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NEWS REPORT

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| Country: | Slovakia |
| Title: | Slovak Government Adopting the National Strategy for the Protection and Promotion of Human Rights in the Slovak Republic |
| Date: | 12 March 2015 |
| Expert: | Janka Debrecéniová |
| <u>Context</u> | |
| Issue at stake: | On 18 February 2015, the Slovak government adopted the National Strategy for the Protection and Promotion of Human Rights in the Slovak Republic. |
| Ground of discrimination: | All grounds |
| Source: | Policy development |
| Field: | All fields |

Content

Policy development: On 18 February 2015, the Slovak government adopted the National Strategy for the Protection and Promotion of Human Rights in the Slovak Republic ("the Strategy"). The document is the first strategic policy document in the field of human rights in general, adopted in the era of the independent existence of the Slovak Republic.

The process of adoption took three years and involved a very active participation of civil society, including NGOs. The Council of the Government of the Slovak Republic for Human Rights, National Minorities and Gender Equality, the government's advisory body, was also involved. The process of adoption of the strategy was very turbulent and brought a lot of resistance from some segments of the society, mainly conservative NGOs and politicians.

The Strategy itself is 28 pages long and describes the main human rights legislative and implementation frameworks existing in the Slovak Republic, including institutional and "controlling" mechanisms (i.e. public bodies with tasks in the field of human rights, and NGOs). The last section of the Strategy sets a few framework priorities and tasks for the upcoming period. The Strategy states that this document is an "umbrella" for the existing partial programmes (i.e. existing policy documents dealing with some particular human rights issues) and will be made more specific on the basis of the currently existing, as well as the newly-prepared programmes.

The first implementation period of the Strategy is scheduled until 2020 when it should undergo a complex evaluation and an update in the long-term perspective. Monitoring and evaluation of its implementation, with continuous updating, should be carried out biyearly.

The individual parts of the Strategy are very brief and the tasks contained in it are very

general and brief, and do not name concrete responsible bodies. At the time of the adoption of the Strategy, it is not even clear who will be responsible for its coordination, and a legislative change is currently pending that aims to remove the human rights-related coordinating powers from the Ministry of Foreign and European Affairs and transfer them onto the Ministry of Justice.

The core of the work on the preparation of the Strategy was carried out by working groups. Their outcomes are contained in separate documents that deeply analyse the problems dealt with by the Strategy and propose concrete solutions (e.g. on issues of institutional protection, on human rights education, on rights of persons belonging to national and ethnic minorities, on racism, on rights of the elderly and on rights of people with disabilities, on rights of LGBTI people). They are, however, not part of the Strategy but represent its supplements of “informative nature” only.

The Strategy puts a lot of emphasis on the Slovak National Centre for Human Rights (the national equality body and a general human rights institution pursuant to the Paris principles). It notes that making the activities of the Centre more effective is a “pressing need”; that the body’s mandate, independence and pluralism should be strengthened; and that its financial and human resource insufficiencies should be resolved substantially. The Strategy reminds the public of legislative changes regarding the Centre that are allegedly still in preparation since 2014. The Strategy also deals with inadequacies as regards the funding and personal capacities of the ombudsperson (having also some powers falling under the material scope of the Directives), and with the need for systemic legislative, institutional and financial support of NGOs.

The Strategy also calls for a complex analysis of the state of observance of human rights in Slovakia (including the functioning of institutional mechanisms) which has not yet been carried out and which would also set the methodological basis for data collection in the field of human rights.

The Strategy also sets “systemic measures for the prevention and removal of barriers to achieving real equality and life in dignity for all groups of population” as one of its priorities. Among the tasks for its realisation are: 1. strengthening the implementation of the existing programme documents for vulnerable groups and individuals and development of new programme documents (this stands for action plans in the field of human rights public policies and explicitly concerns, *inter alia*, women, children and youth, people with disabilities, people facing poverty and social exclusion, people from Roma communities, LGBTI persons, elder people, with an explicit reference to individuals and groups facing multiple disadvantage), and 2. strengthening effective prevention and elimination of all forms of violence.

The Strategy also sets, as a separate priority, the adoption of systemic and complex measures against all forms of intolerance. It also specifically focuses on education, training and research in the field of human rights, and on the field of remedies and enforcement of human rights, including by courts where it is essential to provide systemic human rights education of judges.

Key points of analysis:

- the first document of its kind in the history of Slovakia;
- a lot of emphasis put on institutional protection of human rights (including the equality body) and on the situation of disadvantaged and vulnerable individuals and groups, including those protected under the EU non-discrimination directives;
- the key content-related analytical materials, containing also proposals on measures to be carried out, made non-binding “informative supplements”; the framework priorities and tasks very general, with no clear responsibility and accountability bearers;
- an important policy document with strong declaratory parts but with very uncertain prospects for implementation;
- the adoption has taken too long and diverted attention from the government not fulfilling its tasks, for example with regard to the crucial reform of the equality body.

Internet link source: <http://www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=24253>