

**TARGETED STAKEHOLDER CONSULTATION 2023 RULE OF LAW REPORT  
UN HUMAN RIGHTS REGIONAL OFFICE FOR EUROPE (OHCHR)**

**SLOVAKIA REVIEW**

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**I. Justice System**

**B. Quality of justice**

*Accessibility of courts (e.g. court/legal fees, legal aid, language)*

In its 2022 concluding observations, the UN Committee on the Elimination of Racial Discrimination was concerned that, despite the information provided by Slovakia on the measures adopted to provide compensation to victims of forced sterilization, access to justice, reparation and compensation remained difficult for Roma women. The Committee reiterated its recommendation that Slovakia ensure that Roma women who were victims of sterilization without their informed consent have access to effective remedies and adequate compensation, and that perpetrators are brought to justice. It recommended that measures taken to address the issue of forced sterilization are developed in consultation with and with the participation of members of the Roma community. It also recommended to ensure that legislation and regulations on informed consent in situations of sterilization are enforced effectively, with adequate guarantees ([CERD/C/SVK/CO/13](#), paras 30 - 31).

*Training of justice professionals (including judges, prosecutors, lawyers, court staff)*

In its 2022 concluding observations, the UN Committee on the Elimination of Racial Discrimination recommended that Slovakia provide training, on a regular basis, to civil servants, judges, magistrates and law enforcement officers to ensure the effective application of the Convention and of national legislation on racial discrimination and to ensure that, in carrying out their duties, they respect and defend all human rights while also taking steps to eliminate racially discriminatory acts or practices. ([CERD/C/SVK/CO/13](#), para. 7 (c)).

**Other – please specify**

**Excessive use of force and racial profiling** - While noting the measures taken by Slovakia to raise awareness of racial discrimination among its law enforcement agencies, the UN Committee on the Elimination of Racial Discrimination, in its 2022 concluding observations, was concerned about reports of racial profiling and racially motivated excessive use of force by the police, particularly against Roma. The Committee, furthermore, regretted the lack of information on measures taken to address the issue of racial profiling by law enforcement officials. The Committee was also concerned about the insufficient independence of the Bureau of the Inspection Service regarding the investigation of complaints about excessive use of force and racial discrimination by the police. The Committee recommended that Slovakia establish an adequately resourced and fully independent monitoring mechanism responsible for investigating complaints about excessive use of force and racial discrimination by the police, and that this mechanism is made organizationally independent from the Ministry of the Interior. Furthermore, the Committee recommended that the State party develop and implement comprehensive measures to address the issue of racial profiling in accordance with its general recommendation No. 36 (2020) on preventing and combating racial profiling by law enforcement officials ([CERD/C/SVK/CO/13](#), paras 20 - 21).

**C. Efficiency of the justice system**

### *Length of proceedings*

In its 2022 concluding observations, the UN Committee on the Elimination of Racial Discrimination, despite the efforts and the data provided by Slovakia, remained concerned about the prevalence of racial discrimination, especially against Roma and persons of African descent, as well as the fact that court proceedings in cases pertaining to racial discrimination continued to be excessively lengthy, having a negative impact on effective access to justice for victims. The Committee reiterated its recommendations that Slovakia adopt appropriate and effective measures to address the problem of lengthy court proceedings for victims of racial discrimination and take all the necessary steps to guarantee that all victims of racial discrimination have access to effective legal remedies and compensation ([CERD/C/SVK/CO/13](#), paras 6 and 7 (b)).

## **III. Media Freedom and Pluralism**

### **Other – please specify**

**Racist hate speech** - In its 2022 concluding observations, the UN Committee on the Elimination of Racial Discrimination, remained seriously concerned about persistent hate speech in the media and on the Internet and about the use of racist political discourse among politicians against ethnic minorities, particularly Roma, and non-citizens. It recommended to ensure that media-related legislation is in accordance with the Convention and other international human rights law standards, in order to prevent, sanction and deter any manifestations of racism in the media, particularly on the Internet ([CERD/C/SVK/CO/13](#), paras 18 and 19 (a)).

## **IV. Other institutional issues related to checks and balances**

### **B. Independent authorities**

*Independence, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions<sup>1</sup>*

In its 2022 concluding observations, the UN Committee on the Elimination of Racial Discrimination the Committee remained concerned that the Slovak National Centre for Human Rights was not fully compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and remained accredited with B status by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions. While acknowledging the three consecutive annual budgetary increases, in 2020, 2021 and 2022, the Committee was still concerned about the low number of cases under the Anti-Discrimination Act litigated by the Slovak National Centre for Human Rights. It reiterated its previous recommendation that Slovakia intensify its efforts to discuss and adopt the relevant legislative amendments to ensure that the Slovak National Centre for Human Rights is fully compliant with the Paris Principles, and provide the Slovak National Centre for Human Rights with adequate resources and institutional guarantees to enable it to discharge its mandate effectively and independently, as both a national human rights institution and an equality body ([CERD/C/SVK/CO/13](#), paras 8 - 11).

### **D. The enabling framework for civil society**

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<sup>1</sup> Cf. the website of the European Court of Auditors: (Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

**Other – please specify**

**Racist hate speech and hate crimes** - In its 2022 concluding observations, the UN Committee on the Elimination of Racial Discrimination the Committee remained concerned that activities by extremist organizations to incite racial discrimination continued to take place in Slovakia. It recalled its previous recommendations and urged Slovakia to proceed against organizations and activities that incite and promote racial discrimination, ensuring that participation in and the financing of such organizations and activities are prosecuted ([CERD/C/SVK/CO/13](#), paras 14 – 15 (a)).