



## European network of legal experts in gender equality and non-discrimination

### FLASH REPORT

<b>Country:</b>	Slovakia
<b>Title:</b>	Parliament refused to acknowledge an annual report of the Ombudswoman. The members of the Parliament reproached her for allegedly excessive protection of sexual minority rights and her approach to abortions
<b>Date:</b>	23 June 2020
<b>Expert:</b>	Vanda Durbáková
<b><u>Context</u></b>	
<b>Issue at stake:</b>	Current general situation regarding the protection of human rights in Slovakia including discrimination of minorities
<b>Grounds of discrimination:</b>	All grounds
<b>Field of application:</b>	All fields
<b>Source:</b>	Policy development
<b>Applicable law:</b>	Act No. 564/2001 Coll. on Public Defender of Rights, Article 23

### **Content**

**Policy development:** In March 2020, in line with her legal statute, the Public Defender of Rights (Ombudswoman) submitted to the National Council of the Slovak Republic (the Parliament) the annual activity report that contained her findings on the protection of fundamental rights and freedoms of people by the public administration bodies and her recommendations for improvements. On 14 May 2020, the Ombudswoman presented her report in the Parliament which formally refused to acknowledge it (to take it into consideration). Out of 130 MPs being present in the plenum, only 34 MPs voted for acknowledgment of the report, 50 MPs voted against and 46 abstained from the vote. The report was not acknowledged by a significant number of MPs particularly from the strongest government coalition party 'Ordinary People and Independent personalities (OĽANO)' and another coalition party 'We are Family', who are positioned as conservative in the political spectrum and disagreed with specific content of the report. In addition, the report was rejected by MPs from the opposition far-right extremist party 'Kotleba – People's Party - Our Slovakia'.

During the parliamentary discussion after the presentation of the report by the Ombudswoman, some of the MPs of the given parties reproached her primarily for allegedly excessive protection of sexual minority rights, and for her negative position to restrict abortions. The Party OĽANO officially commented in the media that the Ombudswoman allegedly gave 'inadequate space to the second generation of human rights and other problems that are not directly linked to the protection of fundamental human rights'. The MPs of the remaining two coalition parties, Freedom and Solidarity (SaS) and For People (Za Ľudí) mostly acknowledged the report, appreciating the Ombudswoman's activities, and some of them criticised the hostile attitude of some MPs towards her.

The Slovak President Zuzana Čaputová took part in the presentation of the Ombudswoman's report in the Parliament to express the importance of her work. This arguably contributed to the relatively high number of MPs being present in the plenum in comparison to previous years, when the Ombudswoman's presentations were rather ignored. The President publicly stressed that the Ombudswoman's report points to the shortcomings that need to be removed. In respect to voting of the MPs she commented that it is not expected that all the MPs should agree with the Ombudswoman's revelations, but it is a sign of respect for the people who turn to her with their problems, to listen to them and acknowledge them. As well, a government's advisory body - Council for Human Rights, National Minorities and Gender Equality - has supported the Ombudswoman and expressed a deep concern over the voting. The Slovak civil society organisations in reaction to the voting also mobilised themselves and in the ongoing public discussion widely supported the Ombudswoman's report and her overall work.

The Ombudswoman in response to the voting said that her work should not correspond to the ideas of the Parliament but should respond to the people who turn to her, including minorities and vulnerable groups whose rights are at stake. She considers it to be her duty to continue in her work. She also pointed at the significantly increased number of received complaints from people in 2019, showing the increased trust of people in her office. In general, in 2019 her office received more than 2,800 submissions and revealed 130 violations of fundamental human rights and freedoms in 104 cases.

The Ombudswoman's report as such informs about a wide range of relevant issues concerning the violations of human rights by public administration bodies including their reluctance to take reasonable measures that would enhance the protection of human rights in Slovakia. She, among other things, stressed the need for public administration bodies to provide further protection to vulnerable groups of people, including children, seniors and minorities.

**Key points of analysis:** According to the author of this flash report, the Ombudswoman's report and her findings are in line with the domestic and international legal framework on the protection of human rights. The primary reason of not acknowledging her report by the given group of MPs is arguably their different opinion on the scope of sexual minority rights and the reproductive rights of women that is contrary to the domestic and international human rights law.

**Internet link source:** The annual activity report of the Ombudswoman for 2019 is available in Slovak at: [https://www.vop.gov.sk/files/Sprava\\_o\\_cinnosti\\_VOP\\_2019.pdf](https://www.vop.gov.sk/files/Sprava_o_cinnosti_VOP_2019.pdf).