry into mainstream education. Funding would be provided for schools to cover the cost of teachers, teaching assistants and related expenses, including transport and educational materials. In addition, the project included training for teachers and other staff in receiving mainstream schools, provided by the National Institute for Education and Youth, and an awareness-raising campaign targeting parents, professionals and the wider public.

44. The Ministry of Education had launched a national project for the development of an innovative early warning system that would allow schools and educational authorities to identify students at risk of dropping out and provide them with targeted support. The four-year project included research on the causes of early school leaving, the development of a national early warning model, and pilot testing in selected schools. During the pilot phase, regional coordinators would cooperate with teachers and school support teams to assist at-risk students. The final phase would focus on training school staff to use the early warning system in practice, with nationwide implementation planned for the 2028/29 school year.

45. **A representative of Slovakia** said that hate crimes were not a specific offence under the Criminal Code but were covered by article 140a of the Code on crimes of extremism, which included establishing, supporting and promoting a movement aimed at suppressing fundamental rights and freedoms; expressing sympathy for a movement aimed at suppressing fundamental rights and freedoms; producing, disseminating or possessing extremist material; denying or approving of the Holocaust; crimes of political regimes and crimes against humanity; defaming a nation, race or belief; and inciting national, racial or ethnic hatred. The special motives listed in article 140 (e) of the Code included the commission of a crime out of hatred towards a group of persons or an individual because of their real or perceived membership of a race, nation, nationality, ethnic group, real or perceived origin, skin colour, gender, sexual orientation, political beliefs or religion. The category of crimes of extremism was thus broad but not vague.

46. **A representative of Slovakia** said that, in a 2019 judgment, the Constitutional Court had found that vague provisions of the Criminal Code on hate speech against another group and based on political views were unconstitutional as they were overly broad and violated freedom of expression.

47. **A representative of Slovakia** said that, when it came to offences committed with a special motive against members of particular groups, including lesbian, gay, bisexual and transgender persons, Hungarians, Ukrainians and Muslims, there had been 60 victims in 2023, 37 in 2024 and 24 in 2025. As for investigations into offences of extremism, there had been 156 cases in 2023, involving 62 accused persons, and 146 cases in 2024, involving 41 accused persons. The data for 2025 were not yet available.

48. **Ms. Šurlan** said that she would appreciate a response to her questions regarding the participation of women in the public and private sectors, including in high-level positions, and the persistence of patriarchal stereotypes. She would like to hear more about the strategy to promote the equality, inclusion and participation of Roma for the period up to 2030, including whether it covered education, and its impact thus far.

49. **Mr. Helfer** said that he would like to hear a response to his questions on the possibility of amending the Anti-Discrimination Act and on the impact of the 2025 constitutional amendments on lesbian, gay, bisexual and transgender persons, particular with regard to gender transition and same-sex relationships. He would also be interested to hear the delegation's comments concerning the very troubling use of stigmatizing language by government officials against lesbian, gay, bisexual and transgender persons.

50. **Ms. Tigroudja** said that she would welcome additional information on the case law of the Constitutional Court with respect to hate speech and the abuse of the criminal definition of extremism in order to restrict freedom of expression. While she had noted the statistics provided on cases brought for offences of extremism, she wished to have information on proceedings specifically focused on hate crimes. With regard to the 2025 constitutional reform, the delegation might comment on the infringement procedure opened by the European Commission against Slovakia for breaching fundamental principles of European Union law, particularly the principles of primacy, autonomy, effectiveness and uniform application of European Union law.

51. **Mr. Teraya** said that, if he was correct in thinking that article 1 (1) and (2) of the Constitution acted as *lex generalis*, while article 7 (6) and (7) operated as *lex specialis*, and if the maxim *lex specialis derogat legi generali* was invoked, the consequence would surely be that Slovakia could secure the outcome it preferred even where it conflicted with its international obligations. He would therefore welcome clarification of whether the maxim would be applied in such cases and whether the State's position was essentially that, once the

Slovak courts classified an issue as relating to national identity, Slovakia could maintain its position even if it conflicted with international obligations. There was a risk that the scope of national identity, which was already broad, would expand over time.

52. Concerning the Committee's Views on communication No. 3193/2018, he wished to know whether the State Party considered that the judgment of the European Court of Human Rights had fully resolved the matter for the purpose of the communication brought before the Committee or whether the scope of the case might be considered to have changed, given the alleged changes in the factual situation.

53. **Mr. Fernández Liesa** said that it was not clear whether any reforms were planned to guarantee the independence of the Slovak National Centre for Human Rights. The Centre had expressed its concern regarding the amendment to article 7 of the Constitution, according to which Slovakia retained its sovereignty in matters of national identity, especially regarding fundamental cultural and ethical issues. Given the scope of the concept of culture, the amendment effectively meant that the State Party could disregard its international obligations on any issues it pleased. With regard to the issue of primacy of European Union law and article 4 of the Treaty on European Union, it should be noted that the decision of the French Council of State from which that article stemmed referred solely to political and constitutional matters relating to the identity of a State. The State Party's constitutional reform was therefore a worrying development.

54. **A representative of Slovakia** said that Slovakia had made considerable progress in the area of gender equality. One important measure had been the transposition into national law of the European Union Gender Balance on Boards Directive. Accordingly, the law established that listed companies should aim to ensure a share of 40% of the underrepresented sex among their non-executive directors and 33% among all directors. Another important step had been the implementation of an information campaign aimed at changing societal attitudes, which was focused on three critical areas: closing the gender pay gap; eliminating gender stereotypes about men's and women's work and encouraging women to enter traditionally male-dominated fields; and work-life balance, including the promotion of flexible working hours and parental leave. In addition, a project on transparent remuneration was being prepared alongside the transposition of the European Union Pay Transparency Directive. The objective of the project was to create methodological, technological and information frameworks to help all public and private employers to fulfil their obligations under the new legislation transposing the Directive. It was expected that the transposition of the Directive would result in a 5% decrease in the gender pay gap by 2030. The results of an analysis of the obstacles to women's career advancement were due to be published in 2027. The 2021–2027 national strategy for equality between women and men and equal opportunities included key indicators and would be evaluated upon its conclusion prior to the drafting of a new strategy.

55. **A representative of Slovakia** said that, under the Constitution, marriage was defined as a union between a man and a woman. That definition was reflected in the Family Act, which regulated the establishment and dissolution of marriage. The current legal framework of the Slovak Republic therefore did not allow persons of the same sex to enter into marriage. Likewise, there was no specific legal institution of registered partnership or any other form of legal recognition of partnerships between persons of the same sex. No changes were being introduced in that area as part of the ongoing recodification of civil law. Nevertheless, Slovakia placed strong emphasis on the principle of equality and the prohibition of discrimination, in accordance with article 12 of the Constitution and the Anti-Discrimination Act, which prohibited discrimination on a wide range of grounds, including sexual orientation, marital status and family status. Slovakia also closely followed the jurisprudence of the European Court of Human Rights and respected its international human rights obligations.

56. **A representative of Slovakia** said that the new article 52a of the Constitution had not brought about any change in the legal status of, or introduced any discriminatory measures against, lesbian, gay, bisexual, transgender and queer persons, as it had merely elevated a statutory regulation to the level of constitutional law. The new article only confirmed what had already been well established in the Slovak legal system, namely that Slovakia recognized only two sexes, male and female, both of which were biologically determined at birth. It did not prevent medical transitions or gender reassignment.

57. **A representative of Slovakia** said that, in line with evidence-based medicine, transition was permitted in certain circumstances, and surgery was not a prerequisite for legal recognition of a change of gender. Persons wishing to undergo a transition must receive hormone therapy prescribed by a team of medical professionals, live full-time in their preferred gender for at least one year and undergo medical assessments. The Ministry of Health had updated the guidelines for assessments by doctors.

The meeting rose at 6.05 p.m.