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## Committee on Economic, Social and Cultural Rights

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### Implementation of the International Covenant on Economic, Social and Cultural Rights

#### Consideration of reports submitted by States parties in accordance with articles 16 and 17 of the Covenant: Slovakia

Addendum

Replies by the Government of Slovakia to the list of issues  
(E/C.12/SVK/Q/2) to be taken up in connection with the consideration  
of the second periodic report of Slovakia (E/C.12/SVK/2)\*

[6 December 2011]

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

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## **I. General information**

### **Reply to the issues raised in paragraph 1 of the list of issues (E/C.12/SVK/Q/2)**

1. It is not in the scope of the powers of the Ministry of Justice of the Slovak Republic to record the complaints of citizens of the Slovak Republic referring in courts of the Slovak Republic directly to the International Covenant on Economic, Social and Cultural Rights.

### **Reply to the issues raised in paragraph 2, of the list of issues**

2. The year 2010 was a long awaited milestone in terms of official development aid (ODA). European countries jointly undertook to ensure that this year's volume of resources used for development cooperation reached 0.56 per cent of the Gross National Product (GNP) per year in the case of the EU-15 Member States, or 0.17 per cent in the case of the new Member States. Slovakia managed to fulfil its obligation in 2010 only to the half extent. In 2010, the Slovak Republic provided official development aid equalling a total of EUR 55.8 million, with the ODA/GNP share being 0.085 per cent.

3. As part of the State budget expenditures used for the realization of programmes in 2011, the Ministry of Foreign Affairs of the Slovak Republic undertook to provide EUR 5,985,072 for the Official Development Aid Programme. The aim of this Programme is to fulfil the Millennium Development Goals.

### **Reply to the issues raised in paragraph 3 of the list of issues**

4. In its Resolution No. 452/2011 of 24 May 2011, the National Council of the Slovak Republic approved the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. The ratification of the document by the SROV President is currently being awaited.

## **II. Issues relating to the general provisions of the Covenant (arts. 1-5)**

### **Article 2, paragraph 2 - Non-discrimination**

#### **Reply to the issues raised in paragraph 4 of the list of issues**

5. The Slovak Republic is bound by several international human rights documents concerning members of the Roma national minority.

6. In its Programme Declaration, the Government of the Slovak Republic undertook to ensure the protection and development of the State language, and to strengthen the status of the State language as a means of communication and integration in society in line with the principles of the non-discrimination of national minorities. The Government of the Slovak Republic shall create the opportunity for the exercising of citizens' rights, including the citizens of minorities, to effectively participate in the administration of public affairs.

7. The Government of the Slovak Republic changed the Statute of the Government Council of the Slovak Republic for National Minorities. This body is a representative and functional forum of national minorities in the Slovak Republic, providing the scope for effective participation in the handling of their own affairs.

8. The Government of the Slovak Republic pays special attention to the issue of the status, integration and development of Roma communities in cross-sectional terms. The

approaches of the Government of the Slovak Republic reflect the actual needs and priorities of townships, regions, and the Roma themselves. On one side, the Government of the Slovak Republic tries to deal with the social situation of the Roma and adhering to human rights in a complex and balanced way, while on the other side it attempts to strengthen the principle of the personal responsibility of the Roma themselves. Past experience has confirmed that while trying to promote the integration and development of marginalized Roma communities, it is also necessary to introduce measures that will impact several areas simultaneously (education, health, housing, employment opportunities). In line with the mentioned direction, the Government of the Slovak Republic plans a complex systematic legal solution of social inclusion, mainly concerning the marginalized Roma communities. The approval process of the Draft of the Act on Socially Excluded Communities is currently underway.

9. The Slovak Republic currently does not have relevant statistical data based on regular statistical reporting concerning the Roma in terms of employment, education, health and housing. A substantive obstacle of such reporting is the restriction on inquiring about the affiliation to a nationality as such. The planned Act on Socially Excluded Communities will be based on civil, not ethnical principles, which will create the conditions for regular statistical processing of data about all relevant areas (employment, education, housing, health, etc.) concerning socially excluded communities.

**Reply to the issues raised in paragraph 5 of the list of issues.**

10. The first results of the 2011 census should be evident at the end of 2011. However, complex results will only be known in March 2014 in line with the Regulation of the European Parliament and the Council (ECC). The Statistical Office of the Slovak Republic will publish the results periodically.

**Reply to the issues raised in paragraph 6 of the list of issues**

11. When it comes to the second Amendment of the Anti-Discrimination Act, the institute of the so-called 'temporary equalising measures' was introduced. According to this, such measures can be taken in the case of demonstrable inequality. The aim of these measures is to reduce or eliminate inequality. They are adequate and necessary in order to achieve the set goal. Entities authorised to take such measures were defined as being the State administration bodies. The subject of temporary equalising measures was also defined as the elimination of forms of social and economic discrimination, and discrimination on the basis of age and disability in order to ensure actual equal opportunities.

**Reply to the issues raised in paragraph 7 of the list of issues**

12. On 1 January 2009, Act No. 447/2008 Coll. on Cash Benefits for Compensation of Severe Disability entered into force. The aim of this piece of legislation is to maintain, renew and develop the abilities of individuals and their families to live an independent life, to support the integration of individuals and their families in society through their active participation in this process, and to overcome or mitigate the social implications of severe disability. The rights defined by the Act on Cash Benefits for Compensation of Severe Disability are guaranteed equally to all in line with the equal treatment principles stipulated by Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and on Protection against Discrimination (Anti-Discrimination Act).

13. Forms of compensation are cash benefits provided individually or in various mutual combinations, however, always depending on the individual needs of severely disabled individuals. The degree of dependence of a severely disabled individual on a specific cash benefit depends not only on his or her severe disability, but also on non-medical criteria

(individual personality, family, and the wider environment). Based on such deeper knowledge of the social situation of an individual, forms of compensation that seem most suitable are proposed (in the area of mobility, communication, necessary life actions and household work, and increased expenditures).

### **Article 3 - Equal rights of men and women**

#### **Reply to the issues raised in paragraph 8 of the list of issues**

14. The National Action Plan for Women was adopted by the Government of the Slovak Republic as the main programme document for a ten-year period (1997). By fulfilling tasks in the areas of critical interests, a positive shift in dealing with the inequality of women occurred, mainly in terms of eight approved areas: To achieve the actual equal status of women in the family, work and society as stipulated by the legal system; To create scope for the personal choice of life development strategies of women in the family, work and society; To create conditions for eliminating economic disadvantages potentially leading to the material needs of women; To influence public opinion on respecting the equality of women and men in the education system in schools and through the mass media; To create conditions for the protection and strengthening of the health of women; To create conditions for the elimination of violence against women; To create conditions for the development of personality and professional realization of women with less development chances (such as women living in rural areas, women of Roma ethnicity, unemployed women, women with disabilities); To promote the work of organizations focused on supporting and developing women at the national and international level. With regards to the mentioned document, we can conclude that the eight priorities of the Government of the Slovak Republic were managed to be fulfilled gradually in the maximum extent also when it comes to the changes taking place in the process of the transformation of Slovak society, and its decentralisation and financial opportunities.

15. With regards to the overall positive change in the situation in society and its democratization, the situation of women has improved substantially also as a result of the enforcement of set priority areas on the part of the Government of the Slovak Republic. Thus it was necessary to set new priorities focusing generally on the fulfilment of gender equality through gender mainstreaming. Based on the above-indicated, thirty two adequate measures were implemented, including the setting of specific deadlines for their achievement and indicating the responsibility of specific bodies in the document 'Policy Document on Equal Opportunities of Women and Men (2001)'. The policy document focused on dealing with the equality of women and men in a comprehensive manner so that the approved measures corresponded with the dual approach, with current requirements, national and international trends, and eliminated discrepancies with the newly adopted international documents. In the new, more up-to-date programme document using new terminology, the term 'gender mainstreaming' was used for the first time in an official document approved by the Government of the Slovak Republic.

16. The document 'The National Strategy of Gender Equality' became valid in 2009. Its main aim was to ensure adequate financial resources for the fulfilment of gender equality. It served as the rationale for the 2007 – 2013 programme period, justifying the use of structural funds. It also defined the challenges in line with the strategy of gender mainstreaming, as well as the horizontal priority of equal opportunities and its compulsory monitoring within all operational programmes and approved projects.

17. In the resolution concerning the strategy, the Government of the Slovak Republic undertook to apply the aspect of gender mainstreaming for the first time. In the Clause on Implications that is prepared for all legislative, conceptual and strategic materials, the

obligation to consider the implications on gender equality of all decisions passed at the level of the Government of the Slovak Republic was introduced as of July 2010. With regards to the indicated document, we can conclude that the strategy is currently at the stage of fulfilment, and that it has substantially impacted the possibility of using financial resources for measures dealing with the agenda of gender equality. The National Action Plan of Gender Equality for 2010 – 2013 serves as the executing document of the strategy. Its update is currently being drafted, considering the priorities of the Government of the Slovak Republic in its current election term, which is the harmonisation of work and family life and the prevention and elimination of violence against women.

**The employment rate based on age and education in 2010  
(the average for a year in %)**

Indicator	Total	Men	Women
15 years old and older	50.5	58.2	43.4
15 – 64 years old	58.8	65.2	52.3
20 – 64 years old	64.7	71.9	57.5
<b>Based on age groups</b>			
15 – 19 years old	2.4	2.8	2.1
20 – 24 years old	36.5	42.1	30.7
25 – 29 years old	68.1	76.2	59.7
30 – 34 years old	72.9	83.9	61.4
35 – 39 years old	79.8	86.6	72.6
40 – 44 years old	81.0	82.0	79.9
45 – 49 years old	80.5	82.3	78.8
50 – 54 years old	74.7	77.6	71.9
55 – 59 years old	58.0	72.1	45.2
60 – 64 years old	17.3	28.8	7.8
65 years old and older	1.6	2.5	1.0
<b>Based on education (15 – 64 years old)</b>			
Basic	14.5	16.1	13.2
Vocational	64.0	71.3	52.5
Secondary (without State secondary school leaving exam)	69.5	80.8	54.3
Vocational completed with State secondary school leaving exam	71.8	75.2	67.1
Full secondary general	39.0	41.6	37.6
Full secondary professional	70.8	77.3	65.2
Higher professional	67.5	73.9	64.6
University	78.6	83.8	74.3

### **III. Issues relating to the specific provisions of the Covenant (arts. 6-15)**

#### **Article 6 - Right to work**

##### **Reply to the issues raised in paragraph 9 of the list of issues**

##### **The Operational Programme Employment and Social Inclusion**

18. The aim of the Operational Programme Employment and Social Inclusion in the programming period 2007 – 2013 (hereinafter referred to as the "Operational Programme") is to increase employment, social inclusion and capacity building. It implements activities through which tasks in the area of employment policy resulting from the National Reform Programme for 2008 – 2010 are achieved. In the National Reform Programme for 2008 – 2010, the Government of the Slovak Republic undertook to adopt, in line with the recommendations of the European Commission, measures to support employment focusing on the inclusion of long-term unemployed in the labour market, on the improvement of the education structure of the active population, and strengthening the link between education and demand for labour force and required skills, as well as measures focusing on the reduction of regional differences supporting labour force mobility.

19. The Operational Programme, mainly through its two priority areas (1) Support of Employment Growth, and (2) Support of Social Inclusion, gathers contributions to achieve high employment rates, to reduce long-term unemployment, to deal with demographic changes, and last but not least to social inclusion. Contributions in the indicated areas lead to initiating or strengthening processes that can help improve the competitiveness of the Slovak Republic in the European as well as global context.

20. In line with the above-mentioned aims, Act No. 5/2004 Coll. on Employment Services was amended, coming into force on 1 May 2008. This piece of legislation redefined the previously valid active labour market measures (hereinafter referred to as the "ALMM") in terms of providing employment services, and additional new measures were introduced supporting employment and the employment of disadvantaged groups on the labour market, including the long-term unemployed.

21. Thus, five new (so-called 'Anti-Crisis') ALMM were introduced for a transitional period from 1 March 2009 to 31 December 2010, specifically:

- Benefit to support keeping employment (note: provision of this benefit was prolonged until the end of 2011);
- Benefit to support the creation of a new workplace;
- Benefit to employee's salary;
- Benefit to support independent employment activity;
- Benefit to independent employment activity in the processing and trading of agricultural products.

22. More advantageous legislative conditions were created for the transitional period from 1 December 2009 to 31 December 2010, to support the entering and maintaining on the labour market of school graduates, as well as repeated entering of the labour market of disadvantaged employment seekers who became unemployed due to employment termination on the basis of organizational changes, specifically in connection with

providing the benefit to independent employment activity and the benefit to support the creation of a new workplace.

23. In 2010, another new benefit was introduced for the transitional period from 1 March 2010 to 31 December 2011 as part of ALMM, specifically the benefit to support regional and local employment. The purpose of this instrument is to support entering and repeated entering of selected groups of disadvantaged employment seekers (school graduates, citizens older than 50 years of age, long-term unemployed, citizens long term off from the labour market due to difficulties with harmonizing work and family life, citizens with disabilities) to the labour market, to support regional and local employment ability with municipal bodies increasingly taking up the role of employer and contributing to the mitigation of regional disparities.

24. At the same time, repeated performance of activation activity in the form of smaller community services for the township was enabled again for the transitional period from 1 March 2010 to 31 December 2010, supporting the on-going work readiness of long-term unemployed who receive benefits for material need, and bonus to benefits in material need in order to increase their preparedness to re-enter the labour market.

25. Based on the above, we can state that the implications of the global economic crisis were also mitigated through the Operational Programme and measures taken without which the situation on the labour market, especially for disadvantaged groups, would gradually only further worsen, and steps were taken in this way to support the reduction of long-term unemployment, regional differences in the Slovak Republic, as well as to support the entry and retention to the labour market mainly of disadvantaged employment seekers.

#### **The National Reform Programme**

26. In line with the recommendations of the European Commission, as part of the National Reform Programme of the Slovak Republic in 2008 – 2010, the Government of the Slovak Republic approved measures to support employment, focusing on the inclusion of long-term unemployed on the labour market, improvement of the education structure of the economically active population, and strengthening the link between education and demand for labour force and the required skills, as well as measures to reduce regional differences by supporting labour force mobility.

#### **Reply to the issues raised in paragraph 10 of the list of issues**

27. Citizens of a EU Member State, and of a State that is a party to the Agreement on the European Economic Area and of the Swiss Confederation, independent from their permanent residence, are eligible to seek employment and to carry out work activity for remuneration in the territory of the Slovak Republic under the same conditions as citizens of the Slovak Republic, i.e. in line with the legal labour regulations.

28. Conditions under which a citizen of a third country, i.e. a country that is not a EU Member State, a State that is a party to the Agreement on the European Economic Area, or of the Swiss Confederation, or an individual without any citizenship, can apply for work and can be employed, are defined by the Act on Employment Services. The Act also defines the categories of foreigners that are not required to have a work permit.

29. Citizens of a third country, that is a party to legal relationships originating in line with the Act on Employment Services (i.e. that were issued a work permit and temporary residency permit for the purposes of employment, or that are holders of a EU Blue Card or asylum seekers) have the equal legal position as citizens of the Slovak Republic. With regards to participation in the activities, programmes and projects realized as part of the active labour market policy, equality of opportunity for all applicants shall apply.



**Reply to the issues raised in paragraph 11 of the list of issues**

30. The Slovak Republic currently does not have the requested information since the Statistical Office of the Slovak Republic does not record data about the non-formal sector of the State economy.

**Reply to the issues raised in paragraph 12 of the list of issues**

31. The employment of citizens with disabilities is supported in the Slovak Republic by the Act on Employment Services through

- (a) Special active measures on the labour market;
- (b) Fulfilling employee obligations when employing citizens with disabilities.

**Special active measures on the labour market**

32. The Slovak Republic has implemented as part of the ALMM also special measures aimed at citizens with disabilities. Their aim is to support the creation and maintaining of work places for this group of citizens in protected workshops or protected workplaces.

33. Since the integration of citizens with disabilities on the labour market can be significantly supported by a positive legislative environment, in 2008 the part concerning the support of citizens with disabilities was comprehensively reconsidered in the Act on Employment Services (Amendment of the Act on Employment Services active as of 1 May 2008). The aim of this amendment was to eliminate barriers of creating new work places and to ensure the long-term sustainability of work places created for this group of citizens. By adjusting the so-far valid ALMM, mainly by adjusting the amount of provided benefits and by introducing new ALMM, a new legislative environment was created that even further supported the return of as many citizens with disabilities as possible to the labour market.

34. At the same time, in order to comprehensively monitor the provision of services for citizens with disabilities, as well as their work integration, the Offices of Labour, Social Affairs and Family were obliged to keep special records on citizens with disabilities.

35. The development of the number and share of employment seekers of citizens with disabilities of the total number of employment seekers from 2004 to 2010 is reducing in the long term, and their share fell from 4.93 per cent in 2004 to 2.88 per cent in 2010, which represents a significant drop by 2.05 per cent.

**Fulfilling employee obligations when employing citizens with disabilities**

36. In line with the Act on Employment Services (art. 63, para.1) the employer is obliged, when employing citizens with disabilities:

- (a) To ensure suitable conditions for the performance of work for the employed citizens with disabilities;
- (b) To carry out training and preparation for the work of citizens with disabilities, and to take special care about increasing qualification during employment;
- (c) To keep records about citizens with disabilities;
- (d) To employ citizens with disabilities; if there are fewer than 20 employees and if the labour office registers employment seekers from among citizens with disabilities, as 3.2 per cent of the total number of employees (hereinafter referred to as the "obligatory share");

## **Article 7 - Right to just and favourable conditions of work**

### **Reply to the issues raised in paragraph 13 of the list of issues**

37. The system of annual negotiations about the adjustment of the minimum wage for next year involving representatives of employees and employers is used in the Slovak Republic. The process is defined by Act No. 663/2007 Coll. on Minimum Wage.

38. The Government of the Slovak Republic also takes into consideration the position of the social partners, the development of the share of minimum wage of the net average wage, and the development of work productivity based on Gross Domestic Product in previous periods. The Government of the Slovak Republic follows these two basic goals when reaching a decision:

- Increasing the minimum wage must not cause an unacceptably high increase in the costs of salaries on the part of employers that could consequently lead to layoffs of employees in the lowest income groups, and bring about an increase of the unemployment rate.
- The amount approved by the Government must ensure employees the right to adequate remuneration for their performed work, ensuring a decent standard of living as guaranteed by article 36 of the Constitution of the Slovak Republic.

### **Reply to the issues raised in paragraph 14 of the list of issues**

39. According to the results of the selective statistical survey carried out by the Statistical Office of the Slovak Republic concerning the structure of salaries in the Slovak Republic in 2010, the gross monthly salary equalled EUR 831 in the analysed year. In spite of attempts to achieve equal status of women and men in society and on the labour market, data on average gross monthly salaries of men and women for 2010 confirmed continued gender inequalities in terms of work remuneration. The gap between the salaries of men and women has been growing in recent years. In the examined year, the gross monthly salary of men equalled EUR 941.

40. Gross salaries of women were 75.3 per cent of the gross salaries of men, i.e. EUR 232 less to the disadvantage of women. When comparing the structure of wages, the basic salary of men reached 66.3 per cent of their average gross monthly salary, of women as much as 69 per cent. The second greatest wage element of men was bonuses and extra payments (11.9 per cent), in the case of women, salary substitute payments (11.7 per cent). Bonuses and extra payments made up 8.7 per cent of the average gross monthly salary of women. Salary substitute payments represented 10.5 per cent of the total salary of men. Bonuses and back payments reached 7.6 per cent for men and 7.5 per cent for women. Irregular bonuses constituted 3.4 per cent of the average salary of men, and 3 per cent of the average salary of women. The salary of women was 14.7 per cent under the Slovak average, while the salary of men exceeded the average by 13.2 per cent.

41. 67.6 per cent of men were in the wage range of up to EUR 900. 3.4 per cent of men were in the wage range of EUR 900 – 950 also covering the average salary of men, while 29 per cent of men earned more than EUR 950. The median of salaries of men reached EUR 711, which is approximately 75.5 per cent of the average gross monthly wage of men. The salary of 64.4 per cent of women was lower (up to EUR 700) than the Slovak average wage of women. 5.2 per cent of women were in the range EUR 700 – 750. 30.2 per cent of women earned more than EUR 750. The median of salaries of women (EUR 590) represented 83.1 per cent of the average gross monthly salary of women. Among factors influencing the slower growth of salaries of women, when compared to the salaries of men,

are mainly education and the representation of men and women in individual low or high income economic activities and professions.

42. The development of the share of average income of women of the average income of men can be analysed in greater detail based on a selective statistical survey concerning the price of labour. This was carried out by Trexima Bratislava, s.r.o., studying the average wage of men and women according to education and age for the same work positions with the same employer.

#### **Reply to the issues raised in paragraph 15 of the list of issues**

43. The Slovak National Centre for Human Rights informs about the issue of sexual harassment mainly through its educational and awareness-raising activities. The discriminatory form of sexual harassment was added to the Slovak Anti-Discrimination Act through the Amendment effective as of 1 April 2008.

44. The issue of sexual harassment is generally presented in the context of interpreting national anti-discrimination legislation during regular training activities organised by the Slovak National Centre for Human Rights for children and youth (e.g. in 2011 up to 1 October 2011, the Slovak National Centre for Human Rights had carried out educational activities in 26 schools for more than 850 participants).

45. On a specific level, the Centre dealt with the issue of sexual harassment in 2010 - 2011 mainly as part of its "Equal Chances are Worth It" project (series of activities supporting the identification of examples of good practice in preventing discrimination and promoting equality) that was funded by the European Commission through the PROGRESS Programme. The project was carried out from 6 December 2009 until 6 December 2010. Project partners were the Slovak National Centre for Human Rights, the Slovak Disability Council, Institute of Economic Research Slovak Academy of Sciences, Institute for Research of Labour and Family and Seesame s.r.o. Project activities also involved processing and publishing "Proven procedures in non-discrimination, in promoting equal opportunities and diversity in labour relationships" – a study of Slovak proven procedures and good practices when implementing the management of diversity in labour relationships aimed at the business sector – employers, professional employees of local municipal bodies – townships, towns in the Slovak Republic, social partnerships, trade unions, NGOs, media, and the public.

46. Part of the publication is a special chapter focusing on the issue of sexual harassment. Following up on the expert study, the Centre carried out a series of 11 two-day trainings around Slovakia as part of the mentioned project aimed at trade unions, trade union association, non-governmental organizations, and the business sector, entrepreneurs, employers, local municipalities and labour inspectorates. The trainings were attended by 166 participants. The trainings also included a special lecture on the topic of sexual harassment in the workplace.

47. A representative research using a working sample population showed that 66.4 per cent of the working population have experienced at least one form of sexual harassment, 36.7 per cent have personal experience, and 55.5 per cent of respondents have had indirect experience. Women experience direct or indirect forms of sexual harassment twice as often as men. The three most frequent examples of sexual harassment are sexual jokes, notes and comments of a sexual nature, and calling by inappropriate names, however physical contacts (touching and unwelcome intimacy) also occur relatively often. Men – colleagues in the same work position were indicated most frequently as the initiators of sexual harassment. Sexual harassment by superiors represented around 17 per cent. In spite of the fact that more than 80 per cent of respondents with personal experience had some kind of psychological or even physical problem as a result of sexual harassment, only 13 per cent

took steps in defence. In most cases this involved passive defensive reactions by way of ignoring and evading the given person.

## **Article 9 - Right to social security**

### **Reply to the issues raised in paragraph 16 of the list of issues**

48. Each individual has the right to unemployment benefits during a six-month period, if he or she fulfils the conditions defined by Act No. 461/2003 Coll. on Social Insurance. The insured individual is entitled to unemployment benefits, if he or she had been insured against unemployment for two years during a three-year period prior to his or her joining the unemployment register.

49. In the case of an insured individual, who after the end of working as an employee employed for a finite period of time, then joined the register of unemployed citizens, it is sufficient if he or she had been voluntarily insured against unemployment for two years in the last four years prior to his or her joining the unemployment register based on his or her work as an employee employed for a finite period of time, and that had not been compulsorily insured against unemployment based on work activity as an employee other than working as an employee employed for a finite period of time. Such insured individual is, however, entitled to unemployment benefits for four months.

50. An employee in a legal relationship establishing the right to a regular monthly income from dependant activity, except for non-cash income from previous a legal relationship provided from the resources of the social fund, is compulsorily insured against unemployment. An individual in a legal relationship based on agreements on contractual work performed outside employment, or a secondary school or university student during his or her practical instruction as part of a professional (manufacturing) internship, is not compulsorily insured against unemployment. A physical entity not insured against unemployment can use the institute of voluntary insurance against unemployment, if he or she turned the age of 16 and is permanently residing in the territory of the Slovak Republic, and has a temporary stay permit or a permanent residency permit.

51. The Act on Social Insurance excludes some individuals from the personal scope of insurance against unemployment due to the fact that they cannot be enrolled in the register of employment seekers, and thus they cannot receive benefits. Considering the above mentioned, for instance, a prosecuted, accused in custody, convicted in jail, or an individual granted old-age pension, early old-age pension, or disability pension due to work ability reduced by more than 70 per cent, or an individual granted disability pension who reached the retirement age, cannot be insured against unemployment.

52. That means that insurance against unemployment applies neither to individuals with severe disability who were granted disability pension due to work ability reduced by more than 70 per cent, nor to individuals whom disability pension was granted and who had reached the retirement age, since compensation of the income of these persons has already been ensured through disability or old-age pension.

### **Reply to the issues raised in paragraph 17 of the list of issues**

53. The system of social insurance is not the system of social aid. As a rule, the system of social insurance covers the economically active population (employees, independent sole traders) which is expressed by their compulsory participation in the individual types of social insurance. Individuals who are not obliged to have either health care and pension insurance or compulsory insurance against unemployment can have voluntary health care and pension insurance, or can be voluntarily insured against unemployment if they have

turned the age of 16 and have permanent residency in the Slovak Republic, a temporary stay permit, or a permanent residency permit.

#### **Individuals who are not economically active**

Statistical data for 2010

<b>Economically inactive population</b>	<b>2,715,300</b>
including:	
Individuals under the age of 15	832,500
Students, trainees	535,300
Individuals on parental leave	74,900
Retired	1,052,100

#### **Entrepreneurs to whom compulsory health care and pension insurance does not apply**

##### **Independent sole traders for 2010**

with health-care insurance	415,910
with social insurance	237,890
difference	178,020

54. We are basing this on the assumption that the difference between entrepreneurs with health-care insurance and entrepreneurs with compulsory social insurance corresponds to the approximate number of entrepreneurs to which the compulsory health-care and pension insurance does not apply.

#### **Reply to the issues raised in paragraph 18 of the list of issues**

55. Social insurance benefits are not social aid benefits. Social insurance benefits are exclusively contribution based. In order for an individual to be entitled to a social insurance benefit, as a rule, he or she needs to be insured. An exception is inheritance benefits (widow pension, widower pension, orphan pension) when it is not necessary for the widow, widower or orphan to be insured. It is the deceased person who had to be insured. An exception is also accident insurance benefits and guarantee benefits when the insured person is not the employee to whom the benefits are paid out, but rather his or her employer.

### **Article 10 - Protection of the family, mothers and children**

#### **Reply to the issues raised in paragraph 19 of the list of issues**

56. Act No. 305/2005 Coll. on the Social-Legal Protection of Children and Social Guardianship establishes a legal basis for:

- Consistent protection of the rights and interests of minors;
- Purposeful, intensive and systemic help and support of children and families;
- Ensuring a suitable substitute environment for children in cases when they are not brought up in their natural family;
- Effective prevention, elimination of reasons of origin, prevention of deepening, spreading and eliminating repeated defects in the psychological development,

physical development of social development of an individual, groups and larger social units;

57. The rights established by law are guaranteed equally to all, in line with the principle of equal treatment stipulated by a special regulation. Everyone is obliged to notify the body of social-legal protection of children and social guardianship about violations of the rights of a child. The core in ensuring effectiveness of the protection of children's rights is the special definition of the rights of a child when enforcing this law based on the rights of the child to which a child is entitled by the Convention of the Rights of the Child. It explicitly defines the right of the child to request the assistance of bodies of social-legal protection and social guardianship, township, higher regional unit, accredited entity, even with the aim to protect the interest of the child, and that even beyond the scope of entities taking measures in line with this act, as well as other State body assigned by special regulations the right to protect the rights and legally protected interests of the child, school, school facilities or health-care provider. Children have the right to request help in protecting their rights even without the knowledge of their parents or the person personally taking care of them. This does not impact rights and responsibilities of parents resulting from parental rights and responsibilities and the rights of the person taking personal care of the child as defined by the special regulation.

58. When exercising their rights and responsibilities, parents and persons taking personal care of children have the right to ask for help from bodies of social-legal protection of children and social guardianship, other State body assigned by special regulations the responsibility to protect the rights and legally protected interests of the child, facility, township, higher regional unit, accredited entity, school, school facility and health-care provider. These bodies and the accredited entity are obliged to provide such help for parents and persons taking personal care of the child within the scope of their powers.

59. The body of social-legal protection of children and social guardianship proceeds in line with valid national legal regulations, as well as with international agreements in the area of the protection of the rights of children when taking measures of the social-legal protection of children and social guardianship. Based on these documents, the protection of the rights and legally protected interests of the child is considered to be the most important aspect of making decisions concerning the child. In such cases, the opinion of the minor is always decisive as well, while taking into consideration his or her age and intellectual maturity. The body of social-legal protection of children and social guardianship when carrying out the social-legal protection of children and social guardianship respects the fact that it is necessary to inquire about the opinion of the child too, naturally with regards to his or her age and intellectual maturity, and the child's opinion is also presented when representing the minor in court proceedings.

60. In the case of placing the child in a form of substitute care, the minor is informed about his or her situation and is provided all the necessary information.

**Substitute family care – substitute personal care, foster care, guardianship, pre-adoption care and adoption**

61. According to the law, the body of social-legal protection of children and social guardianship assigned with the task of organizing substitute family care (hereinafter referred to as the “assigned body of social-legal protection of children and social guardianship”), or facility if a child is placed there, must provide to the child that is to be provided with substitute family care, social counselling, information about the impacts of substitute family care and psychological care (hereinafter referred to only as the “preparation of the child”) in a way adequate with regards to the age and intellectual maturity of the child.

62. If the body of social-legal protection of children and social guardianship knows of an individual with a close relationship to the child, such individual, if appropriate and purposeful, may be invited to participate in the child's preparation for substitute family care. The assigned body of social-legal protection of children and social guardianship or facility develops a report about the child's preparation for substitute family care. In the case that the child prepares for adoption when the consent of the child with the adoption is also required, the report about the child's preparation for adoption must contain the written consent of the child with the adoption.

63. If the child is not prepared to be provided substitute family care, even after the end of the child's preparation, the report about the child's preparation for substitute family care will indicate special reasons for this together with the statement concerning possibilities of updating the child's preparation.

64. If an accredited entity, representative or employee of which is a person known to the child, took some measures of social-legal protection of children and social guardianship for a child that needs substitute family care, the assigned entity of social-legal protection of children and social guardianship will offer the possibility to prepare the child to this accredited entity. If the accredited entity does not show the will to prepare the child in a period of two weeks, the preparation of the child will be carried out by the assigned body of social-legal protection of children and social guardianship or the facility in which the child is placed.

65. If the child is placed in a facility, the assigned body of social-legal protection of children and social guardianship will agree on the process of child's preparation with the facility and the accredited entity. If it is not possible to agree on such process of child's preparation, the child is prepared by the facility. The accredited entity, with the exception of the facility in which the child is placed, must be accredited to carry out the child's preparation.

**The total number of children placed in individual forms of substitute family care in individual years**

<b>Year</b>	<b>Substitute personal care</b>	<b>Foster care</b>	<b>Guardianship</b>	<b>Total</b>
<b>2008</b>	3,908	2,672	625	<b>7,205</b>
<b>2009</b>	5,392	2,478	647	<b>8,517</b>
<b>2010</b>	5,637	2,389	600	<b>8,626</b>

*Source: Office of Labour, Social Affairs and Family*

**Reply to the issues raised in paragraph 20 of the list of issues**

66. Information is provided under article 10 above.

**Article 11 - Right to an adequate standard of living**

**Reply to the issues raised in paragraph 21 of the list of issues**

67. According to the census, there were a total of 1,884,846 flats in Slovakia in 2001, including 1,665,536 permanently inhabited flats. Of permanently inhabited flats, 845,494 were blocks of flats and 820,042 were family houses.

68. As far as the availability of flats to inhabitants in 2001 is concerned, the number of all flats per 1,000 inhabitants was 350.4, while the number of permanently inhabited flats was 309.6. As far as the structure of housing according to legal reasons for the use of flats is concerned, of the total number of permanently inhabited flats in 2001, 135,225 were rented out and 248,531 were cooperatively owned. It was analysed in 2008, based on a departmental statistical survey, that the number of flats for rent owned by townships was approximately 47,000 as of 31 December 2007, and the number of flats owned by housing cooperatives was approximately 81,000.

69. The Ministry of Construction and Regional Development, as the central body of State administration for the development and realization of housing policy, ensures legislation in the area of housing development mainly through credit and subsidy policy. As part of the scope of its powers, it sets the conditions for increasing the availability of housing which has social implications represented by rented housing.

70. The Government of the Slovak Republic deals with the issue of housing for socially weaker groups of the population on a regular basis. Long-term Housing Development Concept for Marginalized Population Groups and the Model of its Financing focuses on dealing with the issue of housing for socially excluded communities, and represents a specific supplement of the concept of the State housing policy. Following up on the Long-term Housing Development Concept for Marginalized Population Groups and the Model of its Financing, the Ministry of Construction and Regional Development ensured the development of a methodological publication "Procedures of Preparation and Sample Projects of Construction of Rented Housing of Lower Standard". The aim of developing the given publication is to provide representatives of local municipalities with a methodological document clarifying the procedures, principles and rules of procurement, and the financing of project documentation and the construction of rented housing of a lower standard.

71. In line with the aims of the concept of State housing policy, the government gradually created a system of support economic instruments of housing development differentiated by the social situation of housing applicants. Increasing the availability of housing for groups of citizens endangered by social exclusion, specifically marginalized Roma communities, is achieved by more advantageous conditions when supporting the construction of rented housing with a higher share of subsidies of overall financial securing of their realization. From the budget chapter of the Ministry of Construction and Regional Development as part of the Housing Development Program, resources are provided as of subsidies to townships and non-governmental organizations for the purpose of procuring flats for rent of limited size and price standard to serve the housing purposes of socially weaker groups of population, procurement of flats for rent of lower standard to be used for the housing purposes of marginalized groups of citizens, the construction of technical infrastructure that is a condition for building and using new apartments, and for eliminating systematic flaws of blocks of flats. For flats of regular standard, a subsidy of 20 per cent to 30 per cent of the purchasing costs of housing construction is provided, and for flats of lower standards, a subsidy of 75 per cent to 80 per cent of the purchasing costs of housing construction.

72. Another instrument supporting the construction of blocks of flats and flats in family houses in form of providing advantageous credits is the State Fund of Housing Development. Credits are provided only to households with the set income limit and limited size of the flat.

#### **Reply to the issues raised in paragraph 22 of the list of issues**

73. The Slovak Republic in 2002 – 2008 paid significant attention to ensuring the rights of individuals to food. Food safety in the Slovak Republic was not endangered, in spite of this we must conclude that the eating habits of the population do not correspond to a healthy life style.



74. In 2007, the strategy of dietary policy was developed that defined the tasks and priorities of the agricultural sector with the aim of gradually changing the inappropriate eating habits of the population, following up on the White Paper of the European Union on the Strategy of Dealing with Nutrition, Overweight and Obesity-Related Health Issues in Europe. The main aim of the strategy is to improve conditions for meeting basic nutritional needs and also strengthen the prevention of serious civilisation diseases of the population of the Slovak Republic. The Slovak Republic also supports and develops agricultural systems contributing to as effective and sustainable development and use of natural resources as possible. One such system is also the system of ecological farming for the production of bio products and bio food that are a decisive contribution to a healthy diet.

75. The Slovak Republic places emphasis on supporting an information society contributing to the competitiveness of the European knowledge-based society. With the aim of improving the ways of production, storing and distribution of food stuffs, the Slovak Republic has been supporting the life-long education of farmers, spreading new knowledge based on research and development into praxis, disseminating knowledge about the basics of nutrition, developing and modifying production systems enabling their effective development, while effectively and ecologically using natural resources. Research and scientific institutes in the agricultural sector have carried out numerous analyses, activities, projects, scientific discussions over 2002 – 2008 achieving specific outcomes and recommendations for praxis, implementing measures in the decision-making sphere and further development, with a focus of research and development in the given area.

## **Article 12 - Right to physical and mental health**

### **Reply to the issues raised in paragraph 23 of the list of issues**

76. The right to sexual and reproductive health of women in the cases of key objections on the part of the health-care provider is ensured for all citizens, women, in line with the currently valid national legislation. “The National Program of Care for Women, Safe Maternity and Reproductive Health” is currently being developed, while the deadline for its submission was prolonged.

### **Reply to the issues raised in paragraph 24 of the list of issues**

77. The Ministry of Health of the Slovak Republic stabilised the number of beds in health-care institutional facilities that provide specialized health care to patients with mental illness (specifically, 54 facilities were established with 3,224 beds around the Slovak Republic).

78. When increasing the quality of health care provided to citizens suffering from mental illnesses or behavioural problems in facilities of social services, the Ministry of Health of the Slovak Republic stipulated, by Act No. 576/2004 Coll. on Healthcare and Healthcare-Related Services, that health care in the extent of nursing can also be provided in social service facilities.

79. Statistical data on the network of psychiatric facilities, the number of beds and the activities of psychiatric out-patient departments has been processed in the publication “Psychiatric care in the Slovak Republic.” Data is classified according to gender, age groups, diagnosis, and the length of hospitalization, education and work activity. The basis for processing statistical data is the Statistical Sheet of the patient admitted for institutional care in a psychiatric facility, the Annual Report on the Activity of a Psychiatric out-patient Department, and the Annual Report on the Activity of Day care. Currently 18 psychiatric day-care centres for adults and 1 for children are in operation in Slovakia.

### **Reply to the issues raised in paragraph 25 of the list of issues**

80. Many scientific studies have informed about the negative effects of smoking on the health of people. It is therefore a long-term goal of the European Union to protect non-smokers. As part of the World Health Organization, the Framework Convention on Tobacco Control was developed. It is an international agreement in the area of public health care that is to serve as an international legal instrument limiting the spread of smoking around the world. The Slovak Republic supported this effort and by passing Act No. 377/2004 Coll. on the Protection of Non-Smokers, it harmonized its legislation with the legislation of the European Union.

81. The aim of this act is to protect people against developing an addiction to nicotine, which are an addictive substance and a harmful element.

82. The Amendment effective as of 1 November 2005 extended the ban on sale also to shops and stands located in complexes and areas of health-care facilities. It also puts a ban on the sale of tobacco products in communal catering facilities. The sale of tobacco products to persons under the age of 18 is banned.

83. The ban on smoking in workplaces was introduced by a special act – Act No. 330/1996 Coll. on Occupational Safety and Health Protection. The ban or limitation on smoking can also be imposed by a township through a generally binding regulation applying to other publicly accessible places.

84. Meeting of conditions and fulfilling obligations resulting from this Act is overseen by the Slovak Trade Inspection, State Veterinary and Food Administration of the Slovak Republic, bodies of health protection – in line with Act No. 272/1994 Coll. on Human Health Protection. Surveillance is also performed by townships, railway, bus and other regular personal transport operators and bodies of labour inspection.

85. As far as public awareness-raising campaigns about the negative consequences of smoking are concerned, the following campaigns are currently taking place in the Slovak Republic:

- “Ex-Smokers are Unstoppable”: The campaign was launched on 16 June 2011 as a three-year awareness campaign supported by the European Commission. Its aim is to help smokers stop smoking by motivating them and showing them the practical advantages of being a non-smoker. It portrays former smokers as examples of success in stopping smoking, thus it provides inspiration for smokers to stop. Its aim is also to raise awareness and knowledge about the impacts of smoking on health.
- The campaign “Do not smoke my childhood away” is organised by the charitable organization the League against Cancer (Liga proti rakovine) as part of the “Week against Cancer”. The campaign is informative and its aim is to point out the risks associated with smoking, mainly to children, parents and future mothers. The League against Cancer through the campaign against smoking follows up on the EU campaign “Ex-Smokers are Unstoppable”.

### **Articles 13 and 14 - Right to education**

#### **Reply to the issues raised in paragraph 26 of the list of issues**

86. There are no limits based on gender in terms of study fields and specialising in secondary schools in the Slovak Republic that would reduce the options of girl students to study traditionally male-dominated fields. A condition of studying the given field that needs to be met by both genders is to submit a confirmation of health capability of the student, i.e.

a statement by the general practitioner about the student's capability to study the selected field of education.

87. Statistical information for universities according to study fields is available at

<http://www.uips.sk/sub/uips.sk/images/JC/PREHLAD/VS/odborvs.xls> and for secondary schools at <http://www.uips.sk/sub/uips.sk/images/JC/PREHLAD/SS/odbory.xls>. Statistical data contains gender divisions too.

#### **Reply to the issues raised in paragraph 27 of the list of issues**

88. Education of children and students with a physical handicap is stipulated by Article 94 of Act No. 245/2008 Coll. on Education (the school law) according to which students with disabilities are educated in special schools, special kindergartens, primary and secondary school classes, or at schools integrated with other school children. From the aspect of the arrangement of these educational institutions, their network is made in a way that makes them accessible.

89. Special care for students with physical handicap is provided by centres of special educational counselling and by special educators in schools. Students with disabilities are educated at the indicated schools following educational programmes for individual types of handicap or defect defining specific features of education. They are part of the State educational programme.

- The educational programmes are part of the State educational programmes. If the physical handicap prevents a child or a student of the special class or special school from being educated according to the education programme for students with the given physical handicap, the student is taught following an individual educational programme respecting his or her special learning needs.

90. The support of university students with disability is governed by Article 100 of Act No. 131/2002 Coll. on Universities. A university provides as much support during university studies of students with a physical handicap as possible.

### **Article 15 - Cultural rights**

#### **Reply to the issues raised in paragraph 28 of the list of issues**

##### **Subsidy programme of the Culture of Disadvantaged Groups of the Population**

91. The Ministry of Culture of the Slovak Republic creates conditions to develop instruments leading to the support of cultural rights of disadvantaged groups of the population, including conditions to support the principle of equal treatment and non-discrimination, elimination of prejudice, stereotypes and information barriers when provided access to culture for disadvantaged groups of the population, as well as eliminating all forms of violence and supporting tolerance.

92. The subsidy programme 'Culture of Disadvantaged Groups of the Population' is focused mainly on supporting the accessibility of culture to vulnerable groups, as well as on supporting the prevention of discrimination and all forms of violence. As part of the subsidy programme, support can be requested by entities ensuring care for the development of cultural needs of disadvantaged groups – persons with a physical handicap, older people, marginalized Roma communities, vulnerable groups of children and youth, women, homeless, people without work, migrants, etc. The aim of the programme is to create conditions for promoting and presenting specific cultures of disadvantaged groups. Approximately EUR 300,000 (2009 – 2011) is redistributed through the programme every

year. The Ministry of Culture of the Slovak Republic also meets its obligations (temporary equalising measures) in the area of culture as defined by the Anti-Discrimination Act.

93. The expanding of cultural rights of vulnerable groups is also ensured by organizations established in the cultural sector such as the Slovak Library for the Blind in Levoča, University Library, Slovak National Library, National Education Centre, Slovak National Museum, the Slovak National Gallery, etc. These organizations carry out a number of activities focusing on the development of cultural rights and supporting equal opportunities for disadvantaged groups. They also take into consideration the cultural needs of the disadvantaged groups when developing strategic documents and reflect them into specific measures.

#### **Supporting cultural rights of people with disabilities**

94. The most important events regularly supported by the subsidy programme of The Culture of Disadvantaged Groups of the Population – for people with disabilities in 2010 - 2011:

- Art salon – a drawing competition for children with a mental handicap with results announced at the national level
- Town hall market – art market for people with disability and presentation of creative activities
- Memorial of Ivanka Dvořáčková – a show of dancing art of disabled children and youth, integrated dancing partners
- St. Francis of Sales International Cultural Festival in Nitra - exhibition of theatre art
- International Festival of Creativity and Fantasy “Jašidielňa” – workshops, theatre performances, exhibition openings and presentations of artistic activities of people with a mental handicap
- Way of Light – photo competition for blind citizens and the general public
- Bent Mirrors – a presentation of art by people with a mental disability involving concerts and dancing activities

95. The Ministry of Culture of the Slovak Republic cooperates intensely with NGOs focusing on the support of the culture of disadvantaged groups. Since 2005, it has a working group (consisting of NGO representatives) dealing with the issues of promoting the culture of citizens with disabilities. Members of the working group organised a working seminar on this topic (on the strategy of development and how to support the culture of people with disabilities – seminar for organizations established by the Ministry of Culture). The working group also realized a survey of cultural needs of people with disabilities involving NGOs as well as organizations established by the ministry. It developed an analysis of the subsidy programme (2007 - 2008). One of the outcomes is the methodological guidebook (manual) for the preparation of cultural events for people with disability.

96. The Ministry of Culture of the Slovak Republic currently also fulfils tasks resulting from The Strategy of the Development of Slovak Library Science for 2008 – 2013 – measures 3.7. – supporting access to libraries for disadvantaged groups as well as tasks resulting from the Strategy of Developing Museums and Galleries by 2011.

97. In 2008 the Ministry of Culture of the Slovak Republic carried out a model project for the blind and visually impaired as part of caring for citizens with disabilities in the Archaeological Museum of the Slovak National Museum in Bratislava, Accessing a part of

the exposition The Older History of Slovakia for the blind and visually impaired – The History of Slovaks and Slovakia.

#### **Supporting cultural rights of marginalized Roma communities**

98. The most significant events supported from the grant programme of the Culture of Disadvantaged Groups of the Population in 2010 – 2011 were: “To see, hear and experience – those are the most important steps to give meaning to our life!” The aim of the project was to actively and meaningfully use the spare time of Roma children and youth from the socially disadvantaged environment of the village of Podsadka, to support, develop and realize spiritual, cultural and ethical values and their importance in life.

99. **Cultural and spiritual activities for Roma children and youth in Lomnička - creative workshops for children and youth** – the aim of the project is to support the realization of spiritual, cultural and ethical values and to support them in the hearts of Roma children and youth.

100. **Know your history and culture** – the aim of the project was to acquaint children and youth with the history, tradition and cultural roots of Roma through extracurricular activities.

101. **Try to say no – a message in the bottle** – the aim of the project was to contribute by cultural mechanisms to the integration of Roma women and girls from the environment of marginalized Roma communities who are disadvantaged for several reasons.

102. **Workshops for young Roma in Šobov** – the aim of the project was to create a creative space for children and young people living in isolation in the Roma ghetto of Šobov in Banská Štiavnica. The aim is to inspire their interest in artwork and talent development.

#### **Education of Roma children through a puppet theatre – educational cycle**

103. **PORT R – portraits of Roma** – the aim of the project is to enable the Roma community living in isolation to get access to culture, and to realize a creative workshop for the Roma community focusing on photography and the use of photography by Roma participants when depicting their own unique way of seeing and presenting their culture.

104. **Gypsy Spirit 2011** – focused on the support of the active efforts of all involved in improving the situation of Roma in Slovakia. The aim of the project is to establish a tradition of awarding the work of the Roma community, to create a public platform for presenting real positive benefits, and to acquaint the general public with the activities of organizations and individuals focusing on supporting the integration of the Roma minority into society.

105. **Roma string wandering** – to support the integration of Roma children living in villages through concerts and singing workshops, to support their talent and to help them learn various social skills, and the ability to develop communication and to present their talent.

106. **The Slovak National Museum – The Museum of Culture of Roma in Slovakia** – specifically focused documentation, scientific and research museum emphasising the acquisition, scientific methodological, and cultural educational activity. The aim of the organization is to document the material and spiritual wealth of the Roma ethnic group, to present it through museum exhibitions, and to create and expand the collection through objects of material culture, documents, print and art.

### **Supporting cultural rights of seniors**

107. The Ministry of Culture currently focuses on the support of the following goals: Facilitating access to culture – enabling participation at cultural events in theatres, museums, libraries, galleries, observatories without an entrance fee or at discount, as well as supporting barrier-free cultural institutions and cultural events for severely disabled seniors, supporting the talent and active artistic self-realization of seniors, developing non-formal life-long education of seniors in the area of culture, supporting cultural activities that strengthen inter-generational relationships - reparation for the European Year of Active Ageing 2012 – the Ministry of Culture of the Slovak Republic is a member of the preparatory working group of this initiative. Activities are realized in the form of club meetings with famous figures, workshops, informal lectures, etc.

108. The National Culture Centre supported the activities of the Academies of the 3rd age, as well as other events for older citizens, e.g. International Day of the Elderly, the Month of Respect for the Elderly - it used national councils, methodological visits, and various working meetings. The institutions annually award seniors the Award of the General Director of the National Culture Centre and a Medal of Daniel Gabriel Lichard on the occasion of significant anniversaries for long-time work and contribution to culture and education.

109. The Slovak Library for the Blind in Levoča – ensured the availability of documents in Braille and in audio for blind seniors through departments for blind and visually impaired in public libraries in Slovakia. Regular delivery service of books to households and supported publication of periodicals for the blind about protection of the elderly and respect for them, it provided audio recordings of currently valid legislation, decrees, national programmes and action plans (from the fund of professional literature) and organised educational, interest and cultural events for visually impaired elderly of post-productive age.

### **Supporting cultural rights of further disadvantaged groups – supporting the policy focusing on the elimination of poverty and social exclusion in culture**

110. The Ministry of Culture of the Slovak Republic participated in meeting the National Programme of the Slovak Republic on the European Year for Combating Poverty and Social Exclusion (2010). The subsidy programme of the Culture of Disadvantaged Groups of the Population was a significant tool.

### **Education and public awareness building**

111. In 2011, the Call for subsidy applicants as part of the subsidy programme of the Culture of Disadvantaged Groups of the Population indicates as its priority to support cultural activities in the area of non-formal education focusing on eliminating barriers in the availability of culture for people with disabilities and otherwise disadvantaged groups. The aim is to increase awareness of the cultural rights of persons with physical handicap.

112. A unique contribution to the issue was the International Conference on the Cultural Heritage of the Blind (16 – 17 April 2010 – The Union of the Blind and Visually Impaired, Bratislava). The aim of the conference Accessing Cultural Heritage to Visually Impaired People and their Contribution to Cultural Life of the Society was to contribute to making the lives of visually impaired people easier, as well as to increase mutual understanding and tolerance, and their participation in society through cultural integration. The aim of the conference was to look for ways of supporting and developing the cultural and aesthetic potential of the blind and visually impaired, with the aim to inform about the status of cultural rights of the blind and to strengthen the empathy and greater openness of society to problems of the blind and visually impaired citizens.

**Development of inter-cultural dialogue and prevention of discrimination and all forms of violence through cultural mechanisms**

113. In 2010 – 2011 the Ministry of Culture of the Slovak Republic supported the following events through the subsidy programme of the Culture of Disadvantaged Groups of the Population: “The Times of New Minorities” – the aim was to focus the attention of the Slovak public on the presence of new minorities, their life, culture, traditions and their position in society, and to contribute to meeting the cultural needs of migrants and foreigners.

114. The Ministry of Culture of the Slovak Republic supports the Film Festival of “Otherness”, known in English as the Slovak Gay and Lesbian film Festival, with the aim to prevent homophobia and tolerance for being different in Slovak society. The festival in 2010 focused on presenting European and world cinematography with the topic of sexual minorities depicting the reality and stories from the lives of gays, lesbian women, bisexuals and transsexuals, as well as reflecting the historical realities and current situation of this minority in Slovak society and abroad. The aim is mainly to help eliminate marginalisation and promote the full integration of gender minorities in the culture of Slovak society, to move the view of society towards the positive acceptance of these minorities and to eliminate cultural stereotypes and social barriers. It is a sustainable event of the Ministry of Culture of the Slovak Republic.

**The department of immaterial cultural heritage and disadvantaged groups**

115. The Ministry of Culture of the Slovak Republic has been developing cultural rights of disadvantaged groups through a dedicated organizational unit (part of the cultural heritage section, in the scope of which is the care for the culture of disadvantaged groups). The role of the department of immaterial cultural heritage and disadvantaged groups is to deepen State care for the development of disadvantaged groups’ cultural rights and to motivate an active approach.

**Reply to the issues raised in paragraph 29 of the list of issues**

116. The Ministry of Culture started to work on a systemic amendment to the Act on State Language at the beginning of 2008 in line with the Plan of Legislative Tasks of the Government of the Slovak Republic, which resulted in the adoption of the amendment of the Act in the National Council of the Slovak Republic on 30 June 2009.

117. As of 14 November 2008, all central bodies of State administration, further bodies of State administration, relevant institutions, and representatives of the public and national minorities gradually commented on the draft of the amendment. Of national minority representatives, only those of the Hungarian national minority had objections to the text of the law. Other national minorities living in the Slovak Republic supported the amendment, and stated in their written statements that the amendment to the Act on State Language does not infringe on the right to use a minority language. High Commissioner of National Minorities of the Organization for Security and Cooperation in Europe, Knut Vollebaek, noted in his statement to the amendment of the Act on the State Language that the process of amendment drafting was open and fully democratic.

118. The Act on State Language only applies to selected areas of public life indicated in the individual provisions. The law for example does not regulate the use of language in public gatherings, church services, foreign-language and minority print, business names, registered trademarks and titles, announcements on the Internet, etc.

119. The sanction mechanism is legally set in such way that anyone who violates the law can remedy such violation without being imposed a financial sanction. The Ministry of Culture is obliged to notify the given entity first in writing when detecting a violation of the

law, and to ask for a correction within an adequate time period. A physical entity – regular citizen cannot be fined.

120. The Act on State Language does not limit the use of minority languages, but on the contrary, eliminates several barriers to their use. The Act does not specifically deal with the position of other languages. The Act on State Languages deals with other languages only in terms of their use in relation to the State language. In general however, the protection of national minorities' languages and their public use is guaranteed within the Slovak legal system through other legislation.

121. The amendment of the Act on State Language expands ways to use other languages where the former wording of the Act did not so allow, e.g. when developing contracts, financial and technical documentation, association, group and political parties, as well as business company by-laws, during live broadcasting on the radio or TV, during theatre performance with original text, during educational events focusing on teaching foreign languages. A significant change is also the cancellation of the necessity to evidence knowledge of the State language when being employed in State bodies, State organizations, municipal bodies, and public bodies.

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