



International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
25 August 2023

Original: English
English, French and Spanish only

Committee on the Elimination of Racial Discrimination

Information received from Slovakia on follow-up to the concluding observations on its thirteenth periodic report*

[Date received: 22 August 2023]

* The present document is being issued without formal editing.



I. Introduction

1. On 26 August 2022 the UN Committee on the Elimination of Racial Discrimination (CERD) adopted at its 2920th meeting the concluding observations on the thirteenth periodic report of Slovakia under No. CERD/C/SVK/CO/13.

II. Follow-up information

A. Follow-up information relating to paragraph 9 of the concluding observations CERD/C/SVK/CO/13

Slovak National Centre for Human Rights

2. Legislative plan and the Programme statement of the Government for period 2021–2024 did not include a complex reform of the Slovak National Centre for Human Rights (Centre), as an equality body complied with Paris principles. However, the priority of this period was ratification of the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and in this regard the creation of national preventive mechanism. Other focuses were strengthening of the role of the Centre for Legal Aid, systematic support of victims of crime and systematic financial support for non-governmental organisations working with topics of human rights and civil participation.

3. A small change/amendment to strengthen the position of the Centre, as an equality body, will be carried out by the EU Pilot.

4. Rules of Procedure of the Board of Directors of the Centre that entered into force on 1st of May 2022 explicitly state that presentations of candidates for the role of the executive director are public and if the capacity of the room for public audience is reached, the presentations should be streamed online. Voting procedure/votes are secret. This enhances the transparency into the selection process.

B. Follow-up information relating to paragraph 31 of the concluding observations CERD/C/SVK/CO/13

Forced sterilization

5. The Government of the Slovak Republic by its resolution no. 647/2021 issued the apology for the sterilization of women in violation of the law and condemned the violation of human rights of the women concerned.

6. In 2022, the Slovak Republic created a working group for the preparation of a compensation law.

7. In March 2023, the Ministry of Justice introduced a legislative intent of the law on financial compensation for women sterilized in violation of the law to the inter-ministerial consultation procedure (comments from both central state administration bodies and NGOs). The legislative intent proposed a one-off compensation of 5 000 EUR to “a physical person who underwent sterilization in violation of the law in the period from 1 July 1966 to 31 December 2004 in a medical facility in the territory of the Slovak Republic”.

8. The result of these procedures was transferred into a proposal of an act submitted by the Member of Parliament to the National Council of the Slovak Republic on financial compensation for women sterilized in violation of the law.

9. The proposal includes: proposal of compensation of 5 000 EUR; eligible persons: a physical person who underwent sterilization in violation of the law in the period from the 1st of July 1966 to 31th of December 2004 in a medical facility in the territory of the Slovak Republic; criteria for eligibility: sterilisation – without consent, based on consent given in violation of the legislation valid at that time, under circumstances that exclude or seriously impair freedom of decision or understanding of the consequences of consent; burden of proof: victims have to submit information on when the sterilisation occurred, in which facility,

under what circumstances and if they have available, the relevant medical documentation, if they do not have the documentation, they have to submit affidavit that they do not have it; relevant ministry: Ministry of Health decides on compensation and receives the submission (this Ministry can have an access to medical documentation from archives if necessary and can evaluate if sterilisation occurred in that period); concrete help/assistance for victims to submit the claim: Ministry of Health (through contributory organization “Healthy regions”), the Government Plenipotentiary for Roma communities, Centre for Legal Aid and labour offices are obliged to help victims with filling-out the necessary form and receive the forms; procedure: simplified procedure that does not create administrative barriers for members of marginalized Roma communities, while maintaining a simple means of revision, the draft law provides for these procedures as exempt from fees and the amount of compensation as income exempt from tax. Reference period: until 31 December 2025, if a request for compensation is not submitted within the statutory period, the right to compensation ceases to exist.

10. Proposal of an act on financial compensation for women sterilized in violation of the law passed the first reading in the National Council of the Slovak Republic (Parliament) on May 23, 2023.

11. Due to the early end of the parliamentary session (June 29, 2023), proposal of an act has not underwent yet to the second and third reading which is obligatory condition for a new legislation to be approved by the Parliament. As a further step, the new legislation has to be also signed by the Slovak President, before entering into the force.

12. The process is currently on hold due to the expecting Parliamentary election, 30th September 2023.
