

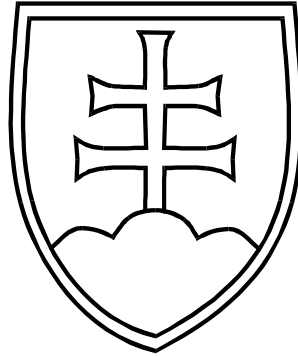


Strasbourg, 22 July 2009

ACFC/SR/III(2009)008

**THIRD REPORT SUBMITTED BY THE SLOVAK REPUBLIC  
PURSUANT TO ARTICLE 25, PARAGRAPH 1  
OF THE FRAMEWORK CONVENTION FOR  
THE PROTECTION OF NATIONAL MINORITIES**

(Received on 22 July 2009)



*Third report on the implementation  
of the Framework Convention for the Protection of National Minorities  
in the Slovak Republic*

**Bratislava, May 2009**

Third Report on the Implementation of the Framework Convention for the Protection of National Minorities in the Slovak Republic was approved by the Slovak Government through its Resolution No. 395 on 27 May 2009.

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## Introduction

The Slovak Republic is an active party to the Framework Convention for the Protection of National Minorities (hereinafter the “Framework Convention”). It participated in its drafting and was the third Council of Europe’s Member State that ratified the Framework Convention on 14 September 1995.

Slovakia as a multiethnic country attaches special significance to harmonious co-existence between persons of different nationalities based on equal and democratic rules, and applies a transparent approach to addressing the issue of interethnic relations and the rights of persons belonging to national minorities in conformity with international standards including those enshrined in the Framework Convention.

The third report on the implementation of the Framework Convention was drawn up in conformity with Resolution (97)10 of the Council of Europe’s Committee of Ministers setting a five-year periodical basis for transmitting implementation reports, and with the outline for the state reports to be submitted under the third monitoring cycle.

The report was elaborated, *inter alia*, on the basis of Committee of Ministers’ Resolution ResCMN(2006)8 on the implementation of the Framework Convention in Slovakia and of the Opinion of Advisory Committee on the Framework Convention for the Protection of National Minorities (hereinafter the “Advisory Committee”) on the second implementation report.

In connection with the second round of monitoring the implementation of commitments, at the 969th meeting of the Ministers’ Deputies held on 21 June 2006, the Committee of Ministers adopted Resolution ResCMN(2006)8 on the Implementation of the Framework Convention for the Protection of National Minorities by the Slovak Republic. In the conclusions, the Committee praises the efforts of Slovakia to promote the implementation of the Framework Convention and to improve the legal and institutional anti-discrimination framework, the setting up of Selye János University in Komárno, and the increase in the amount of funding designed to support minority cultures. Furthermore, the Committee of Ministers’ Resolution points to the need to improve the legislative framework pertaining to the protection of national minorities (financing of minority cultures, offering instruction in minority languages, personal scope of application of certain linguistic rights) and to enable persons belonging to national minorities to participate in the decision-making processes. The continuing occurrence of racially motivated crimes and incidents targeting Roma and other vulnerable groups has a negative influence and poses particular challenges.

The Government of the Slovak Republic (hereinafter the “Government”) discussed the results of the second monitoring round as a public material in October 2006, and the Slovak and English versions of relevant documents were published on the websites of the Office of the Government of the Slovak Republic (hereinafter the “Government Office”) and the Ministry of Foreign Affairs of the Slovak Republic (hereinafter the “Ministry of Foreign Affairs”).

Moreover, Slovakia continued to conduct a dialogue with the Advisory Committee at a follow-up seminar on the implementation of the results of the second round of Framework Convention monitoring in Slovakia. The seminar was held in Bratislava on 7 December 2007 under the auspices of Deputy Prime Minister for Knowledge Society, European Affairs, Human Rights and Minorities Dušan Čaplovič.

The seminar was organised by the Government Office in co-operation with the Council of Europe. Participants of the seminar included a representative of the Council of Europe, representatives of central state administration and local government bodies, representatives of national minorities living in Slovakia, members of the Council of the Government of the Slovak Republic for National Minorities and Ethnic Groups (hereinafter the “Government Council for National Minorities and Ethnic Groups”) and the representatives of the diplomatic corps accredited to the Slovak Republic.

The aim of the seminar was to ascertain the level of progress achieved in the implementation of the Framework Convention and to discuss the existing or planned steps to implement the recommendations of the second evaluation report and the Resolution. The seminar also served as a platform for launching a public discussion on the implementation of the Framework Convention prior to the submission of the third implementation report.

The seminar focused mainly on the following areas:

- Participation of persons belonging to national minorities in public, cultural, social and economic life;
- State of policies and measures for promoting equal opportunities for the Roma.

Wide-ranging discussions covered numerous issues such as the current Government’s policy towards persons belonging to national minorities and ethnic groups in Slovakia, concrete steps and further objectives of the current Government including legislative proposals, e. g. the act on the financing of culture including the implementation of the financing of culture of persons belonging to national minorities, the act on national minorities, the situation of persons belonging to individual national minorities in Slovakia and its comparison with the situation of national minorities in the European-wide context, application of the Framework Convention in the conditions of Slovakia, expected solutions involving assistance from the state and other issues.

The seminar presented a very useful platform enabling the members of professional and general public in Slovakia and also persons belonging to national minorities to improve their knowledge of the Framework Convention and of the commitments arising for the Slovak Republic from the Convention and their fulfilment.

The third implementation report is mainly aimed at outlining the developments in the area of legislation and social practice relating to the protection of national minorities, i. e. preservation of their national awareness and support for their spiritual, cultural and linguistic identity, and the prevention and suppression of the still existing demonstrations of discrimination of persons belonging to national minorities on ethnic grounds in the reference period of 2004 – February 2009. In this respect, we note that in 2008 the Slovak Republic submitted the Council of Europe its second report on the implementation of the European Charter of Regional or Minority Languages; information on the current situation of national minorities and protection of their languages can be also found in that report.

The process of the preparation of the third implementation report involved also the members of national minorities living in Slovakia who participated in this process through the intermediary of their delegated representatives in the Government Council for National Minorities and Ethnic Groups. The text of the third implementation report was discussed at the meeting of the

Government Council for National Minorities and Ethnic Groups held in Bratislava on 5 May 2009 on the occasion of the 60th anniversary of the Council of Europe.

In the Slovak Republic, national minority issues fall within the remit of **Deputy Prime Minister for Knowledge Society, European Affairs, Human Rights and Minorities Dušan Čaplovič**.

The role of advisory and coordinating body of the Government of the Slovak Republic for national minority policy is performed by **the Government Council for National Minorities and Ethnic Groups**. The Council is composed of the representatives of 12 officially recognised national minorities (Hungarian, Roma, Ruthenian, Ukrainian, Croatian, Czech, Moravian, Polish, Bulgarian, Russian and Jewish) appointed on a parity principle, each minority having one representative. The representatives of individual minorities are nominated by national minority associations, unions and societies. The Council is chaired by Deputy Prime Minister Dušan Čaplovič. The post of its vice-chairman is held by the Minister of Culture. Also invited to Council meetings are officials from central state administration authorities and independent experts (including one expert from Hungary and one expert from the Czech Republic). The right to vote in the Council is reserved only for the representatives of national minorities and no issue concerning a particular national minority or ethnic group may be considered unless the representative of the minority concerned is present. Invited officials from central state administration authorities and experts on minority issues do not have the voting right.

Since 2007, the newly constituted Council set vigorously to work; it met 4 times in 14 months (6 November 2007, 28 February 2008, 30 June 2008 and 18 December 2008), dealing with the most important problem areas relating to persons belonging to national minorities – such as minority broadcasting of the Slovak Radio and Slovak Television, use of the grant scheme of the Ministry of Culture of the Slovak Republic (hereinafter the “Ministry of Culture”) to support the culture of national minorities in 2008, Government activities in the area of combating extremism in 2007 and 2008, draft concepts and acts (draft Medium-Term Concept of the Development of the Roma National Minority in the Slovak Republic, draft Concept of Education and Instruction of Roma Children and Pupils including the Development of Secondary and Higher Education, draft Concept of Education and Instruction of National Minorities, draft act on pedagogical employees and on amending and supplementing other relevant acts, draft act amending and supplementing Act No. 597/2003 Coll. on the financing of primary schools, secondary schools, and school facilities as amended, draft act amending and supplementing Act No. 270/1995 Coll. on the state language of the Slovak Republic as amended and on amending and supplementing other relevant acts, draft act on education and instruction (the School Act) and on amending and supplementing other relevant acts, elaboration of the second periodic report on the implementation of the European Charter of Regional or Minority Languages in the Slovak Republic, elaboration of the Third Periodic Report on the Implementation of the Framework Convention for the Protection of National Minorities in Slovakia, information on the steps taken to address the situation of the Gymnasium on Gemerská cesta 1 at Lučenec that was successfully transformed to a Private Eight-Year Gymnasium and of a Private School Dormitory at Kremnica, information on the conclusions of the European Roma Summit in Brussels, information on the upcoming presidency of the Slovak Republic in the Decade of Inclusion of the Roma Population 2005 – 2015, draft report on the implementation of the National Action Plan for the Decade of Inclusion of the Roma Population 2005 – 2015 in 2007 and the second evaluation report of nongovernmental non-profit organisations on the implementation of Decade objectives in 2007.

The Council pursues a transparent and comprehensive policy towards all national minorities.

The professional department of the Government Office, which deals with the issues relating to human rights, national minorities and ethnic groups and the issues of co-operation with non-governmental non-profit organisations, is the **Section for Human Rights and Minorities**.

The **Committee of the National Council of the Slovak Republic (hereinafter the “National Council”) on Human Rights, National Minorities and the Status of Women** established at the level of the Parliament examines draft acts, international treaties and government programmes from the point of view of their compliance with human rights and the rights of persons belonging to national minorities enshrined in the Constitution of the Slovak Republic (hereinafter the “Constitution”) and arising from the international commitments of the Slovak Republic.

The competences of the **National Council’s Committee on Social Affairs and Housing** include the submission of draft acts regulating the social field and the monitoring of compliance with the social legislation in force. In 2008, the Committee created a Standing Commission of the Committee on Social Affairs and Housing for Roma Inclusion, which has mainly the role to consult the topics and to give expert opinions on those aspects of the legislative process in the National Council that are related to the issues of inclusion of the Roma in society.

The **Section for Minority and Regional Cultures** at the Ministry of Culture ensures the execution of state administration in the area of culture of national minorities and of disadvantaged groups of the population.

The Ministry of Education of the Slovak Republic (hereinafter the “Ministry of Education”) has a **division for schools providing instruction in minority languages and for education of Roma communities**.

The **Plenipotentiary of the Government of the Slovak Republic for Roma Communities** (hereinafter the “Government Plenipotentiary for Roma Communities”) continues to be active in Slovakia.

### ***Article 1***

*The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.*

The following information completes the information already given in the second implementation report:

### ***Legislation***

The adoption of **Constitutional Act No. 92/2006 Coll. amending and supplementing the Constitution of the Slovak Republic** No. 460/1992 Coll. as amended and the subsequent adoption of **Act No. 122/2006 Coll. amending and supplementing Act No. 564/2001 Coll. on the public defender of rights (ombudsman)** as amended and on amending and supplementing other relevant acts with effect from 1 April 2006 introduced changes in the execution of the office of the public defender of rights.

Since **1 April 2006**, the public defender of rights **has the right to initiate proceedings before the Constitutional Court of the Slovak Republic** if he finds that further application of legal

provisions can endanger fundamental rights or freedoms or human rights or fundamental freedoms arising from an international treaty ratified by the Slovak Republic and promulgated as established by law. This legislation was derived from more than three years of operation of the institution of the public defender of rights in Slovakia, examination of the petitions filed by natural and legal persons, and the legislation of other EU Member States.

According to **Article 151a, paragraph 2** of the Constitution, the public defender of rights **may submit a petition to initiate proceedings** before the Constitutional Court of the Slovak Republic (hereinafter the “Constitutional Court”) pursuant to Article 125, if a generally binding legal regulation **violates** a fundamental right or freedom of a natural or legal person.

**Article 130, paragraph 1** of the Constitution provides that the Constitutional Court shall initiate proceedings *inter alia* on a **submission filed by the public defender of rights** in matters of conformity of legal provisions according to Article 125, paragraph 1, if **their further application could endanger fundamental rights or freedoms or human rights and fundamental freedoms arising from an international treaty** ratified by the Slovak Republic and promulgated as established by law. That provision was transposed into the wording of **§ 21, paragraph 3 of the Act on the public defender of rights**.

According to **Article 151a, paragraph 1** of the Constitution, in cases established by law, the public defender of rights may **participate in bringing the persons holding public authority to accountability if these persons violated a fundamental right or freedom of natural or legal persons. All public authorities shall provide the public defender of rights all co-operation as necessary.**

Within the meaning of **Act No. 122/2006 Coll.** amending and supplementing Act No. 564/2001 Coll. on the public defender of rights as amended and on amending and supplementing other relevant acts, a **20-day** time limit was introduced for the fulfilment of the obligation of public authorities to provide the public defender of rights the information, explanations and opinions as to the facts and as to the law, and for the fulfilment of their other statutory duties; the obligation of public authorities to provide access to requested files, documents and explanations even where the law restricts such access only to a limited range of entities; if the public defender of rights considers that the measures taken by the superior authority or the Government of the Slovak Republic in the matter are insufficient, he/she may submit his/her opinions directly to the National Council of the Slovak Republic (hereinafter the “National Council”) or a body authorised thereby. As regards the particulars of the petitions, they must include the name of the public authority against which the complaint has been made and, if filed by other than the person concerned, a written consent or written power of attorney of that person for the purpose of personal data protection and processing. Its other modifications are mainly of procedural nature.

## **Article 2**

*The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and co-operation between States.*

The following information completes the information already given in the second implementation report:



The relations between the Slovak Republic and the states whose kin-minorities live on the Slovak territory did not change in the reference period and no changes have taken place in basic bilateral treaties with these states.

Bilateral co-operation with **Hungary** is carried out on the basis of the **Treaty on Good Neighbourliness and Friendly Co-operation between the Slovak Republic and the Republic of Hungary** signed in Paris on 19 March 1995.

As provided for in the Treaty and in the Protocol between the Ministry of Foreign Affairs of the Slovak Republic and the Ministry of Foreign Affairs of the Republic of Hungary of 24 November 1998, which was approved by the Slovak Government on 9 December 1998, **12 mixed expert commissions** were created.

After the 2006 parliamentary election, changes were made in the posts of chairpersons of mixed commissions to reflect the changes in the Government coalition. **The Ministry of Foreign Affairs, the lead organisation for the implementation of the basic treaty**, initiated the nomination of candidates for the posts of chairmen of Slovak sections of these commissions with the objective of accelerating an effective development of Slovak-Hungarian co-operation.

In line with the Protocol between the Ministry of Foreign Affairs of the Slovak Republic and the Ministry of Foreign Affairs of the Republic of Hungary of 24 November 1998 on the creation of a mechanism serving to promote the implementation of the basic treaty, **“co-chairs of mixed commissions are appointed, subject to the agreement of their respective Governments, by ministers or heads of competent state authorities.”**

#### **The Slovak-Hungarian Mixed Commission for Minority Issues**

In connection with personnel changes after the June 2006 parliamentary election, partial changes were made in the composition of the Slovak section of the mixed commission, based on nominations made by the ministers whose sectors are represented in the mixed commission. These changes did not affect the participation of the representatives of the Slovak national minority living in Hungary and those of the Hungarian national minority living in Slovakia.

To date, the Slovak and the Hungarian sections of the mixed commission for minority issues held eight joint meetings. The following meetings were held in the 2005 – 2008 period:

- 5th meeting, Budapest (15 November 2005),
- 6th meeting, Bratislava (22 September 2006),
- 7th meeting, Budapest (18 September 2007),
- 8th meeting, Bratislava (10 June 2008).

Starting from its 5th meeting, the mixed commission has been reviewing also the implementation of the **Agreement between the Government of the Slovak Republic and the Government of the Republic of Hungary on Mutual Support of National Minorities in the Field of Education and Culture signed in Brussels on 12 December 2003.**

After each meeting, the Government of the Slovak Republic adopts a resolution on the meeting of the mixed commission whereby it takes note of the information about its course and outcomes, and instructs the competent members of the Government to get acquainted with the conclusions and recommendations of the mixed commission, to assess the feasibility of their implementation, and to follow up on their fulfilment.

Bilateral co-operation with **Ukraine** takes place on the basis of the **Treaty between the Slovak Republic and Ukraine on Good Neighbourliness, Friendly Relations and Co-operation** signed in Kiev on 29 June 1993.

In accordance with the Treaty and based on the initiative of the Ukrainian party, the **Intergovernmental Slovak-Ukrainian Commission on National Minorities, Education, Culture and Scientific Relations** was formed in 1994.

To date, the commission met eight times:

- 1st meeting, Kiev (8-9 February 1995),
- 2nd meeting, Bratislava (23-24 November 1996),
- 3rd meeting, Uzhgorod (16-17 December 1997),
- 4th meeting, Prešov (8-9 December 1998),
- 5th meeting, Uzhgorod (23-24 May 2001),
- 6th meeting, Bratislava (25-26 February 2003),
- 7th meeting, Kiev (24-26 September 2007),
- 8th meeting, Svidník–Roztoky (19-22 June 2008).

The protocols signed at these meetings contain recommendations addressed to the Governments of both states, the Slovak Republic and Ukraine, and evaluation of the fulfilment of recommendations from the preceding meetings of the commission.

The commission fulfils the function of an advisory body to Government cabinets of the two countries and deals with complex issues concerning the Slovak minority in Ukraine and the Ukrainian minority in Slovakia with the aim of improving conditions for the development of their identity. Moreover, it monitors overall bilateral relations in the fields of education, culture and scientific contacts. The commission does not address the issues relating to Ruthenians. After each meeting, the commission submits the Government of the Slovak Republic information about the meeting and its conclusions.

With effect from 1 April 2005, the Slovak section of the commission is chaired by the general director of the section for external communication at the Slovak Ministry of Foreign Affairs. The commission that was initially composed of the representatives of Government offices and of the ministries of foreign affairs, education and culture was later extended to also include the representatives of minority organisations and of local state administration and self-governing bodies from frontier regions, and the representatives of the Prešov self-governing region, the Office for Slovaks Living Abroad and the Slovak Radio.

### ***Article 3***

*1. Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice.*

*2. Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present framework Convention individually as well as in community with others.*

The following information completes the information already given in the second implementation report:

Article 12, paragraph 3 of the amended Constitution remains in force and provides: “Everyone has the right to decide freely which national group he or she is a member of. Any influence and all manners of pressure that may affect or lead to a denial of a person’s original nationality shall be prohibited.”

**Results of the census of population, houses and flats as of 26 May 2001, carried out pursuant to Act No. 165/1998 Coll. on the census of population, houses and flats in 2001:**

Number of inhabitants – total	5,379,455 of which: women 2,766,940 men 2,612,515
Population density	110 inhabitants/km2
Structure by nationality	85.8 % Slovak 9.7 % Hungarian 1.7 % Roma 0.8 % Czech 0.4 % Ruthenian 0.2 % Ukrainian 0.1 % German 0.05 % Polish 0.04 % Moravian 0.03 % Russian 0.02 % Croatian 0.02 % Bulgarian 0.01 % Serbian 0.004 % Jewish 0.1 % other 1.0 % unidentified
Religious affiliation/Church	68.9 % Roman Catholic Church 6.9 % Evangelical Church of the Augsburg Confession 4.1 % Greek Catholic Church 2.0 % Reformed Christian Church 0.9 % Orthodox Church 3 % unidentified 1.2 % other churches and religious societies 13.0 % without confession
Age structure of the population	18.9 % pre-productive age 63.1 % productive age 18.0 % post-productive age
Population living in urban areas	56.2 %
Population living in rural areas	43.8 %

**Article 4**

1. *The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.*

2. *The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.*

3. *The measures adopted in accordance with paragraph 2 shall not be considered to be an act of discrimination.*

The right to equality before the law and the right to equal protection under the law are guaranteed **in Article 12 of the Constitution.**

The prohibition of discrimination in the Constitution is set out in its **Articles 12, 33 and 34.**

#### *Education*

**According to § 3, subparagraph (d)** of Act No. 245/2008 Coll. on education and instruction (**the School Act**) and on amending and supplementing other relevant acts, one of the principles of education and instruction is the **prohibition of all forms of discrimination and, in particular, of segregation.**

At the same time, **§ 145, paragraph 3 of the School Act** stipulates:

“An applicant, a child, a pupil or a student who considers himself/herself wronged in his/her rights or lawfully protected interests by **failure to apply the principle of equal treatment** may pursue his/her claim by judicial process according to the specific legislation.” That specific legislation is Act No. 365/2004 Coll. on equal treatment in certain areas and protection against discrimination and on amending and supplementing other relevant acts as amended.

#### *Civil procedure*

§ 18 and § 141, paragraph 2 of Act No. 99/1963 Coll. (the **Civil Procedure Code**) as amended, laying down the principle of equality of parties to civil proceedings and the right to use one’s mother tongue in judicial proceedings, remain unchanged.

#### *Criminal law*

Act No. 301/2005 Coll. on Criminal Procedure (the Code of Criminal Procedure) as amended entered into effect on 1 January 2006.

#### **§ 2, paragraph 20 of the Code of Criminal Procedure reads:**

“If a defendant, his/her legal representative, a victim, an interested party or a witness declare that they do not speak or understand the language of the proceedings, they shall be entitled to an interpreter or a translator.”

#### **§ 28 of the Code of Criminal Procedure reads:**

“(1) If there is a need for interpretation of the content of a statement or if the person referred to in § 2, paragraph 20 declares that he/she does not speak or understand the language of the proceedings, an interpreter shall be assigned by a measure. (2) If the person referred to in § 2, paragraph 20 chooses a language for which no interpreter has been entered on the list of interpreters or if the matter bears no delay and no registered interpreter can be reached, the law enforcement agency or the court shall appoint an interpreter for the official language of the state which that person understands. (3) If there is a need to translate the record of a statement or other document, a translator shall be assigned. The provision of paragraph 2 shall apply *mutatis mutandi*.”

#### *Administrative procedure*

§ 4, paragraph 2 of Act No. 71/1967 Coll. on administrative procedure (the **Code of Administrative Procedure**) as amended lays down the procedural equality of parties to the proceedings as follows:

“(2) All parties to the proceedings shall have equal procedural rights and duties. If the specific legislation provides that a person has the status of a party only for a certain part of the proceedings, that person shall have procedural rights and duties only as regards that part of the proceedings for which the person has the status of a party.”

*The right to use a national minority language in official communication*

**Article 34 of the Constitution** which, in relation to the citizens belonging to national minorities, provides for their right to use their mother tongue in official communication, and Article 6 of the Constitution that provides for the adoption of an act on the use of other languages, which is **Act No. 184/1999 Coll. on the use of languages of national minorities**, remain in force.

As stated in the second periodic report of the Slovak Republic on the implementation of the Framework Convention, **Act No. 365/2004 Coll. on equal treatment in certain areas and protection against discrimination and on amending and supplementing other relevant acts as amended (hereinafter the “Anti-discrimination Act”)** was adopted in 2004.

In the course of 2007 and 2008, the Anti-discrimination Act underwent several amendments. Its second amendment, i. e. Act No. 85/2008, responded to the situation of the non-existence of legislative provisions on the so-called temporary positive measures by the provisions of paragraph 2 of new § 8a introducing **temporary positive measures that may be adopted if**

- a) there is demonstrable inequality,**
- b) the objective of such measures is to reduce or eliminate that inequality,**
- c) they are adequate and necessary to attain the pursued objective.**

At the same time, the amendment defines the **range of entities empowered** to adopt such measures, i. e. **state administration authorities**, as well as the **object of temporary positive measures**, i. e. the **elimination of various forms of social and economic disadvantages and disadvantages based on age or disability, with the aim of ensuring equal opportunities in practice.**

At the same time, the Act gives a demonstrative enumeration of such temporary measures, which are **“mainly the measures:**

- (a) consisting in encouraging the members of disadvantaged groups to seek employment, education, culture, healthcare and services,**
- (b) leading to ensuring an equal access to employment and education, mainly by means of targeted preparatory programmes for the members of disadvantaged groups, or by means of disseminating information about such programmes or about the possibilities of applying for a job or for a place in the system of education.”**

At the same time, the Act stipulates that temporary positive measures may be adopted only in the areas that are referred to in the Anti-discrimination Act, and that these measures may be applied only for the time that is necessary to eliminate the inequality that led to their adoption (§ 8a, paragraph 3 of the Anti-discrimination Act).

An important provision in this regard is § 8a, paragraph 4 of the Anti-discrimination Act according to which state administration authorities have a duty to continuously monitor, evaluate and publicize temporary positive measures with a view to determining whether they continue to

be justified, and to submit reports about these facts to the Slovak National Centre for Human Rights.

When preparing the provisions of the draft Anti-discrimination Act relating to temporary positive measures, account was taken of the provisions of international human rights instruments, such as the International Convention on the Elimination of All Forms of Racial Discrimination whose Article 2, paragraph 2 invites the States Parties to take special temporary measures to ensure the full and equal enjoyment of human rights and fundamental freedoms, the provisions of Council Directive 2000/43 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, and the provisions of Article 4 of the Framework Convention. At the same time, the legislation on temporary positive measures was drawn up with due regard to the relevant provisions of the Constitution and to the finding of the Constitutional Court concerning the already repealed § 8, paragraph 8 that provided for positive measures.

Since August 2007, a health promotion programme for the disadvantaged Roma community has been carried out in Slovakia on the initiative of the Ministry of Health of the Slovak Republic (hereinafter the “Ministry of Health”). The health promotion programme is one of the instruments aimed at dealing with the unfavourable health status and inadequate health and hygiene standard by means of health awareness activities of community workers in the field of health education. Community workers ensure communication between the Roma community and healthcare personnel and disseminate basic health knowledge. Their activity is aimed at improving the health status and increasing the responsibility of inhabitants of segregated and isolated Roma settlements and localities for their own health. The first stage of the programme was carried out in 2007 and 2008 and was subsequently evaluated. In 2008, the Government approved its second stage that will be implemented until 2015. The results of the Monitoring of Lifestyle and Health Situation of Disadvantaged Roma Communities were published as well.

An important improvement in the area of strengthening the procedural status of potential victims of discrimination was the change introduced by § 11, paragraph 2 of the amended Anti-discrimination Act of 2008, according to which “*the defendant has the obligation to prove that there was no violation of the principle of equal treatment if the facts submitted to the court by the plaintiff give rise to a reasonable assumption that the principle of equal treatment has indeed been violated.*” This provision thus repealed the obligation of the plaintiff to present the court the evidence proving that there was a violation of the principle of equal treatment.

The resulting strengthening of the procedural status of potential victims of discrimination has ultimately a positive impact also on the effective application of the prohibition of discrimination within the meaning of the Anti-discrimination Act.

Another positive element in the area of anti-discrimination legislation was the introduction of the so-called extrajudicial dispute resolution by mediation as a means of legal protection (§ 9, paragraph 5 of the Anti-discrimination Act).

Moreover, the second amendment to the Anti-discrimination Act expanded the powers of the Slovak National Centre for Human Rights (hereinafter the “Centre”), which *inter alia* conducts independent enquiries into allegations of discrimination and elaborates and publishes reports and recommendations concerning discrimination-related issues.

An important provision in connection with the proceedings related to the violation of the principle of equal treatment is the provision according to which the Centre secures legal assistance for the victims of discrimination and expressions of intolerance.

With the objective to eliminate and prevent manifestations of discrimination in society, the Government has been approving since 2000 the “**Action Plan to Prevent All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance**” (hereinafter the “Action Plan”). The Action Plan is aimed at the prevention and suppression of negative phenomena in society such as racism, xenophobia and many other expressions of intolerance and discrimination. At the same time, in an effort at fighting the above-mentioned negative phenomena in society, it pursues long-term objectives aimed at increasing the level of tolerance among all the inhabitants of Slovakia, including aliens. An important component of the Action Plan is represented by the activities carried out by non-governmental organisations and other entities dealing with these issues. In 2008, state budget funds allocated to project activities of eligible organisations amounted to EUR 315,342.- (SKK 9.5 million). The same amount was allocated also in 2009 and allocations of the same amount are planned also for the forthcoming years.

**The priorities of the Action Plan in 2006 – 2008** were:

1. Systematic training of members of professional groups who, in the discharge of their professional duties, have an impact on the prevention of all forms of discrimination, racism, xenophobia, anti-Semitism and other expressions of intolerance.
2. Systematic training and opinion-making in the area of prevention of discrimination in relation to migrants, focusing on professional groups and general public.
3. Intensifying the fight against extremism in the form of drafting and implementing the legislation, improving the efficiency of the detection, clarification, proving and punishment of crimes motivated by racial and other intolerance, by means of systematic training and opinion-making in the area of the prevention of extremism.
4. Intensifying the monitoring, systematic training and opinion-making in the area of the prevention of anti-Semitism.
5. Implementation of activities aimed at addressing the problems of disadvantaged groups of the population.
6. Support for cultural and social-science activities devoted to the issues of respect for human rights and prevention of all forms of discrimination, racism, xenophobia, anti-Semitism, and other expressions of intolerance.

The preparation of the Action Plan for the years 2009 to 2011 is being currently finalised.

As regards the sector of the Ministry of Labour, Social Affairs and Family of the Slovak Republic (hereinafter the “Ministry of Labour, Social Affairs and Family”), the Action Plan sets out the following tasks with regard to national minorities:

- Supporting the social inclusion of persons at risk of social exclusion or the socially excluded through the development of care services with special regard to marginalized Roma communities.
- Continuing the programme of field social workers and improving the effectiveness of the process of implementation of the programme based on the needs of marginalized Roma communities and of society.
- Acquiring data on violence committed against specific groups of women with special regard to Roma women.

- Ensuring effective labour market integration of persons belonging to national minorities or ethnic groups and persons coming from socially marginalized environment.

The participation of the Slovak Republic in the programme of the **European Year of Equal Opportunities for All 2007** (the European Year 2007) was approved by Government Resolution No. 467/2006 of 24 May 2006. The total amount allocated for the activities of the European Year 2007 in the Slovak Republic was EUR 302,856.

In the framework of the Activities of the European Year 2007, an extensive **nation-wide anti-discrimination information and media campaign** was carried out at the national level under the heading “**Discrimination is Illegal**”; moreover, non-governmental organisations implemented **8 projects** with the aim of launching a broad social discussion concerning discrimination issues, improving awareness of the citizens about the anti-discrimination legislation, and presenting a picture of diversity that represents an enrichment of the life of society in all respects.

Slovakia also joined the Community’s employment and social solidarity programme **PROGRESS**, and is making sustained efforts at promoting non-discrimination on the basis of a call for projects addressed to non-profit entities. Based on a recommendation from the Government Office of the Slovak Republic, the EC approved the project of civic association Citizen and Democracy on “Towards Equal Treatment: Awareness Raising and Multi-Level Empowerment of the Civil Society and Public Actors in the Field of Anti-Discrimination” supported by a total of EUR 414,146.71. The project covers all discrimination grounds set out in Article 13 of the Treaty establishing the European Community and comprises a broad spectrum of educational, information, research and media activities.

**The situation in the area of employment is as follows:**

The Ministry of Labour, Social Affairs and Family is responsible for the creation of legislative conditions that guarantee the right of access to employment without discrimination to all the citizens, and the treatment respecting the principle of equal treatment to all the employees regardless of whether they belong to a national minority.

Legal protection of all natural persons, i. e. including persons belonging to national minorities and the Roma, against discrimination and violation of the principle of equal treatment, is laid down among the basic principles of the Labour Code and provided for in detail in § 13, § 41, paragraphs 8 and 9 of the Labour Code and in Act No. 365/2004 Coll. on equal treatment in certain areas and protection against discrimination and on amending and supplementing other relevant acts as amended (the Anti-discrimination Act).

It follows from Article 1 of basic principles of the Labour Code that natural persons have the right to work and the right to free choice of employment, to fair and satisfactory working conditions, and to protection against unemployment. They are entitled to these rights without any restriction and direct or indirect discrimination on the grounds of gender, marital or family status, **race, colour of skin**, language, age, unfavourable health condition or disability, belief or religion, political or other conviction, trade union involvement, **national or social origin, national or ethnic affiliation**, property, birth or other status, except for cases stipulated by law or if there is a tangible reason connected with the performance of work, such as aptitudes or requirements for and the nature of the work that the employee is to perform.



Act No. 348/2007 Coll. amended the Labour Code with effect from 1 September 2007. **New Article 11** added to the Labour Code provides that **the employer may collect only personal data and information that are related to the employee's work, qualifications or experience.** Furthermore, the employer cannot violate employee's privacy at the workplace by surveying the employee without prior notification. The employer may not control letter consignments addressed to an employee's name. If the employer must introduce a control mechanism for a serious reason, such as the reason of security, employees must be informed of the scope and forms of such control.

**According to § 13, paragraph 1 of the Labour Code,** employers must treat their employees in labour law relationships in conformity with the principle of equal treatment laid down for the area of labour law relationships by Act No. 365/2004 Coll. on equal treatment in certain areas and protection against discrimination and on amending and supplementing other relevant acts as amended (the Anti-discrimination Act).

**According to § 13, paragraphs 3 to 5 of the Labour Code,** the exercise of the rights and duties arising from labour law relationships must not be contrary to the accepted principles of morality. No one may misuse these rights and duties to the detriment of the other party to the labour law relationship or of fellow employees. No one may be persecuted or suffer any other prejudice at the workplace affecting his/her employment relationship for filing a complaint, an action or a motion to initiate criminal proceedings against other employees or the employer. An employee who considers himself/herself wronged in his/her rights or legally protected interests by failure to apply the principle of equal treatment has the right to complain to the employer about the violation of the principle of equal treatment, and the employer is obliged to reply to the employee's complaint without unreasonable delay, to rectify the situation, to refrain from such conduct and to remove its consequences.

Every person is entitled to equal treatment and protection from discrimination. Employees may claim the observance for their rights not only with their employer, but also through the intermediary of employee representatives, labour inspectorates, or the court if they consider themselves affected in their rights, legally protected interests or freedoms by failure to apply the principle of equal treatment. They may, in particular, demand that the entity that failed to apply the principle of equal treatment refrains from such conduct and, where possible, rectifies the unlawful situation or provides adequate satisfaction.

Should adequate satisfaction not be sufficient, especially if the failure to observe the principle of equal treatment has considerably impaired the dignity, social status or social achievement of the victim, the victim may also seek non-pecuniary damages in cash. The amount of non-pecuniary damages in cash is determined by the court, taking into account the seriousness of non-pecuniary damage and all related circumstances. Damages or other compensations can be also claimed according to the specific legislation.

**§ 41, paragraphs 8 and 9 of the Labour Code** provide that the employer must respect the principle of equal treatment with regard to access to employment already at the time of concluding the employment relationship with a natural person.

In case the employer violates the principle of equal treatment with regard to access to employment at the time of concluding the employment relationship, the natural person (job applicant) has the right to seek adequate pecuniary compensation by filing a claim with the court.

In the court proceedings, the defendant must prove that he/she did not violate the principle of equal treatment, if the facts presented to the court by the plaintiff allow a reasonable assumption that the principle of equal treatment has indeed been violated.

It may be concluded on the basis of the above that the current wording of the Labour Code, along with the general prohibition of discrimination under the so-called Anti-discrimination Act, guarantee all natural persons, i. e. including persons belonging to national minorities and, consequently, the Roma, adequate legal protection against discrimination in labour law relationships.

**The anti-discrimination procedure in the application of Act No. 5/2004 Coll. on employment services** and on amending and supplementing other relevant acts as amended is defined in its § 14 – “right to access to employment” and § 62 – “employer’s obligations.” We underline in this connection that in the application practice, the policy of non-discrimination for belonging to a race, national minority or ethnic group is consistently enforced in the implementation of Act No. 5/2004 Coll. on employment services and on amending and supplementing other relevant acts as amended together with the provisions of the so-called Anti-discrimination Act.

Because of the valid and, in particular, strict legislation on non-discrimination and protection of personal data, it is problematic to monitor individual active labour market policy measures using the criterion of belonging to a national minority or ethnic group.

Jobseekers provide their personal data to the offices of labour, social affairs and family when applying for inclusion on the jobseekers’ list on a voluntary basis. If a jobseeker does not declare to belong to a certain ethnic group or national minority, he/she may not be entered or monitored in the identification group concerned.

The amendment to Act No. 5/2004 Coll. on employment services and on amending and supplementing other relevant acts as amended by Act No. 139/2008 Coll. effective from 1 May 2008 includes a new wording of § 14, paragraph 1, which expands the right to access to employment by including the right to services aimed at providing support and assistance to enable jobseekers to stay on the labour market for at least six months after their entry on the labour market.

However, the civic principle is observed also in this case: this extended right to access to employment is applied in a general manner and is not limited to any specific group of jobseekers, such as disadvantaged jobseekers or persons belonging to national minorities or ethnic groups.

The Ministry of Labour, Social Affairs and Family’s “Operational Programme – Employment and Social Inclusion” of 2007 serves as a reference document and a basis for support provided in the 2007 – 2013 programming period to human resources development, employment growth and enhanced social inclusion. The Operational Programme was approved by the European Commission in October 2007. The activities proposed in the framework of defined objectives and measures included those that are aimed at ensuring prevention against discrimination on the labour market and supporting the creation of equal opportunities in access to the labour market. Special emphasis will be laid on marginalized communities, in particular marginalized Roma communities. The support will be provided from the European Social Fund and from the funds of the state budget of the Slovak Republic.

In the implementation of its **housing development support** instruments, the Ministry of Construction and Regional Development of the Slovak Republic (hereinafter the “Ministry of Construction and Regional Development”) applies the principle of equal treatment of all citizens of the Slovak Republic irrespective of their nationality, ethnic origin, religion, or political affiliation. By applying this approach, the Ministry of Construction and Regional Development creates conditions for a consistent application of the principles of equal treatment of all citizens of Slovakia irrespective of their belonging to national minorities or ethnic groups and, at the same time, it contributes to improving the standard of housing of these groups of population and also to reducing the segregation and separation of minority groups in the territory of Slovakia.

#### **Article 5**

1. *The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.*

2. *Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.*

The constitutional framework pertaining to the right of persons belonging to national minorities to develop their own cultures and to create and maintain their educational and cultural institutions is provided by Article 34 of the Constitution.

The objectives set out in the Government’s manifesto of 2006 include the drafting of a law on the financing of culture as an expression of public commitment to promoting culture in the Slovak Republic. The law will lay down the main directions, types and sources of the financing of cultural activities and the mechanism of allocation, control and monitoring of the effectiveness of the use of public funds. The law is also intended to regulate the **financing of the development and dissemination of culture of national minorities and ethnic groups**. The lead institution for drafting the law on the financing of culture is the Ministry of Culture that has incorporated this task into the policy objectives of the sector.

The Ministry of Culture develops a wide-ranging and effective co-operation with the organisations of 12 national minorities (Hungarian, Roma, Czech, Ruthenian, Ukrainian, Croatian, Polish, Moravian, Bulgarian, German, Jewish and Russian) living in the Slovak Republic. Political, organisational and financial support for their activities aimed at ensuring and developing the culture of national minorities and ethnic groups guarantees also the free use of their languages and respect for their shared specific features and values.

The support for the **culture of national minorities, ethnic groups and disadvantaged groups of the population** is ensured by the organisational unit of the Ministry of Culture for the culture of persons belonging to national minorities – the section for minority and regional cultures – that coordinates independent *grant programmes on the Culture of National Minorities and the Culture of Disadvantaged Groups of the Population*. The grant programme on the Culture of National Minorities focuses on the support for and the development of the culture of national minorities and on the preservation of their identity and mother tongues. It responds to the current changes in, priorities and cultural needs of individual national minorities. Members of specialised grant commissions, composed of the representatives of individual national minorities,

assess grant applications from the perspective of the development and improvement of quality of cultural life of national minorities. The grant programme serves to support the publication of **periodical and non-periodical press** for persons belonging to national minorities and to foster the **development and presentation of living culture** of national minorities.

The following table offers an overview of financial resources allocated within the sector of the Ministry of Culture for supporting minority cultures in 2004 – 2008 by means of the grant programme:

Nationality	Year 2004	Year 2005	Year 2006	Year 2007	Year 2008	Year 2008 in EUR
Bulgarian	852,0	421,0	576,0	780,0	850,0	<b>28,214.83</b>
Czech	3,794,8	3,361,0	4,555,0	4,450,0	4,922,0	<b>163,380.46</b>
Croatian	1,050,0	1,000,0	1,468,0	1,450,0	1,550,0	<b>51,450.57</b>
Hungarian	53,078,0	51,188,1	116,184,0	51,562,0	53,609,0	<b>1,779,492.79</b>
Moravian				390,	600,0	<b>19,916.35</b>
German	2,201,5	2,250,0	3,120,0	3,007,0	3,500,0	<b>116,178.71</b>
Polish	995,0	1,000,0	1,250,0	1,550,0	1,650,0	<b>54,769.96</b>
Roma	8,232,0	7,870,0	16,385,0	11,482,0	15,030,0	<b>498,904.60</b>
Ruthenian	4,139,0	4,045,0	5,541,0	5,273,0	5,490,0	<b>182,234.61</b>
Russian	657,1	638,6	784,0	919,0	1,220,0	<b>40,496.5</b>
Ukrainian	2,738,0	2,736,0	3,564,0	3,430,0	4,082,0	<b>135,497.57</b>
Jewish	1,486,0	1,500,0	2,075,0	1,850,0	1,900,0	<b>63,068.4</b>
Cultural policy	776,6	3,990,3	4,430,0	1,607,0	6,239,0	<b>207,096.85</b>
<b>Total / SKK</b>	<b>80,000,0</b>	<b>80,000,0</b>	<b>159,932,0</b>	<b>87,750,0</b>	<b>100,642,0</b>	<b>3,340,702.38</b>

**Amount of financial support in 2008..... EUR 3,340,702 – SKK 100,642,000.**

**Amount of financial support in 2009..... EUR 3,485,362 – SKK 105 million.**

**The Ministry of Culture supports the culture of national minorities also by supporting the activities of national minority museums that operate as organic parts of the Slovak National Museum:**

- Museum of Culture of Hungarians in Slovakia, Bratislava
- Museum of Culture of Croats in Slovakia, Bratislava
- Museum of Culture of Czechs in Slovakia, Martin
- Museum of Culture of Carpathian Germans, Bratislava
- Museum of Jewish Culture, Bratislava
- Museum of Roma Culture in Slovakia, Martin
- Museum of Ukrainian Culture, Svidník
- Museum of Ruthenian Culture, established in 2008 in Prešov

Financial resources of the Ministry of Culture allocated to national minority museums:

	2007	2008	2009
Approved budget	<b>EUR 901,978</b>	<b>EUR 1,070,703</b>	<b>EUR 1,156,343</b>
Budget adjusted in the course of the year	<b>EUR 1,028,613</b>	<b>EUR 1,959,713</b>	

In addition, several national minority museums are administered by self-governing regions (SGRs) (financed by SGRs):

- Museum of Hungarian Culture and of the Danube Basin, Komárno – department for the research of culture of the Hungarian national minority in Slovakia – Nitra SGR;
- Roma Culture Department of Gemer-Malý Hont Museum, Rimavská Sobota – Banská Bystrica SGR;
- Roma culture department of Vihorlat Museum, Humenné – Prešov SGR;
- Žitný Ostrov Museum, Dunajská Streda – Trnava SGR.

The Slovak Republic has **4 national minority theatres:**

- two Hungarian theatres (Thália Színház Theatre, Košice; Jókai Theatre, Komárno);
- one Ruthenian – Ukrainian theatre (Alexander Duchnovič Theatre), Prešov;
- one Roma theatre (Romathan Theatre, Košice).

These theatres fall under the competence of self-governing regions (Košice Self-Governing Region, Prešov Self-Governing Region and Nitra Self-Governing Region).

The Ministry of Culture provides significant support to these theatres through its grant scheme – the programme of Culture of National Minorities.

	2007	2008
Thália Theatre in Košice	EUR 9,626	EUR 7,967
Jókai Theatre in Komárno	EUR 9,626	EUR 7,303
Alexander Duchnovič Theatre in Prešov	EUR 9,294	EUR 13,278
Romathan Theatre in Košice	EUR 16,597	EUR 12,614

The Ministry of Culture supports the only professional national minority art ensemble in Slovakia **Ifjú Szivek – Young Hearts Hungarian Folk Dance Ensemble**, which has the mission of promoting and performing dances, songs, folk music and orchestral compositions as well as vocal and instrumental works of classical heritage of European and world music culture at home and abroad, pursuing folk art traditions of the citizens of Hungarian nationality living in the territory of Slovak Republic.

Financial resources allocated to the Ifjú Szivek – Young Hearts Hungarian Folk Dance Ensemble by the Ministry of Culture:

	2007	2008
<b>Ifjú Szivek – Young Hearts</b>	EUR 223,993	EUR 268,329

**Periodical and non-periodical press** of national minorities and ethnic groups in Slovakia is published and supported by state subsidies. The Ministry of Culture continued to finance minority periodicals by means of its grant scheme also in 2007 and 2008 as follows:

National affiliation	2007 number of supported titles	2008 number of supported titles
Bulgarian	1	1
Czech	1	0
Croatian	1	1
Hungarian	25	33
Moravian	0	0
German	1	2
Polish	1	1
Roma	2	4
Ruthenian	5	6
Russian	1	1
Ukrainian	3	3
Jewish	2	2

#### **Periodical press supported in 2008:**

##### Hungarian national minority:

Alma Mater (quarterly); Atelier (4 issues/year); Dunatáj (weekly); Fórum (4 issues/year); Gömörország (4 issues/year); Irodalmi Szemle (monthly); Jó Gazda (monthly); Kalligram (monthly); Kassai Figyelő (monthly); Katedra (monthly); Kulisszák (bimonthly); Literárny Dunatáj (monthly); Szabad Újság (weekly); Szörös Kő (bimonthly); Tábortüz (monthly); Tücsök (monthly); Új Nő (monthly); Új Szó (daily); Vasárnap (weekly); Csallókös (weekly); Csallókös (Internet); Itthon (monthly); Klikk in (monthly); Ersekujvár és Vidéke (monthly); Poszt (Internet); Patonyföld (bimonthly); Virtual Gallery ROVART (Internet); netBarátnő (Internet); Eruditio-Educatio (4 issues/year); MÁK (4 issues/year); Presstige (bimonthly); Partitura (3 issues/year); Pedagógusforum (10 issues/year); Csallókös (Internet).

##### Roma national minority

Romano Nevo Lil (bimonthly);  
Lulud'i (monthly);  
Roma Press Agency;  
Romano Nevo Lil (Internet).

##### Bulgarian national minority:

Sanarodnik – Krajan (occasional journal).

##### Ruthenian national minority:

InfoRusín (monthly);  
Narodny Novinky (weekly);  
Pozdravl'iňa Rusyniv (quarterly);  
Rusín (bimonthly);  
Rusalka (quarterly);  
InfoRusín (Internet);

Ukrainian national minority:

Nove žyt'ľa (biweekly);  
Duk'ľa (bimonthly);  
Veselka (monthly).

German national minority:

Karpatenblatt (monthly);  
IKEJA news (Internet).

Russian national minority:

Vmeste (bimonthly).

Polish national minority:

Monitor Polonijny (monthly).

Croatian national minority:

Hrvatska Rosa (quarterly).

Jewish national minority:

Acta Judaica Slovaca (occasional publication);  
Stetl (bimonthly).

**Major publishing houses; societies; Hungarian national minority research centres:**

- Forum Minority Research Institute in Šamorín;
- Csemadok;
- Csemadok Culture Institute;
- Hungarian Writers' Society;
- Selye College;
- Union of Hungarian Students JUGYIK Nitra;
- Constantine the Philosopher University in Nitra;
- Society of Hungarian Visual Artists in Slovakia;
- Hungarian Youth Society;
- Madach Publishers;
- Kalligram Publishers;
- Lilium Aurum Publishers;
- NAP Publishers.

**Culture of national minorities in Slovakia is also supported by local and regional self-governing authorities.**

Statistical surveys of annual statements on the culture of national minorities and on the culture of disadvantaged groups of the population **in 2007** – KULT 2 – 01 indicate that regional self-governing authorities (SGRs) allocated **EUR 2,758,149** and local self-governing authorities (municipalities) **EUR 354,113** from their budgets to support cultural activities of national minorities. An additional amount of **EUR 495,286** was allocated to support these activities through grants (other than the grant scheme of the Ministry of Culture) and through contributions of domestic sponsors.

Publishing entities in the national minority field were supported by regional governments (SGRs) and local governments (municipalities) with the amounts of **EUR 2,324** and **EUR 13,344**, respectively. An additional amount of EUR 146,684 was allocated to support these activities through grants (other than the grant scheme of the Ministry of Culture) and through contributions of domestic sponsors.

Statistical surveys of annual statements on national minority cultures in 2008 are being currently processed by statistical entities.

The advisory body for the Deputy Prime Minister for Knowledge Society, European Affairs, Human Rights and Minorities is the **Commission for the Support of the Culture of National Minorities and Ethnic Groups**. In conformity with the relevant decrees of the Government Office, the Commission assesses the provision of subsidies for financing publishing activities, activities of theatres and folk art ensembles, activities of cultural and religious institutions, special-interest activities, sports and cultural activities, and educational projects of persons belonging to national minorities and ethnic groups.

Acting as an advisory body to the Government plenipotentiary for Roma communities is the **Grant Commission for Social and Cultural Needs of the Roma Community and for Addressing the Problems of the Roma Community**. In conformity with the relevant decrees of the Government Office, the Commission assesses applications for subsidies and projects relating to social and cultural needs of the Roma community and for addressing problems of the Roma community.

#### **Mixed Commission for the Issues of Culture and Press**

**The Mixed Commission of the Slovak Republic and of the Republic of Hungary for the Issues of Culture and Press** (hereinafter the “**mixed commission**”) was created in accordance with the Protocol between the Ministry of Foreign Affairs of the Slovak Republic and the Ministry of Foreign Affairs of the Republic of Hungary on the Creation of a Mechanism Serving to Promote the Implementation of the Treaty on Good Neighbourliness and Friendly Co-operation between the Slovak Republic and the Republic of Hungary (hereinafter the “Treaty”) signed on 19 March 1995 in Paris (hereinafter the “Protocol”); the Protocol was signed on 24 November 1998 in Bratislava.

The mixed commission meets twice a year alternatively in Bratislava and Budapest. The institutions that have organisational responsibility for its meetings are the Ministry of Culture of the Slovak Republic and the Ministry of Cultural Heritage of the Republic of Hungary. The chair of the Slovak section of the commission is appointed by the Slovak Minister of Culture, and members of the commission are the representatives of the sector and invited experts.

As regards the legislative framework for the use of languages, **Article 34 of the Constitution** and **Act No. 184/1999 Coll. on the use of languages of national minorities** remain in force.

The use of languages of persons belonging to national minorities is regulated also by the following specific acts:

- Act No. 301/2005 Coll. on criminal procedure (the **Code of Criminal Procedure**) as amended;
- Act No. 99/1963 Coll. **Code of Civil Procedure** as amended;
- Act No. 167/2008 Coll. on periodic press and agency news and on amending and supplementing other relevant acts (**the Press Act**);



- Act No. 245/2008 Coll. on education and instruction (**the School Act**) and on amending and supplementing other relevant acts;
- Act No. 16/2004 Coll. on **the Slovak Television** as amended;
- Act No. 619/2003 Coll. on **the Slovak Radio** as amended;
- Act No. 191/1994 Coll. on **the designation of municipalities in the languages of national minorities**.

In March 2009, the Government approved draft amendment to Act No. 270/1995 Coll. on the state language of the Slovak Republic, which widens the possibility of using languages other than the state language (including national minority languages) in certain areas. **The amended State Language Act** fully respects the legal *status quo* in the area of the implementation of linguistic rights of persons belonging to national minorities and ethnic groups living in the Slovak Republic. Neither the current Act on the state language nor its amendment narrow down or interfere in any manner with the rights of persons belonging to national minorities guaranteed under relevant legal provisions. Just the opposite: **the proposed legislation expands the scope of rights of persons belonging to national minorities by introducing certain new statutory rights in the economic and social field that, since the adoption of the European Charter of Regional or Minority Languages, have not yet been incorporated into the Slovak legislation.** This means that in connection with the alignment of legislation in this area, certain changes have been proposed to benefit the persons belonging to national minorities.

#### **Article 6**

*1. The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.*

*2. The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.*

The Government declared in its 2006 Manifesto that it will improve conditions for **national minority education, in particular as regards instruction in mother tongues of all national minorities within the scope of the European Charter of Regional or Minority Languages.** However, instruction provided in a **national minority** language must not be to the detriment of the quality of teaching the Slovak state language.

On 22 May 2008, the National Council adopted Act No. 245/2008 Coll. on education and instruction (**the School Act**) and on amending and supplementing other relevant acts as a basic prerequisite for a reform in the content of education. The School Act entered into effect on 1 September 2008. A more detailed analysis of individual provisions of the School Act is given in the information on the application of Article 14 of the Framework Convention and in the annex to the report. **The School Act** stipulates that one of the basic principles of education and instruction is also the prohibition of providing or making available information or misusing information technologies that could potentially endanger the morality or incite national, racial or ethnic hatred or other forms of intolerance.

**Multicultural education** is covered by the State Education Programme as a crosscutting theme.

The Ministry of Education of the Slovak Republic (hereinafter the “Ministry of Education”) approved in 2005 the **National Plan of Education to Human Rights in 2005 – 2014**. Human rights issues, including multicultural education and education against prejudice, are part of the process of education and instruction. Education to human rights in Slovakia’s primary and secondary schools is provided primarily through general education subjects (such as civics, ethics, social studies). As a good example, we mention the Human Rights Olympiad organised for secondary schools students in Slovakia since 1997. In the recent period, it is focusing also on the issues of discrimination, racism, xenophobia, anti-Semitism and other expressions of intolerance. The key theme of its 11th year held in March 2009 was “Protection of Children against Corporal Punishment.”

With the aim of ensuring the intercultural dialogue and addressing the process of education and instruction of national minorities, the Minister of Education created in 2006 an advisory body – the Council for National Minority Education; the Ministry of Education’s Council of Experts on Education and Instruction of the Roma has been functioning since 2005.

Moreover, the Council of the Government of the Slovak Republic for National Minorities and Ethnic Groups (hereinafter the “Government Council on National Minorities and Ethnic Groups”) was created in the Slovak Republic, acting as an advisory and coordination body for the Government in the area of minority policy.

A systematic instrument of the Government for the prevention and suppression of negative phenomena in society such as racism, xenophobia, intolerance and discrimination is the **Action Plan for the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Other Expressions of Intolerance**. This programme document has been regularly prepared since 2000. From 2006 onwards, it is presented in three-year cycles, but is annually updated in order to account for the need to adopt operational measures to address the most pressing problems of society in this field.

The Ministry of Culture secures the implementation of the tasks set out for the sector of culture in the Action Plan for the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and Other Expressions of Intolerance mainly by carrying out activities aimed at **enhancing the tolerance of the general public for minority culture and activities aimed at preventing all forms of discrimination, racism, xenophobia, anti-Semitism and other expressions of intolerance** through the intermediary of several cultural institutions. The events of this character contribute to **fostering and learning about the diversity of cultures of individual national minorities, and thus to enhancing tolerance, creating a multicultural environment, and promoting the process of inclusion in the majority society**.

The Ministry of Culture annually provides support to projects presenting minority culture to the majority population with the aim of promoting multiculturalism and improving conditions for access to minority cultures (such as minority culture festivals presenting the culture of national minorities and the culture of disadvantaged groups of the population).

The Ministry of Culture also supports access to the cultural values in marginalized Roma communities. Improvement of the situation in the area of culture for marginalized Roma communities is pursued also by the new **Roma Mission** project carried out since 2007 with the aim of supporting mission work among children living in marginalized communities. The aim of the project is to contribute to the creation of the value system for children and youth and thus to a change in their living conditions in the direction of making them lead a decent life, reducing the

risks of social exclusion, and strengthening the mechanisms leading to the removal of barriers and to the strengthening of the integration process and the process of social inclusion in Slovakia.

The activities of the Ministry of Culture that contribute to the **elimination of racial discrimination** and protection of cultural rights of persons belonging to the Roma national minority include such activities as the project on Roma Holocaust *Ma bisteren – We Shall Not Forget*. The Ministry of Culture was involved from 2005 in increasing the awareness of and raising the important social and political theme of Roma Holocaust by means of preparing and implementing the multidimensional project *Ma bisteren – We Shall Not Forget*. The core activity under the project was the placement of memorial plaques dedicated to the Roma Holocaust in the localities of Slovakia that were the scenes of wartime persecutions of the Roma.

The process of recasting the criminal law in the Slovak Republic was successfully completed by the adoption of new criminal codices with effect from 1 January 2006 – **Act No. 300/2005 Coll. the Criminal Code as amended** (hereinafter the “CC”) and **Act No. 301/2005 Coll., the Code of Criminal Procedure, as amended** (hereinafter the “CPC”). In accordance with the relevant provisions of the Constitution, the CC criminalizes actions that lead to the violation of human rights and fundamental freedoms through discrimination on racial and other grounds.

The Criminal Code defines in its general part a so-called “special motive” (§ 140 of the CC) – which represents an aggravating circumstance of a criminal offence and may entail stricter punishment compared with the basic criminal offence. Such special motive is present in crimes committed for hire, for revenge, with the intention to cover up for or facilitate another criminal offence, on the grounds of national, ethnic or racial hatred or hatred due to the colour of skin, or a sexual motive. The commission of a crime for national, ethnic or racial hatred or hatred based on the colour of skin is established most often in typical racially motivated criminal offences, i.e. offences against life and health (wilful murder, murder, homicide, participation in a suicide, illegal removal of organs, tissues and cells and illegal sterilisation, bodily injury, endangerment of health by illegal drugs, medical aids or devices), criminal offences against liberty (trafficking in people, depriving of personal liberty, restricting personal liberty, restricting freedom to reside, taking hostage, kidnapping for ransom, abduction abroad, robbery, extortion, duress, restricting religious freedom, illegal entry into private property, violating the secrecy of delivered communications), criminal offences against human dignity (rape, sexual violence, sexual abuse, ill-treatment of a significant other or a person in one’s custody, kidnapping). However, the CC in force provides that a special motive for the commission of a criminal offence, including national, ethnic or racial hatred or hatred because of the colour of skin, may also be established in less frequent and/or not typical racially motivated criminal offences, i. e. always when a so-called special motive is present among aggravating circumstances of criminal offences.

In the new systematic division of the Criminal Code, most racially motivated criminal offences that had been previously established in Criminal Code No. 140/1961 Coll. as amended, which was valid until 1 January 2006 (§ 196, paragraph 2 – violence against a group of inhabitants or against individuals, § 198 – defamation of a nation, race or conviction, § 198a – incitement to national, racial or ethnic hatred), are currently incorporated into Title Twelve of the separate part of the CC (except for the criminal offence set out in § 359, “violence against a group of inhabitants or against an individual,” which is included among the criminal offences against other rights and freedoms in Title Nine of the separate part), which covers criminal offences against peace, humanity and wartime criminal offences and implements, in particular, the rules of the international humanitarian law. The support of and propaganda for groups that aim at the

suppression of fundamental rights and freedoms (§§ 421-422 of the CC), defamation of a nation, race or conviction (§ 423) and incitement to national, racial or ethnic hatred are therefore declared as and considered to be criminal offences against humanity. In case of the so-called aggravated criminal offences, the Criminal Code provides for more severe criminal sanctions (this applies to the criminal offences referred to above if they are committed in public view, in a particularly serious manner, or in a crisis situation). A special place among criminal offences against humanity provided for in Title Twelve of the separate part of the CC is held by the criminal offence pursuant to § 420 (torture or other inhuman or cruel treatment), which can also be committed because of a special motive, i. e. including the motive of national, ethnic or racial hatred or hatred due to the colour of skin.

The new Criminal Code thus logically takes up the provisions of the previous legislation and transposes in detail the international commitments of the Slovak Republic, in particular the commitment to criminalise racially motivated acts, and to ban as illegal any organisation or any propaganda fostering and inciting racial discrimination, and to declare participation in such organisations to be unlawful. It also refers to the existing commitments of the state not to allow national or local public authorities or institutions to support or incite racial discrimination.

The CC also provides for the prosecution and punishment of the dissemination of information inciting hatred against a race, nation or ethnic group and the defamation of the latter using the Internet (cf. § 89 of the repealed Criminal Code). According to § 122, paragraph 2, a criminal offence is deemed to have been committed in public view if it is committed through the content of a written material or dissemination of a written text, through film, radio, television, computer network or another similarly effective medium, or in the presence of at least two persons. It needs to be mentioned in this connection that on 8 January 2008, the Slovak Republic ratified the Council of Europe's Convention on Cybercrime of 23 November 2001 and is preparing to sign the additional protocol to the Convention on Cybercrime – the Additional Protocol concerning the Criminalisation of Acts of a Racist and Xenophobic Nature Committed through Computer Systems of 28 January 2003.

The CC continues to apply the criterion according to which the person that has been assaulted needs not belong to a different race. This change means that assaults against persons of the same race (e.g. those committed by a significant other) can also be prosecuted as racially motivated. This also responds to the need to protect the persons who could potentially become victims of such assaults because of their antiracial activism.

Compared with the previous legal situation, the CC widens the definition of the criminal offence of the support of and propaganda for movements aimed at the suppression of rights and freedoms, by introducing the possibility to apply criminal sanctions not only for actions that have the form of public expression of sympathy for fascism or other movements demonstrably leading to the suppression of rights and freedoms of citizens, including their public questioning, denying, condoning or justifying, but also for questioning, denying, condoning or justifying the Holocaust.

The CC also incorporates the “crime against humanity” (§ 259b of the repealed Criminal Code) as the crime of “inhumanity” (§ 425), which is defined in conformity with the wording of Article 7 of the Statute of the International Criminal Court (Communication No. 332/2002 Coll.). This criminal offence was introduced into the repealed Criminal Code No. 140/1961 Coll. by Act No. 421/2002 Coll. with effect from 1 September 2002. The CC also incorporates other relevant provisions of the repealed Criminal Code, in particular in its § 88 which, besides the imprescriptibility of the crime of genocide, also provides for the imprescriptibility of crimes

against humanity, including the abovementioned racially motivated criminal offences established in Title Twelve of the separate part of the CC. This is in conformity with the international treaties binding on the Slovak Republic, especially the Convention on the Prevention and Punishment of the Crime of Genocide (Decree No. 32/1955 Coll.) and Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity (Decree No. 53/1974 Coll.).

Sentencing rates for aggravated criminal offences committed against the so-called protected persons and because of national, ethnic or racial hatred or hatred based on the colour of skin, or criminal offences committed for a different special motive (see § 140 of the CC) or in a particularly serious manner, were generally increased. Higher sentencing rates apply also to criminal offences that have more serious consequences or whose perpetrator is a member of a dangerous group, i. e. a criminal or a terrorist group.

The principles underpinning the prosecution and punishment of racially motivated criminal offences and the fight against racial discrimination in general remain in force; the legislation lays down stricter punishment for perpetrators, while protecting the victims of domestic violence; especially important is the principle that no consent of the victim is necessary in order to investigate criminal offences committed between significant others. According to another principle, the perpetrator who commits the criminal offence of violence, extortion, rape, sexual violence or sexual abuse against a significant other or a person in his/her custody receives stricter punishment than if he/she committed the offence against a stranger. Sentencing rates for these criminal offences have been increased as well.

### *Information from the practice*

The following text presents official statistics of the Ministry of Justice of the Slovak Republic (hereinafter the “Ministry of Justice”) concerning the number of persons sentenced for racially motivated criminal offences committed in the territory of the Slovak Republic in 2003 – 2007.

#### **The number of persons sentenced for racially motivated criminal offences in 2003 – 2007**

§ of the Criminal Code	Number of finally sentenced persons in the years										
	2003			2004		2005		2006		2007	
	old CC	new CC	old CC	new CC	old CC	new CC	old CC	new CC	old CC	new CC	
old CC (new CC)											
§ 196 (§ 359)	67	68	39	34	11		14	25			
§ 198 (§ 423)	4	1	2	2	0		1	1			
§ 198a (§ 424)	2	1	1	1	0		0	1			
§ 202 (§ 364)	1	1	1	1	0		1	2			
§ 219, paragraph 2, subparagraph (f) (§144, paragraph 2, subparagraph (e) + § 145, paragraph 2, subparagraph (d))	0	5	0	2	0		1	0			
§ 221, paragraph 2, subparagraph (b) (§ 156, paragraph 2, subparagraph (b))	1	0	2	3	0		2	7			
§ 222, paragraph 2, subparagraph (b) (§ 155, paragraph 2, subparagraph (c))	0	0	0	0	0		0	2			
§ 232 (§ 182, paragraph 2, subparagraph (a))	1	0	2	0	0		4	0			
§ 238 (§ 194, paragraph 2, subparagraph (d))	0	0	0	0	0		0	0			
§ 259 (§ 418)	0	0	0	0	0		0	0			

§ 259b (§ 425)	0	0	0	0	0	0	0
§ 260 (§ 421)	5	7	8	6	0	6	1
§ 231 (§ 183, paragraph 2, subparagraph (b))	45	43	59	46	1	56	6
§ 263a (§ 432)	0	0	0	0	0	0	0
<b>Total</b>	<b>126</b>	<b>126</b>	<b>114</b>	<b>95</b>	<b>12</b>	<b>85</b>	<b>45</b>

In accordance with **Act No. 548/2003 Coll. on Judicial Academy** adopted by the National Council on 4 December 2003, **the Judicial Academy inaugurated its activities on 1 September 2004**. The Judicial Academy is an independent nation-wide training institution that ensures, organises and carries out the training of judges, prosecutors and court officials. It was established by Act No. 548/2003 Coll. as an independent legal person and budgetary organisation of the Ministry of Justice, financed from state budget allocations earmarked for the training of judges, prosecutors and court officials. The Judicial Academy ensures, organises and carries out the training of judges, prosecutors, trainee prosecutors, judicial candidates and court officials. According to the Act on court officials, court officials are higher court officials who provide assistance to judges in court and who, subject to obtaining a 3-year experience and attaining 30 years of age, can undergo a professional examination and become judges, probation and mediation officers, or court secretaries. Moreover, the Academy verifies the knowledge and professional aptitudes of judicial candidates and trainee prosecutors required for their appointment to the office of a judge or a prosecutor upon passing the professional judicial examination. The Act also stipulates that the Judicial Academy runs a database of court files for selection proceedings and judicial examinations. The Academy ensures the training through its employees and through a body of teachers in accordance with the approved annual academic plans. The body of teachers consists of permanent and external members. At present, it has 3 permanent members – judges and prosecutors. Its external members are Academy lecturers, mainly judges and prosecutors with professional experience of no less than 5 years. At present, the Academy has a 108-member body of lecturers and 23 employees. As regards its international activities, the Judicial Academy is a member of international associations of judicial schools, namely the Lisbon Network of the Council of Europe, the EJTN of the European Union, and cooperates with the National Training Centre for Judges and Prosecutors of Poland, and with the Academy of European Law in Trier.

In 2006 – 2007, the **Judicial Academy** carried out seminars and lectures focused mainly on topical issues of human rights protection, asylum law, racially motivated crime and discrimination issues within the broader context of psychology lectures.

Under the 2006 academic plan, several seminars and conferences concerning the above issues were organised by the Training Institute of the Ministry of Justice at Omšenie (“Conference on Victims of Criminal Offences”, 15-16 February 2006; “Human Rights Conference”, 27-29 September 2006; “Protection of Human Rights and Psychological Aspects of the Work of a Judge”, 13-14 November 2006).

In the framework of systematic training in the field of human rights, six seminars were organised in co-operation with the Office of the Agent for the European Court of Human Rights, dealing with both criminal and non-criminal issues (7-8 February 2006, 9-10 February 2006, 3-4 April 2006, 5-6 April 2006, 29-30 May 2006, 31 May-1 June 2006).

A seminar on “Discrimination: Legal and Psychological Aspects” was held on 27-28 March 2006 and repeated on 25-26 September 2006.

The Academy offers an average of 100 training activities a year, including seminars, workshops and conferences. The training at the Academy is provided by its employees and by the body of teachers in accordance with the approved annual academic plan, which also covers issues relating to crimes with racial or xenophobic motivation. For instance, a specialised seminar was held for judges and prosecutors on “Detection and Prosecution of Criminal Offences against Humanity with Focus on Xenophobia and Racism” on 29-30 November 2007.

In connection with the measures taken in the field of education, culture and information aimed at the protection of the rights of persons belonging to national minorities and the fight against prejudice leading to racial discrimination, the **Corps of Prison and Court Guard** (hereinafter the “Corps”) provided systematic training on human rights to the officers of the Corps concerning the prevention of all forms of discrimination, racism, xenophobia and other expressions of intolerance in the form of professional training of members of the Corps provided by the Training Institute of the Corps. All members of the Corps receive training on basic relevant legal provisions and international treaties in accordance with the new Concept of Training for Officers and Employees of the Corps in 2004 – 2015, which is publicly accessible on the Institute’s website. According to the above-mentioned Concept of Training for Officers and Employees of the Corps in 2004 – 2015, this topic is taught within the course on Basics of Law. Of a total of 5 lessons devoted to this topic in basic professional training, 3 lessons are devoted to issues relating to the Roma ethnic community. In specialised professional training, 2 additional lessons on this topic are taught in the course on “Penitentiary Systems and Penitentiary Organisations.”

The prevention of all forms of discrimination, racism, xenophobia and other expressions of intolerance is pursued mainly by the Department for Enforcement of Remand Detention and for Enforcement of Custodial Sentences within the General Directorate of the Corps; in co-operation with civic associations and foundations, the Department organised a “Weekend Training Programme for Officers of the Corps,” which covered also issues related to the prevention of all forms of discrimination, racism, xenophobia and other expressions of intolerance in the prison system, and it plans to continue in similar activities by organising training courses for the lecturers on human rights.

#### **Article 7**

*The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and religion.*

The Constitution represents the legal framework pertaining to the freedom of peaceful assembly, freedom of association, freedom of expression and freedom of thought, conscience and religion for all persons irrespective of whether they belong to a national minority. Article 29 of the Constitution guarantees the freedom of association, Article 28 the freedom of assembly, Article 26 the freedom of expression and Article 24 the freedom of thought, conscience and religion.

Besides the Constitution, these rights and freedoms are provided for also in the Charter of Fundamental Rights and Freedoms (Constitutional Act No. 23/1991 Coll. introducing the Charter of Fundamental Rights and Freedoms) and other generally binding legal provisions that specify in more detail the exercise of these rights and freedoms. **Act No. 83/1990 Coll. on association of citizens** as amended, which provides for the area of association based on the premise that this

freedom must it be granted to all and that its exercise is not subject to a permission by a state authority, remains in force.

Since Act No. 83/1990 Coll. on association of citizens as amended does not apply to association within political parties and movements, this specific area is provided for by **Act No. 85/2005 Coll. on political parties and political movements** that entered into effect on 1 June 2005. The latter Act lays down the requirements for setting up a political party or a political movement, the register of parties, requirements for the dissolution of a party, the rights and obligations of parties, financial administration and financing of parties, and sanctions for non-compliance.

**§ 34, paragraphs 3 and 4 of Act No. 85/2005 Coll.**, provides that:

“(3) The parties registered under the previous legislation are **obliged to submit the Ministry not later than by 30 September 2005**

(a) a declaration with the address of the seat of the party signed by its statutory body or by all members of the statutory body,

b) a declaration containing the name, surname, birth ID number, and permanent residence address of the person that acts as the statutory body or is a member of the statutory body, concerning the manner in which the statutory body acts on behalf of the party; the declaration must be signed by the statutory body or by all members of the statutory body; signatures must be authenticated.”

“(4) **The party that fails to meet its obligation referred to in paragraph 3 will be entered by the Ministry in the register of parties with a remark “under liquidation” as of 1 October 2005, and the party will be allowed to carry out only the activities connected with its dissolution.** The party is obliged to appoint a liquidator by 15 October 2006 and to notify the Ministry of the name, surname, birth ID number and permanent residence address of the liquidator. If the party fails to notify the Ministry of the liquidator by 15 October 2006, the Ministry shall enter the statutory body of the party as the liquidator or, if the party does not have an elected statutory body, the Ministry shall enter an authorised representative as the liquidator.”

Several parties and movements failed to meet their registration obligation; as a result, political parties and movements that currently exist in Slovakia include 2 political parties that associate the citizens of the Slovak Republic who identify themselves with specific national minorities, namely:

- **the Party of the Hungarian Coalition – Magyar Koalíció Pártja;**
- **the Roma Initiative of Slovakia (RIS).**

The **Right of Assembly Act No. 84/1990 Coll.** as amended remains in force; it provides in more detail for the exercise of the right of assembly based on the constitutional principle, according to which an assembly is not subject to any prior permission of a state authority. The above Act was amended and supplemented with effect from 1 November 2007 by Act No. 468/2007 Coll. Amendments and additions made in the latter Act include mainly the obligation of the organiser to inform the municipality of any change in a notified or cancelled assembly, obligation of the municipality to prohibit a notified assembly if the purpose of the assembly could lead to a call to violate the Constitution, constitutional laws, other laws and international treaties that are binding on the Slovak Republic and take precedence over its laws. § 11 of the Act lays down the obligation of the local authority to post its decision to prohibit an assembly on its official notice board; posting on the official notice board has the effect of service. If the municipality fails to meet this obligation, the organiser has the right to convene the assembly. However, even if the decision has been posted on the official notice board, the organiser has the right to file a legal



remedy challenging the decision in court. The amendment also widens the range of infractions of the right of assembly, which also include unlawfully and deliberately impeding other persons from exercising their assembly right.

### **Article 8**

*The Parties undertake to recognise that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations.*

In the census of population, houses and flats carried out in May 2001, a total of 84 % of inhabitants declared that they belong to a church or a religious society registered in the Slovak Republic. According to public trust surveys, churches and religious societies belong among the institutions with a stable and sustained high level of trust. A church or a religious society is a voluntary association of persons of the same religion in an organisation created on the basis of their religious affiliation and in compliance with the internal rules of members of the church or religious society.

In this connection, a relatively broad concept of legal provisions was adopted in the Slovak Republic defining the status and operation of registered churches and religious societies. These provisions comply with the international commitments of the Slovak Republic. The confessional law in force respects and guarantees the implementation of the constitutional pledge to respect the freedom of thought, conscience and religion or belief. The position of the state on registered churches is based on the recognition of their social and legal status as “*sui generis*” entities under the law, and the state applies a specific approach to and cooperates with them in accordance with the principles of partnership co-operation. The Slovak legislation guarantees equality before the law to all churches and religious societies.

The constitutional and legal framework for implementation of Article 8 is represented mainly by the **Constitution**, namely its Article 29 (it enshrines the freedom of association), Article 24 (it enshrines the freedom of thought, conscience and religion) and Article 34 (it specifically enshrines the right of persons belonging to national minorities to associate within minority associations). These freedoms are also enshrined in the **Charter of Fundamental Rights and Freedoms** (Constitutional Act No. 23/1991 Coll. introducing the Charter of Fundamental Rights and Freedoms) and in **Act No. 308/1991 Coll. on freedom of religion and the status of churches and religious societies as amended** based on the premise that these freedoms must be granted to all persons, i. e. without regard to belonging to a national minority.

The National Council adopted **Act No. 201/2007 Coll.** amending and supplementing Act No. 308/1991 Coll. on freedom of religion and the status of churches and religious societies as amended by Act No. 394/2000 Coll. According to the amendment that entered into effect on 1 May 2007, the Ministry of Culture functions as a registration authority, i. e. it is responsible for the registration of churches and religious societies. An application to register a religious society or a church may be filed if at least 20,000 adult Slovak citizens legally resident in Slovakia declare to belong to the religious society or the church, i. e. without regard to belonging to a national minority.

Fundamental issues of the relationship between the state and the churches are governed by Act No. 308/1991 Coll. as amended.

As of 1 May 2008, Slovakia had 18 registered churches and religious societies. The churches that were registered as of the most recent date are: the Church of Jesus Christ of Latter-day Saints in the Slovak Republic (18 October 2006) and the Bahá'í Community in the Slovak Republic (19 April 2007).

**Religious affiliation of inhabitants of the Slovak Republic:**

Name of the church or religious society	Census of population, houses and flats as of 3 March 1991	Census of population, houses and flats as of 26 May 2001
	Number of believers	Number of believers
Roman Catholic Church in the Slovak Republic	3,187,383	3,708,120
Evangelical Church of the Augsburg Confession in Slovakia	326,397	372,858
Greek Catholic Church in the Slovak Republic	178,733	219,831
Reformed Christian Church in Slovakia	82,545	109,735
Orthodox Church in Slovakia	34,376	50,363
religious society Jehovah's witnesses in the Slovak Republic	10,501	20,630
Evangelical Methodist Church, Slovak District	4,359	7,347
Seventh-day Adventist Church	1,721	3,429
Brotherly Union of Baptists in the Slovak Republic	2,465	3,562
Brethren Church in the Slovak Republic	1,861	3,217
Apostolic Church in Slovakia	1,116	3,905
New Apostolic Church in Slovakia	189	22
Central Union of Jewish Religious Communities	912	2,310
Old Catholic Church in Slovakia	882	1,733
Christian Corps in Slovakia	700	6,519
Czechoslovak Hussite Church in Slovakia	625	1,696
Church of Jesus Christ of Latter-day Saints in the Slovak Republic	*	*
Bahá'í Community in the Slovak Republic	*	*
Other	6,373	6,294
Total	3,840,949	4,521,549

\* not registered in 1991 and 2001

**Article 9**

1. *The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers. The Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against in their access to the media.*

2. *Paragraph 1 shall not prevent Parties from requiring the licensing, without discrimination and based on objective criteria, of sound radio and television broadcasting, or cinema enterprises.*

3. *The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In the legal framework of sound radio and television broadcasting, they shall*

*ensure, as far as possible, and taking into account the provisions of paragraph 1, that persons belonging to national minorities are granted the possibility of creating and using their own media.*

*4. In the framework of their legal systems, the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism.*

Article 26 of the Constitution guarantees the freedom of expression to all without regard to belonging to a national minority and Article 34 provides for the right of persons belonging to national minorities to receive and disseminate information in their mother tongue.

The laws governing this area:

- Act No. 167/2008 Coll. on periodic press and agency news and on amending and supplementing other relevant acts (**the Press Act**);
- Act No. 308/2000 Coll. **on broadcasting and retransmission** and on amending Telecommunications Act No. 195/2000 Coll. as amended;
- Act No. 16/2004 Coll. on the **Slovak Television** as amended;
- Act No. 619/2003 Coll. on the **Slovak Radio** as amended;

**Radio and television broadcasting** in the Slovak Republic includes the programmes presented **in mother tongues of national minorities** living in Slovakia.

Access to the **media** by persons belonging to national minorities is guaranteed by law and enforced in practice. It is a modern instrument and a guarantee of the preservation of cultural specificities, languages and customs of persons belonging to national minorities. The public service Slovak Radio and Slovak Television **broadcast radio and television** programmes in the languages of national minorities.

Moreover, television and radio signal of numerous television and radio stations (both public service and private) from the neighbouring states can be received on the territory of Slovakia.

The provisions of **Act No. 16/2004 Coll. on the Slovak Television** as amended and **Act No. 619/2003 Coll. on the Slovak Radio** as amended guarantee the broadcasting of substantively and regionally balanced programmes in the languages of persons belonging to national minorities and ethnic groups living in the territory of the Slovak Republic. To ensure the production and broadcasting of programmes for national minorities and ethnic groups, public service media may set up separate organisational units.

#### **Radio and television broadcasting of public service media**

**Radio and television broadcasting in the languages of national minorities** is offered to national minorities living in the Slovak Republic. The access to the **media** by persons belonging to national minorities is guaranteed by law and enforced in practice.

The Slovak Radio (SRo) and the Slovak Television (STV) broadcast substantively and regionally balanced programmes in the languages of national minorities and ethnic groups living in the territory of the Slovak Republic. To ensure the production and the broadcasting of programmes for national minorities and ethnic groups, the Slovak Television and the Slovak Radio set up separate organisational units.

### **National minority broadcasting of Slovak Radio – Radio Patria:**

- Hungarian broadcasting (12-hour VHF broadcasts in Hungarian language daily from 06.00 to 18.00 h, since February 2009);
- National/ethnic minority broadcasting (VHF broadcasting in Ruthenian, Ukrainian, Roma, Czech, Polish and German languages, since February 2009).

The SRo public service radio has a statutory duty to broadcast at least **3 national programme services** and at least **3 regional programme services**. National services continue to be provided by Radio Slovakia, Radio Regina (joint service), Radio Devín, Radio VHF, regional services by Radio Regina (Bratislava, Banská Bystrica, Košice) and Radio Patria – national/ethnic minority broadcasting and Hungarian broadcasting. **Hungarian broadcasting has acquired a new southern VHF band.**

The SRo has ensured the new VHF broadcasting of the Radio Patria programme service in **Hungarian** by means of the frequency spectrum it was using to disseminate programme services of Radio Devín (4 frequencies) and VHF Radio (3 frequencies). The entire territory (100 %) is covered by satellite transmission, retransmission (cable operators, Fibernet, Magio) and the Internet. The SRo ensures terrestrial coverage of the southern part of Slovakia using its own medium-wave transmitter on the Bratislava 1098 kHz frequency with power output of 700 W, covering the metropolitan area of Bratislava. The budget for the Slovak Radio was approved on 11 March 2009, and the SRo currently holds talks with the mayor of Šamorín concerning the location of a new medium-wave transmitter at Šamorín covering the territory to as far as to Dunajská Streda. The Slovak Radio is also ready to carry out the investment in a 5 KW transmitter in Košice. This transmitter will cover the territory to as far as Moldava.

The transmitters and new frequencies of the department of **Hungarian broadcasting** of Radio Patria are as follows:

Nové Zámky 94.6 MHz  
Štúrovo 106.2 MHz  
Modrý kameň 98.3 MHz  
Lučenec 98.0 MHz  
Rožňava 105.9 MHz  
Košice – city 96.2 MHz  
Trebišov 106.7 MHz

Medium wave broadcasting is transmitted in the following areas: Žitný ostrov, Bratislava (transmitter Nitra 1098kHz), Košice, Moldava nad Bodvou (transmitter Čížatice 702 kHz – from the end of May 2009).

Furthermore, the signal is transmitted via satellite (ASTRA 3A on the entire territory of Slovakia and most of Europe), retransmission (Fibernet Service, Magio, cable operators) and the Internet (worldwide on [www.rozhlas.sk](http://www.rozhlas.sk)).

Daily broadcasts of the **Hungarian Department** start at 6:00; this broadcasting model is much more dynamic than the previous one, because it enables the Hungarian Department to enter, for the first time, the peak listening time. The SRo assumes that this programme service will cover the greater part of listeners who are interested in the Hungarian broadcasting. The broadcasting in Hungarian closes daily at 18:00 h when the service returns to the original programme (Radio Devín, VHF Radio).

The changeover of Radio Patria to VHF broadcasting was made in consultation with experts and in communication with the representatives of the Hungarian national minority, who were presented its positive aspects – improved sound parameters of VHF broadcasting over MW broadcasting, increase in the number of daily broadcasting hours from 8 to 12, change in the character of broadcasting from block broadcasting to stream broadcasting.

It was, however, not possible to meet the demand to secure the Hungarian broadcast of Radio Patria simultaneously on VHF and MW – no programme service of the Slovak Radio terrestrially covers two broadcasting bands on the same territory.

The issue of national minority broadcasting of the Sro was discussed also at several sessions of the Government Council for National Minorities and Ethnic Groups (on 6 November 2007; 30 June 2008; 18 December 2008).

**National/ethnic minority broadcasting** is transmitted on the frequencies of Radio Regina. Listeners may listen to programmes in Ruthenian and Ukrainian as well as in Roma, Czech, Polish and German. The SRO opted for this solution in an effort at providing terrestrial transmission to persons belonging to national minorities and ethnic groups after it had withdrawn from the medium wave spectrum. The Slovak Radio did not receive any negative reactions from national minority or ethnic Slovak listeners to the changeover of ethnic minority broadcasting of Radio Patria to VHF II frequencies (since the dominant languages of national/ethnic minority broadcasting are Slavic languages, they are intelligible for ethnic Slovak listeners, and the concept of programmes is also appealing for majority listeners).

The Slovak Radio also initiated negotiations with the Hungarian Radio on extending their mutual co-operation agreement. The Hungarian Radio is ready to help out in case of a longer-lasting failure of MW transmission with the frequencies of its MR 6 regional frequency band that overlaps the territory of southern Slovakia. This agreement covers an exchange of programme units of approx. 3 hours a week.

**Comparison of the share of Radio Patria broadcasting time with the share of national minorities and ethnic groups in the population of the Slovak Republic** (according to the Statistical Office data as of 31 December 2007)

Shares of national and ethnic minorities (in the total population of Slovakia) for which the SRO provides broadcasting on Radio Patria:

Hungarians	513,650	(9.51%)
Roma	101,960	(1.89%)
Czechs	47,327	(0.88%)
Ruthenians	24,014	(0.44%)
Ukrainians	11,586	(0.21%)
Ruthenians and Ukrainians – total	35,600	(0.65%)
Germans	6,108	(0.11%)
Poles	3,201	(0.06%)
Total:	707,846	(12.99%)

Proportions of individual national and ethnic minorities for which the SRO provides broadcasting on Radio Patria as a percentage of the total number of persons belonging to national minorities:

Hungarians	72.5%
Roma	14.4%
Czechs	6.7%
Ruthenians	3.4%
Ukrainians	1.6%
Ruthenians and Ukrainians – total	5.0%
Germans	0.9%
Poles	0.5%

The programme structure of the Hungarian Department of Radio Patria in 2009 is given in Annex 1.

The programme structure of national/ethnic minority broadcasting of Radio Patria in 2009 is given in Annex 2.

#### **National minority broadcasting of Slovak Television:**

- Hungarian Magazine; News – Hírek; Terítéken (Hungarian minority broadcast);
- Roma Magazine (Roma minority broadcast);
- National minority magazine (for Croatian, Jewish, German, Czech, Ruthenian, Polish, Ukrainian, Bulgarian minorities);
- Since **13 January 2009**, STV 2 Channel broadcasts a regular “**national minority news bulletin**” produced in national minority languages by the Department for National Minority Broadcasting in Košice.

<b>The number of broadcasting hours for individual national minorities in 2008</b>							
National minority	January in hours	February in hours	March in hours	April in hours	May '09 in hours	total in hours	share in %
Hungarian ethnicity	13.35	13.10	12.35	11.67	9.00	59.47	50.9%
Roma ethnicity	5.62	5.18	4.32	4.82	3.88	23.82	20.4%
Ukrainian ethnicity	0.87	0.00	0.00	0.87	2.23	3.97	3.4%
Ruthenian ethnicity	0.00	1.28	0.00	0.00	0.85	2.13	1.8%
Czech ethnicity	0.87	1.30	0.00	0.87	0.00	3.04	2.6%
German ethnicity	0.00	1.30	0.87	0.00	0.83	3.00	2.6%
Polish ethnicity	0.85	0.00	0.00	0.85	0.00	1.70	1.5%
Jewish ethnicity	0.00	0.00	0.00	0.85	0.00	0.85	0.7%
Bulgarian ethnicity	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Croatian ethnicity	0.00	0.00	0.83	0.00	0.00	0.83	0.7%
Immigrant groups	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Ethnic groups	3.67	3.70	5.48	4.15	0.42	17.42	14.9%
Other	0.00	0.00	0.62	0.00	0.00	0.62	0.5%
<b>Total</b>	<b>25.23</b>	<b>25.86</b>	<b>24.47</b>	<b>24.08</b>	<b>17.21</b>	<b>116.85</b>	<b>100.0%</b>

#### **Volumes and shares of national minority programmes – comparison of 2006 and 2007**

The share of national minority broadcasting in total broadcasting time increased by 1.1 %, with the largest increase being recorded in the number of broadcasting hours for the Hungarian minority.

Broadcasts for individual national minorities	2006		2007		increase/decrease	
	in hours	in %	in hours	in %	in hours	in %
a) Hungarian	139.8	64.0	163.3	61.8	23.5	-2.3
b) Roma	32.8	15.1	48.6	18.4	15.7	3.3
c) Ukrainian	8.3	3.8	6.5	2.5	-1.8	- 1.4
d) Ruthenian	7.7	3.5	6.5	2.5	-1.2	- 1.1
e) Czech	6.5	3.0	7.7	3.0	1.2	- 0.1
f) German	5.2	2.4	6.5	2.47	1.3	0.1
g) Polish	2.6	1.2	3.9	1.5	1.3	0.3
h) Jewish	5.3	2.44	4.0	1.5	-1.4	- 1.0
i) Bulgarian	2.6	1.2	1.7	0.6	-0.9	- 0.6
j) Croatian	0	0	1.3	0.5	1.3	0.5
k) Other	4.3	2.0	6.4	2.4	2.05	0.4
l) mix	3.1	1.4	8.1	3.1	5.1	1.7
<b>Minority broadcasting TOTAL</b>	<b>218.3</b>	<b>100 %</b>	<b>264.4</b>	<b>100%</b>	<b>46.1</b>	<b>99</b>
Total broadcasting space	7 619		7465		-154	100

An absolute novelty on the TV screen is the “**National Minority News Bulletin**” broadcast since **13 January 2009**. This 7-minute news bulletin produced by the National Minority Broadcasting Department in Košice in co-operation with individual national minorities is transmitted each Tuesday on the STV channel. Presenters of the news represent individual national minorities and alternate every week. Moreover, each 7-minute new bulletin provides information in at least five languages – in this system, the presenter introduces the news in his/her own language and the news item continues e. g. in German, Roma, Russian or other languages depending on the content of information. Because the programme is broadcast once a week, information presented on the screen covers the events of the last 7 days. All minority news bulletins are translated into the Slovak language and have Slovak subtitles.

#### **Article 10**

*1. The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.*

*2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.*

*3. The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her*

*arrest, and of the nature and cause of any accusation against him or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter.*

The following information completes the information already given in the second implementation report:

Article 34 of the Constitution, title on the rights of citizens belonging to national minorities or ethnic groups, establishes *inter alia* the legislative framework pertaining to the right of the citizens of the Slovak Republic belonging to national minorities or ethnic groups to use their mother tongue in official communication.

**Act No. 184/1999 Coll. on the use of languages of national minorities** that entered into effect on 1 September 1999 remains in force. The Act lays down the rules for using minority languages in official communication in the municipalities where, according to the latest population census, the citizens of the Slovak Republic belonging to a national minority account for at least 20 % of the population.

The list of municipalities in which the **citizens of the Slovak Republic belonging to a national minority make up at least 20 % of the population (according to the census of population, houses and flats of 1991)** published in **Government Ordinance No. 221/1999 Coll.** also remains in force.

In connection with Act No. 184/1999 Coll. on the use of languages of national minorities, the provision according to which the Slovak citizens belonging to a national minority in the municipality where that minority makes up at least 20 % of the population may use their mother tongue in communication with state administration or self-governing authorities, including in written submissions, remains in force. Municipal councillors have the right to use their minority language during the deliberations of that body, and the deliberations of local or regional self-governing authorities may be conducted also in a minority language, subject to the consent of all those present. Where so requested, local or regional self-governing authority shall issue official forms also in a minority language.

According to the Act on the public defender of rights, regional or minority languages can be used in communication with the public defender of rights also outside of the territorial units that meet the 20 % threshold of population belonging to a national minority. The Act on the public defender of rights allows filing petitions to the public defender of rights in the petitioner's mother tongue.

To prevent the discrimination in access to the services of the public defender of rights on account of belonging to a national minority, the public defender of rights carries out a project on "Improving access to the public defender of rights for minorities." To simplify the filing of petitions by persons belonging to national minorities, the Office of the Public Defender of Rights prepared a form for filing petitions that meets all the particulars prescribed for petitions by law. The form has been translated into the languages of not only all national minorities in the Slovak Republic that fall under the ratified provisions of the European Charter for Regional or Minority Languages, i. e. Bulgarian, Czech, Croatian, Hungarian, German, Polish, Roma, Ruthenian and Ukrainian, but also into English, French, Spanish, Russian, Serbian and Arabic. In addition to the form, the Office of the Public Defender of Rights prepared an information material on the activities, scope of competence and powers of the public defender of rights, containing the most frequently asked questions and answers and contact addresses, including working days in



regional branches and information on how to make appointments. Also this document was translated into all the above languages. The Office distributes petition forms and information materials in the framework of its activities carried out in Slovakia and during visits abroad; the forms are published also on the website of the public defender of rights, [www.vop.gov.sk](http://www.vop.gov.sk); completed petition forms can be filed on-line.

In the 2004-2008 reference period, the public defender of rights received the following number of petitions written in regional or minority languages:

- 3 petitions in Bulgarian,
- 1 petition in Czech,
- 2 petitions in Croatian,
- 145 petitions in Hungarian,
- 23 petitions in German,
- 16 petitions in Polish,
- 1 petition in Roma,
- 1 petition in Ruthenian, and
- 1 petition in Ukrainian.

In case of petitions filed in other than the Slovak language, the Office of the Public Defender of Rights secures the translation of its answer into the language of the petition or other language, where so requested in the petition.

The right of citizens belonging to a national minority to be informed in their mother tongue of the reasons for remand custody at the time of being taken into custody or charged with a crime, and the right of defence in their mother tongue and free assistance of an interpreter are described in detail in the commentary to Article 4 of the Framework Convention.

#### **Article 11**

*1. The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.*

*2. The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.*

*3. In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.*

The area of the use of names and surnames is governed by **Act No. 300/1993 Coll. on names and surnames** as amended. This act, which underwent three amendments since 2005, provides that, at birth, a citizen of the Slovak Republic acquires the joint surname of his/her parents or, if the parents have different surnames, the surname of one of them agreed upon at the time of concluding the marriage or, if the parents are not married to each other and have different surnames, the surname agreed upon by both parents. The surname agreed upon by the parents

cannot be other than one of the surnames of the parents at the time of making the agreement. § 5 of the Act stipulates that the surname used by the citizens of the Slovak Republic in their communication with the authorities is the surname acquired in accordance with the Act, with the previously applicable legislation, or by entering into a marriage, using the spelling and the order in which the surname was entered in the register of births or the register of marriages.

**The Act on names and surnames** provides for the right to use the names written in a national minority language; according to its § 7, no permission of the competent body is required to change a foreign language name to its Slovak equivalent or vice versa. With effect from 1 February 2009, the latest amendment to the Act (Act No. 564/2008 Coll.) allows the citizens of the Slovak Republic holding a dual citizenship to change their name if the purpose of that change is to bring their name in conformity with the legal system or tradition of the state of their other citizenship.

**According to Act No. 154/1994 Coll. on registry offices** as amended, the surname of the person of other than Slovak nationality is entered into the register without the grammatical suffix of gender indication,

- a) if the parents of a female child so request at the time of entering the child's surname in the register of births according to § 1, paragraph 1, or if adoptive parents so request according to the specific legislation
- b) if a woman so requests at the time when her marriage is being entered in the register of marriages according to § 14
- c) if a woman so requests in connection with entering the decision on the change of her surname according to the specific legislation.

It thus follows from the above that a citizen of the Slovak Republic of other than Slovak nationality has the right to use her surname in official communication in the form in which it was entered in the birth register or the marriage register by the registry office, without the Slovak grammatical suffix indicating the gender; no permission of the competent authority is required for such change of the surname.

Act of the National Council of the Slovak Republic No. 154/1994 Coll. on registry offices as amended was amended by Act No. 14/2006 Coll. and Act No. 335/2007 Coll.

According to § 19, paragraph 3 of Act No. 14/2006 Coll. amending and supplementing the Act on registry offices, the name of a person of other than Slovak nationality whose name was entered in the birth register in the form of its Slovak equivalent rather than in his/her mother tongue before 31 December 1993 shall, if the person so requests, be entered in his/her mother tongue using the Latin alphabet. Moreover, § 19, paragraph 4 of the aforesaid Act stipulates that such person may ask to be issued an excerpt from the register bearing his/her original name if the person was issued a registry excerpt of a later date with the Slovak equivalent of his/her name. The registry office is obliged to comply with such request.

According to **Act No. 184/1999 Coll. on the use of languages of national minorities**, the municipalities where the inhabitants belonging to a national minority make up at least 20 % of their population, have the right to display the street names and other topographical indications also in the minority language. Important information, especially warnings, cautions and health information are to be displayed in publicly accessible places, in addition to the state language, also in the language of the national minority.

No legislative changes were introduced during the reference period in connection with displaying traditional local names in the languages of national minorities.

**Article 12**

1. *The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.*
2. *In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.*
3. *The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.*

The **right to education in a national minority language** is enshrined in the **Constitution and in Act No. 245/2008 Coll. on education and instruction (the School Act)** and on amending and supplementing other relevant acts as amended by Act No. 462/2008 Coll. Education and instruction of children and pupils is provided by primary and secondary schools offering instruction in a minority language, teaching a minority language, or using the Slovak language as the language of instruction, based on a free decision of parents or legal guardians of children. Due account is taken of the child's mother tongue also in pre-school education and in the related extracurricular education and instruction of children in school facilities.

**The Manifesto of the Slovak Government of 2006 was taken up in the following policy documents and decrees:**

- Concept of education and instruction of national minorities (Government Resolution No. 1100/2007);
- Concept of education and instruction for Roma children and pupils including the development of secondary and higher education (Government Resolution No. 206/2008);
- Ministry of Education Decree No. 322/2008 Coll. of 6 August 2008 on special schools;
- Ministry of Education Decree No. 325/2008 Coll. of 6 August 2008 on school facilities for educational counselling and prevention;
- Ministry of Education Decree No. 137/2005 Coll. of 31 March 2005 on school inspection,
- Ministry of Education Decree No. 306/2008 on kindergartens,
- Ministry of Education Decree No. 320/2008 on primary schools,
- Ministry of Education Decree No. 314/2008 on secondary schools and on the list of subjects that require the verification of special abilities, skills or talents,
- Ministry of Education Decree No. 649/2008 on the purpose of the allowance for pupils from socially disadvantaged environment.

Acting as the advisory body to the Minister of Education for the performance of tasks set out for the Ministry of Education in the Government Manifesto for 2006 – 2010 in the area of education and instruction provided by schools and school facilities, their management and financing, and in the area of the execution of state administration in the regional school system, is the **Council on National Minority Education**.

Professional guidance over further education of teachers and pedagogical employees of schools providing instruction in national minority languages or teaching national minority languages (Hungarian, Ukrainian, Ruthenian, German) is provided by the **Methodological and Pedagogical Centre**.

Based on a mandate from the Ministry of Education, the Prešov branch of the Methodological and Pedagogical Centre has the nation-wide competence to provide professional guidance for issues concerning the Roma national minority. The **necessary conditions for providing instruction in the Roma mother tongue** were created by means of experimental verifications approved by the Ministry of Education and carried out up to 2009 with a view to verifying teaching plans, developing curricula and educational standards for teaching the subject of Roma language and literature and the subject of Roma life and culture in primary schools, eight-year gymnasia and secondary schools:

- Experimental verification of the effectiveness of the curriculum for Roma language and literature in primary and secondary schools, approved by the Ministry of Education on 14 April 2003 under No. 1999/2003-44.
- Experimental verification of the curriculum for the subject of Roma life and culture at the second level or primary and secondary schools, approved by the Ministry of Education on 15 April 2004 under No. CD-2004-5211/18824-3:097.

The national project on “Improving the qualification potential of the Roma community by introducing a new course on Roma studies in the system of secondary schools” was carried out under the professional guidance of the National Institute for Education and financed from the European Social Fund, Reg. No. SOP LZ 2004/NP1-002, approved on 28 January 2005 at a total of SKK 9,519,394 allocated for the period of 1 March 2005 to 31 December 2006, with an extension until 31 March 2007. The project aimed at:

- eliminating the limited access of the Roma to education and employment due to the language barrier, cultural handicaps, low mobility, and social and economic situation of families,
- introducing a new course on “Roma studies” in the system of secondary schools,
- raising educational attainment of the Roma in the Slovak Republic as a basic prerequisite for their participation in the labour market and integration into society in general.

To ensure the teaching of the Roma mother tongue in primary and secondary schools, the Ministry of Education approved “Temporary positive measures with the aim of training the necessary number of teachers for teaching in the Roma language” under No. CD-2004-7613/14980-1:097 of 28 June 2004.

The ceremonial event held on 29 June 2008 in Bratislava on the occasion of declaring the **standardisation of the Roma language in Slovakia** included the signing of the “Declaration of the Roma of the Slovak Republic on the Standardisation of the Roma Language in the Slovak Republic” by the representatives of the Roma national minority. The aim of the standardisation of the Roma language is to officially recognize the Roma language as being equal to the languages of other national minorities living in Slovakia.

The declaration on the standardisation of the Roma language laid the foundations for creating conditions for education and instruction in the Roma language – for introducing the teaching of

the Roma language (as a mother tongue or as an auxiliary language) in accordance with the wishes of legal guardians of pupils and with the needs, as an optional subject, an elective subject (e. g. as a second foreign language), or in the framework of extracurricular activities. The National Institution of Education provides professional guidance over the experimental verification of the effectiveness of curricula for the subjects of Roma language and Roma literature, and Roma life and culture, carried out since 2003 in selected primary and secondary schools. Necessary conditions have been created for the training of teachers for these subjects. At present, preparations for accrediting a new full-time course on “Roma Language and Culture” at Constantine the Philosopher University in Nitra, Social Science and Health Faculty, the Institute of Romology Studies, in close co-operation with the office of Government plenipotentiary for Roma communities, are entering a final stage.

Education of persons belonging to national minorities is currently provided on the basis of their demands in schools or classes using a national minority language as the language of instruction. The state language is taught in these schools as the compulsory subject of Slovak language and Slovak literature. This type of instruction is offered to the **Hungarian national minority**. For instance, in basic option 1 – the teaching plan for grades 1 to 4 of primary schools providing instruction in Hungarian – 19 out of 24 weekly classes in the 2nd grade are taught in Hungarian, and 5 classes are taught in Slovak. The average number of pupils in primary school classes providing instruction in Hungarian is 18 pupils (compared with 20.9 pupils in primary schools providing instruction in Slovak). The schools providing instruction in a national minority language or teaching a national minority language use the same curricula for teaching individual subjects as the schools providing instruction in Slovak, except for the subject of the national minority’s language and literature. The only difference in the curriculum for the subject of Slovak language and literature in schools providing instruction in Hungarian is that it does not include the world literature, which is taught as part of the subject of mother tongue and literature.

Act No. 131/2002 Coll. **on institutions of higher education** and on amending and supplementing relevant acts as amended (hereinafter the “**higher education act**”) lays down support for the study of and research on **minority languages. Education in the Hungarian language is offered by the following universities:**

- Faculty of Philosophy, Comenius University in Bratislava
- Faculty of Philology, Matej Bel University in Banská Bystrica
- Faculty of Education, Constantine the Philosopher University in Nitra – Faculty of Central European Studies (graduates of teacher training programmes can work as teachers in primary and secondary schools providing instruction in Hungarian and in other educational and training establishments and institutions, Hungarology graduates can work primarily in the media, publishing, cultural and adult education institutions in the dissemination of Hungarian culture).
- Selye János University in Komárno (3 faculties – Faculty of Economics, Faculty of Reformation Theology, Faculty of Education)

The Slovak Republic has an adequate network of **higher education institutions** that provide **education in minority languages or teach a minority language**; thus, in relation to the **Ukrainian and Ruthenian languages, they are Prešov University in Prešov and the Institute for Regional and Minority Studies – Department of Ruthenian Language and Culture, transformed into an independent Institute of Ruthenian Language and Culture from 1 March 2008.**

In relation to the **Roma language**, it is Constantine the Philosopher University in Nitra – the Institute for Roma Studies.

**German language** can be studied as the language of specialisation at Constantine the Philosopher University in Nitra, Comenius University in Bratislava, Prešov University in Prešov and Catholic University in Ružomberok.

**Polish language** can be studied as the language of specialisation especially at Comenius University in Bratislava.

**Bulgarian language** is taught at Comenius University in Bratislava and at Matej Bel University in Banská Bystrica.

**Croatian language** can be studied as the language of specialisation especially at Comenius University in Bratislava and Matej Bel University in Banská Bystrica.

Because of its exceptional linguistic similarity, the study of the **Czech language** is not offered at higher education institutions in Slovakia.

The legislative framework pertaining to the protection of citizens belonging to national minorities including, *inter alia*, access to education is provided by **Act No. 365/2004 Coll. on equal treatment in certain areas and protection against discrimination and on amending and supplementing other relevant acts as amended**. § 5 of the Act prohibits discrimination of persons in education for, *inter alia*, belonging to a national minority or ethnic group. **Act No. 245/2008 Coll. on education and instruction and on amending and supplementing other relevant acts**, which completes the legislative framework pertaining to the protection against discrimination in the field of education, stipulates in **§ 145, paragraph 3 that**:

“An applicant, a child, a pupil or a student who considers himself/herself wronged in his/her rights or lawfully protected interests by **failure to apply the principle of equal treatment** may pursue his/her claim by judicial process according to the specific legislation.”

The issue of the protection of human rights and the instruments for their legal protection are annually incorporated also into the **training plan of employees of the Office of the Public Defender of Rights**. Historical evolution, living conditions, specificities of culture and of the way of thinking and recognition of the Roma as a national minority, and legislative measures relating to the Roma were addressed in a special training provided to employees of the Office of the Public Defender of Rights.

A European Conference on Education and Training of Roma Children and Youth was held in Bratislava in April 2008 on the occasion of the International Day of the Roma under the auspices of Deputy Prime Minister Dušan Čaplovič; the Council of Europe’s Human Rights Commissioner Thomas Hammamberg personally attended the Conference whose participants from 49 countries included the representatives of international intergovernmental and non-governmental organisations. The aim of the Conference was to identify appropriate forms of ensuring access of Roma children and youth to quality education.

### **Article 13**

1. *Within the framework of their education systems, the Parties shall recognise that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.*

2. *The exercise of this right shall not entail any financial obligation for the Parties.*

**Article 34 of the Constitution** guarantees the right of the citizens belonging to national minorities to create and maintain their educational institutions. The teaching of the languages of national minorities is provided also in state-run institutions of higher education. These schools are part of Slovakia's system of education and instruction and are financed from the state budget. In parallel to state-run schools, it is possible to set up private or church-affiliated schools which, according to the legislation in force, are financed also from the state budget (**Act No. 597/2003 Coll. on the financing of primary schools, secondary schools and school facilities** as amended).

**In the Slovak Republic, this area was governed until 1 September 2008 by Act No. 29/1984 Coll. on the system of primary and secondary schools as amended. This Act was replaced by new Act No. 245/2008 Coll. on education and instruction (the School Act) effective from 1 September 2008.** The School Act lays down, as one of the basic principles of education and instruction, the principle of equality between education obtained in state-run schools and education obtained in private and church-affiliated schools, i. e. schools that can be established also by persons belonging to national minorities.

**Act No. 131/2002 Coll. on higher education institutions and on amending and supplementing other relevant acts** as amended sets out the conditions for, *inter alia*, the functioning of private higher education institutions that may be set up subject to the agreement by the Government on a proposal from the Ministry of Education; the schools of this type can be established only by private entities.

Private and church-affiliated schools can be established pursuant to § 19 of Act No. 596/2003 Coll. on state administration in education and in school self-government and on amending and supplementing other relevant acts as amended.

The network of schools and school facilities in the 2007/2008 school year consisted of:

- 295 private schools (with no school facilities) – established by natural or legal persons;
- 235 church-affiliated schools (with no school facilities) – established by state-recognised churches or religious societies.

The Act stipulates that schools, except for primary schools of art and language schools, provide religious education or religion lessons. Religious education or religion lessons may be provided also in kindergartens. The teaching of religion is ensured by registered churches and religious societies. In primary and secondary schools, religion is taught as a compulsory elective subject – an alternative to the ethics education – and is part of the state education programme.

In connection with the transformation of the school system, the Ministry of Education presently prepares the following legal acts:

- act on the status of pedagogical employees
- act on vocational education
- act on lifelong education.

#### **Article 14**

1. *The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.*

2. *In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.*

3. *Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language.*

The Slovak Republic's history and geographical location has a distinct bearing on the ethnic structure of its population. According to the 2001 census of population, houses and flats, 85.8% of inhabitants of Slovakia declared to be of Slovak nationality, while the remaining 14.2 % declared to belong to national minorities as follows: 9.7 % to the Hungarian, 1.7 % to the Roma, 0.8 % to the Czech, 0.4 % to the Ruthenian, 0.2 % to the Ukrainian, 0.1 % to the German and 1.3 % to other or unidentified national minority.

This fact has been reflected also in the area of the process of education and instruction in the Slovak Republic. In conformity with education policy pursued by the state from the post-war period until 1989, the process of education and instruction was carried out in schools and school facilities that also included schools using Hungarian as the language of education or instruction for the Hungarian minority, and those teaching Ukrainian as the mother tongue for the Ukrainian national minority. After 1989, the German, Ruthenian and Roma national minorities also exercised their right to mother tongue education.

**Schools using minority languages as the languages of education and instruction and schools teaching minority languages constitute an inseparable part of the system of education and instruction in the Slovak Republic. Education obtained in these schools is equivalent to education obtained in the schools providing instruction in the Slovak language.**

The process of education and instruction in schools providing instruction in or teaching the language of a national minority is carried out in accordance with approved pedagogical documentation, namely: teaching plans, curricula and educational standards for all subjects approved by the Ministry of Education.

The schools providing instruction in a minority language are part of the system of education and instruction of the Slovak Republic. As regards education and instruction of children and pupils belonging to national minorities, the sector of education applies and enforces the democratic right of parents to choose the language of instruction of the school.

Relevant statistical data are given in Annex 3.

**Until 2008, Act No. 29/1984 on the system of primary and secondary schools was in force in the Slovak Republic. This Act was amended by Act No. 245/2008 Coll. on education and instruction (the School Act) adopted on 22 May 2008.**



Act No. 245/2008 Coll. on education and instruction (the School Act) lays down the principles, objectives, scope, content, forms and organisation of education and instruction in schools and school facilities, education levels, admission to educational institutions, completion of education and instruction, duration of and compliance with compulsory school attendance, education programmes at the national level and programmes of education and instruction at the school level, the system of schools and school facilities, etc.

Education and instruction pursuant to this Act are based on the principles of education provided free of charge in kindergartens during the year preceding the compulsory school attendance; education provided free of charge in primary schools and secondary schools established by local state administration authorities in charge of education, by central state administration authorities or local or regional self-governing authorities (state-run schools); equality of schools and school facilities irrespective of their founders; equality of education acquired in state schools, schools run by state-recognised churches or religious societies (church-affiliated schools) or schools run by other natural or legal persons (private schools); free choice of education taking account of expectations and abilities of children and pupils and the possibilities of the system of education and instruction; prohibition of all forms of discrimination, in particular segregation.

Compulsory school attendance starts at the beginning of the school year that follows the day on which the child reaches the age of six years and attains maturity for school education, lasts ten years and is completed not later than at the end of the school year in which the pupil reaches the age of sixteen years. No one can be exempted from compulsory school attendance.

Compulsory schooling is provided by primary schools, secondary schools and schools for pupils with special educational needs. Legal guardians have the obligation to enrol the child for compulsory school attendance in a primary school between 15 January and 15 February preceding the beginning of the school year in which the child should start compulsory schooling.

**In relation to national minorities**, the following sections of the Act are relevant:

## **§ 2 Basic concepts**

subparagraph (p) children from socially disadvantaged environment or pupils from socially disadvantaged environment or pupils living in social, family, economic and cultural conditions that do not adequately stimulate the development of their mental, volitional and emotional faculties, do not encourage their socialisation and do not offer them adequate incentives for the development of their personality.

## **§ 11 Pedagogical documentation and other documents**

paragraph (2) Pedagogical documentation in schools and school facilities is kept in the state language.<sup>1)</sup> According to this Act, schools providing education and instruction in national minority languages keep bilingual pedagogical documentation, i. e. in the state language and in the national minority language.

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<sup>1)</sup> Act of the National Council of the Slovak Republic No. 270/1995 Coll. on the state language of the Slovak Republic as amended.

## **§ 12 Language of education and instruction**

(1) The language of education and instruction under this Act means the language used in instruction or the language used in education.

(2) Unless this Act provides otherwise, the language of instruction used in schools and the language of education used in school facilities is the state language<sup>9)</sup>.

(3) Children and pupils of citizens belonging to national minorities or ethnic groups are guaranteed, besides the right to learn the state language, also the right to receive education and instruction in their language under conditions established by this Act. Education and instruction provided in primary and secondary schools using other than the state language of instruction includes the Slovak language and literature as a compulsory subject taught to the extent necessary to learn that language.

(4) Deaf children and pupils are also guaranteed the right to education and instruction using the sign language for the deaf.<sup>2)</sup>

(5) According to paragraph 3, children and pupils belonging to national minorities are guaranteed education and instruction

- a) in schools and classes providing education and instruction in the language of the relevant national minority,
- b) in school and classes in which one of the subjects is the language of a national minority, while the remaining subjects are taught in the state language; in these schools and classes, certain subjects – especially art education, music education or physical education – can be taught in the language of a national minority,
- c) in school facilities providing education in the language of a national minority.

(6) Education and instruction can also be provided in a foreign language (hereinafter “bilingual education”).

(7) For the purposes of this Act, foreign language means the language of a state with which the Slovak Republic concluded an agreement, which provides for the setting up of schools or classes that use the language of that state as the second language of instruction; or the language of another state which is not the language of a national minority or ethnic group. The second language of instruction in schools or classes providing bilingual education is a foreign language. The schools or classes providing bilingual education can be set up even in the absence of an agreement with another state provided that foreign-language education and instruction is provided at least in three compulsory subjects.

(8) Education in bilingual schools or classes includes the Slovak language and literature as a compulsory subject.

(9) Unless this Act provides otherwise, the language used for teaching a subject is also used as the language of examination.

## **§ 107 Education and instruction of children and pupils from socially disadvantaged environment**

(1) Education and instruction of children and pupils from socially disadvantaged environment is carried out in schools under this Act using specific methods and forms.

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<sup>2)</sup> Act of the National Council of the Slovak Republic No. 149/1995 Coll. on the sign language for the deaf.

(2) To ensure education and instruction of children from socially disadvantaged environment and pupils from socially disadvantaged environment, schools create individualised conditions.

(3) Individualised conditions mean

- a) education according to individual study programmes,
- b) adjusting organisation of education and instruction,
- c) adjusting the environment for the provision of education and instruction,
- d) use of specific methods and forms of education and instruction.

(4) In accordance with § 27, paragraph 2, subparagraph (b), § 95, paragraph 1, subparagraph (b), and § 104, paragraph 1, subparagraph (b), the Ministry of Education may grant allowances to school founders designed to improve the conditions for education and instruction of pupils from socially disadvantaged environment (hereinafter “allowance for pupils from socially disadvantaged environment”). Allowance for pupils from socially disadvantaged environment is provided on the basis of the number of pupils who are receiving subsidies for food, subsidies for school aids, or motivational subsidies under specific legislation.<sup>3)</sup> The allowance for pupils from socially disadvantaged environment is granted in respect of pupils coming from the families whose average monthly income during the last six consecutive months did not exceed the subsistence minimum under specific legislation.<sup>4)</sup>

(5) The amount of allowance for pupils from socially disadvantaged environment is determined by the Ministry of Education.

(6) The Ministry of Education shall issue a generally binding legal regulation specifying the eligible uses of allowances for pupils from socially disadvantaged environment.

According to § 30, paragraph 5 of School Act No. 245/2008 Coll., primary schools may organise instruction for natural persons who did not complete the lower-level secondary education with a view to enabling them to obtain education at this level, completed with a test before an examination committee on all the subjects except for non-academic subjects. According to § 19 of Ministry of Education Decree No. 320/2008 Coll. on primary schools effective from 1 September 2008, such course can be organised on a full-time or a part-time basis. The duration of the course, determined by the school director on the basis of the applicant’s education level, may not exceed one school year.

## **§ 5 Education and instruction programmes**

(1) Education and instruction is provided by schools and school facilities in accordance with education and instruction programmes.

(2) Education and instruction programmes referred to in paragraph 1 are

- a) education and instruction programmes for schools (hereinafter “education programmes”),
- b) education and instruction programmes for school facilities (hereinafter “non-academic education programmes”).

(3) Education programmes provide education and instruction leading to the attainment of the level of education referred to in §§ 16 and 17.

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<sup>3)</sup> §§ 5 to 7 of the Decree of the Ministry of Labour, Social Affairs and Family of 5 December 2007 No. 29775/2007 – II/1 on the provision of subsidies under the competence of the Ministry of Labour, Social Affairs and Family of the Slovak Republic (Communication No. 597/2007 Coll.).

<sup>4)</sup> Act No. 601/2003 Coll. as amended.

- (4) Education programmes include
- a) national education programmes,
  - b) school education programmes.

(5) Non-academic education programmes provide education and instruction that does not lead to the attainment of the level of education referred to in §§ 16 and 17.

## **§ 6 National education programmes**

(1) National education programmes define the mandatory content of school education and instruction under this Act leading to the acquisition of skills. National education programmes are issued and published by the Ministry of Education.

(2) National education programmes for vocational education are issued by the Ministry of Education in consultation with employers, school founders and their national professional and special-interest associations, and with other relevant ministries; health study programmes training pupils for health worker occupations<sup>5)</sup> are issued by the Ministry of Health.

(3) National education programmes for those fields of school education that fall under the competence of other central state administration authorities are issued by central state administration authorities concerned; as regards general education subjects, they do so in agreement with the Ministry of Education.

- (4) National education programmes comprise
- a) the title of the education programme, which is identical with the title of the field of study; in secondary vocational schools, it is identical with the title of a group of fields of study,
  - b) specific objectives of education and instruction in accordance with § 4,
  - c) the level of education achieved upon completing the education programme or its integral part,
  - d) profiles of graduates,
  - e) fields of study,
  - f) characteristics of the fields of study, their duration, forms of education and instruction, and admission requirements for applicants,
  - g) educational standards,
  - h) forms of practical training,
  - i) framework teaching plans,
  - j) language of instruction according to § 12,
  - k) organisational conditions for individual forms of education and instruction according to § 54,
  - l) the manner of and the requirements for completing education and instruction and issuing certificates of education,
  - m) mandatory personnel requirements,
  - n) mandatory material, technical and spatial requirements,
  - o) safety and health requirements in education and instruction,
  - p) specificities of and requirements concerning education and instruction of children and pupils with special educational needs, especially material and staffing requirements, including special compensatory, rehabilitation, didactic and audiovisual equipment as required by the type and degree of disability,
  - q) principles of and conditions for the formulation of school education programmes.

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<sup>5)</sup> Ordinance of the Government of the Slovak Republic No. 742/2004 Coll. on professional aptitudes of health practitioners as amended.

(5) National education programmes referred to in paragraph 4 for health-related fields of study also include health capability requirements in relation to the respective fields of study.

- (6) National education programmes are binding for individual fields of study as regards
- a) the formulation of school education programmes,
  - b) the preparation and assessment of textbooks, teaching texts and copybooks,
  - c) the evaluation of schools and educational outcomes of children and pupils.

The **national education programme** was approved by the Education Minister's board on 19 June 2008. The national education programme (hereinafter the "NEP") defines general objectives of schools and key skills needed to ensure a balanced development of pupil's personality, and outlines the content of education. The NEP serves as a basis for individual school education programmes; these take account of specific regional conditions and the needs of individual schools. The NEPs for primary schools of art and language schools were approved by the Education Minister's board on 1 July 2008.

For several years now, the Ministry of Education has intensively tackled the issue of **the placement of children of Roma origin in special primary schools for pupils with mental disabilities**. Special schools provide education to pupils with special educational needs, whose disability prevents them from obtaining education in other schools. This legislation entered into effect on 1 September 2000 and it no longer allows enrolling in special schools for pupils with mental disabilities those pupils who did not achieve satisfactory educational results in regular schools in spite of individualised care. In practice, this change is relevant mainly for pupils coming from socially disadvantaged environment, most of them of Roma origin.

The continued relatively high number of Roma pupils in special schools for pupils with mental disabilities was mainly the result of the use of standard tests for assessing school maturity and intelligence potential that did not take account of the child's environment. The newly developed specific tests (outputs from the Phare 2001 project – School Aptitude Test for Socially Disadvantaged Children and RR Screening – a battery of tests for ruling out mental retardation in 6 to 10-year old children from socially disadvantaged environment) that have been used in practice since 2004 are expected to eliminate this shortcoming.

Another reason for a higher number of children with mental disabilities in the Roma population is the closed character of their communities, as a result of which they show a higher incidence of predispositions causing an unfavourable health status of children, including mental disabilities.

**Special primary schools for pupils with mental disabilities, by regions<sup>6</sup>**, among them pupils of Roma nationality

Region	Number of schools	Number of pupils with mental disabilities – total	Pupils of Roma nationality
Bratislava	9	958	0
Trnava	26	1,594	30
Trenčín	13	999	0
Nitra	20	1,646	30
Žilina	15	1,356	0
Banská	27	2,802	65

<sup>6</sup> The data are from the Statistical Yearbook of the Institute for Information and Prognoses for the 2006/2007 school year.

Bystrica			
Prešov	26	5,339	598
Košice	28	5,056	315
<b>Slovak Republic</b>	<b>157</b>	<b>19,750</b>	<b>1,038</b>

The Phare 2002 project focused on a new diagnostication of children coming from socially disadvantaged environment. Pupils who have good prospects for passing from a special school to a regular primary school should be offered education that will ensure their smooth transition to regular primary schools. In line with the current policy of a wider integration of pupils with lighter forms of disabilities into regular schools supported by special-pedagogy services, adjustments are made to the methods and forms aimed at ensuring successful school attendance and performance of Roma children.

To ensure the continuity of the Phare 2002 project on setting up the so-called transitive classes in special primary schools, the Ministry of Education issued Guideline No. 11/2006-R of 25 May 5 amending and supplementing Ministry of Education Guideline No. 7496/1985 – 20 of 5 July on primary schools as amended, providing for the setting up of specialised classrooms as the outcome of the project in the context of primary schools. Moreover, on 19 June 2006, the Ministry of Education issued decision CD-2006-7872/17614-1:097 approving the experimental verification of the project on “Transitive classes in primary schools” in the period from 1 August 2006 until 31 August 2008. This experimental verification, which made use of the outputs of the Phare 2002 project, was carried out under the professional guidance of the Child Psychology and Pathopsychology Research Institute (hereinafter the “CPPRI”).

#### **Related activities of the Child Psychology and Pathopsychology Research Institute:**

The following research projects continue from the preceding period:

“Optimisation of educational approaches to teaching Roma pupils” – this project is linked to the Phare project (“project sustainability”) that created conditions for instruction in transitive classes (hereinafter the “TCs”) created within special primary schools (hereinafter “SPSs”). The project is aimed at the creation and experimental verification of the conditions of instruction, adaptation of its content, and adequate teaching materials in specialised classes (hereinafter “SCs”) set up within regular primary schools. A seminar was organised for teachers of participating primary schools (Zborov, Lučenec, two schools at Košice) and of special primary schools that are setting up new TCs (Jelšava, Jarovnice, Hanušovce, Prešov). Copybooks were purchased for first-graders and orders were placed for ABC books, readers and a Teacher's Methods Manual. We are currently preparing a revision of the content of instruction and compiling a list of teaching aids for SCs.

“**Specific features of the cognitive development of Roma children**” – a longitudinal project on monitoring the development of cognitive functions in Roma children aged 5 to 10. The first part of the field research was carried out in the preceding period (in the form of a project approved by VEGA Agency); the testing of the same children continues this year in primary schools in different parts of Slovakia. The first stage of research produced several studies that were presented at professional psychology events.

We have observed a delayed onset of developmental milestones of certain cognitive functions; however, to be confirmed, they must be followed up in children after they reach a higher age. This means that we will be able to draw the conclusions only after the completion of the research project, i. e. in 2009.

**”Improving educational attainment of Roma pupils from socially disadvantaged environment”** – the objective of this project is to prepare a set of worksheets for Roma pupils who terminate compulsory school attendance before they reach grades 7 to 9 of primary school; emphasis is laid on improving their communication skills, self-awareness as individuals, and active role in shaping their own future (responsibility, co-operation, expectations, possibilities, etc.), providing them with information and raising their awareness of partner, family, and community life, and teaching them practical steps for communication with the authorities, looking for a job, finding information, etc. A Teacher’s Methods Manual for worksheets is under preparation. These teaching texts are suitable for use in ethics education classes, because they were developed on the basis of the curriculum for this subject in higher grades of primary schools – i. e. those that Roma pupils from the target group do not reach, yet that are very important for increasing the quality of their lives and improving their inclusion in society. It may be also used in the courses enabling the completion of basic education after the termination of compulsory school attendance.

Moreover, one section of the European Social Fund project **“Helping career counselling for pupils and students with special educational needs as a way to prevent their labour market marginalisation”** is devoted to the development of the programme of career education and counselling for children from disadvantaged social environment, i. e. for Roma pupils.

Because of the restrictions on the collection of ethnic statistics it is not possible to monitor the situation of Roma children in Slovak schools. Ethnic statistics are based on self-identification of the group of citizens – the Roma. The category of children from socially disadvantaged environment is used as a substitute for missing ethnic data, although there is no guarantee that it represents all Roma children since it also includes children of other ethnicities.

The general context of education and instruction of Roma children and pupils, their social situation, the need to improve their educational outcomes, integration in society and labour market participation, and to apply the Convention on the Rights of the Child, calls for a comprehensive solution of the problem from the perspective of children and pupils from socially disadvantaged environment in the school education and instruction system in Slovakia. Such approach to education and instruction of Roma children and pupils is applied in all member states that joined the Decade of Inclusion of the Roma Population in Society.

This objective is supported also by the results of the OECD PISA study. According to the 2003 OECD PISA study, educational attainment in Slovakia is below the OECD average and is strongly affected by the socio-economic background. Educational attainment is particularly poor in Roma children, most of which come from lower-income socio-economic population groups and represent an important and growing percentage of the child population.

In the preceding period, the Ministry of Education carried out a research on the situation of children and pupils from socially disadvantaged environment in the education and instruction process in Slovakia. The following conclusions can be made on the basis of research results, data of the Institute for School Information and Prognoses, and the impact of Decree No. 3749/2005-II/1 of the Ministry of Labour, Social Affairs and Family on the provision of subsidies under the competence of the Ministry of Labour, Social Affairs and Family (i. e. subsidies on food, school materials and subsidy on motivational allowance for children attending preschool facilities or schools and living in families that receive material need benefits and allowances or whose income does not exceed the level of subsistence minimum) of 14 December 2005:

- school attendance of pupils has improved
- educational attainment of pupils from socially disadvantaged environment has not improved.

The **Ministry of Education provides the funding for Selye János University in Komárno** in accordance with the Higher Education Act, using the same approved methodology as for the financing of all other higher education institutions. The Ministry of Education provided necessary funds to Selye János University in Komárno for launching its activities and for capital expenditures during the first years of its operation.

Financial support provided from the state budget consists of 4 types of subsidies granted on a contractual basis; the amount of the support depends mainly on the number of students, financial and human resources needed for particular fields of study, and on other performance parameters such as domestic and/or foreign grants obtained, number of publications and research capabilities of university employees. The number of full-time students at Selye János University in the 2006/2007 academic year was higher by 240 students than in the 2005/2006 academic year. The subsidy on current expenditures in 2007 was accordingly increased to SKK 49,626 thous. i. e. an increase of 30 %.

At the beginning of the year, capital expenditures of SKK 16,000 thous. were allocated for the reconstruction of the building that houses the rector's office. Average subsidy per one student of Selye János University is SKK 32,167. In 2008, SJU obtained a grant from the Ministry of Education's agency for structural funds of approx. EUR 4,700,000/SKK 142 million for the building of infrastructure.

The graduates of teacher-training programmes of the **Faculty of Pedagogy of Constantine the Philosopher University in Nitra – Faculty of Central European Studies** may take up a teaching career in primary and secondary schools providing instruction in Hungarian, or in other educational and training facilities and institutions; the graduates of Hungarology studies may work in the media, publishing, cultural and adult education establishments in the dissemination of the Hungarian cultural heritage.

The **Institute of Romology Studies** was created at the Faculty of Social Sciences and Health Service of Constantine the Philosopher University in Nitra in 1990 from the former Roma Culture Department. The Institute creates the possibility to train qualified Roma intelligentsia and applicants for study from the majority society with the aim of optimising the sociocultural situation of the Roma in the Slovak Republic. The Institute plays an important role in the area of scientific research not only at the national but also at the international level. The Institute currently trains university students, future specialists for working with the Roma community through the accredited study programme on social work.

#### **Article 15**

*The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.*



No changes have taken place in the electoral legislation since the adoption of the Second Opinion of the Advisory Committee in 2005 as regards the right to vote or the right to stand for election.

All legal standards governing electoral rights fully respect the provision of Article 30 of the Constitution according to which the citizens have equal access to elected and other public offices; the right to vote is exercised through universal, equal and direct suffrage by secret ballot.

The right to run for a public office directly or by free choice in elections to local and regional self-governing authorities is granted both to the citizens of the Slovak Republic and to foreign nationals with permanent residency on the territory of Slovakia.

Elections to **self-governing regional authorities** – chairmen and councillors – were held in 2005. The Hungarian Coalition Party – Magyar Koalíció Pártja – obtained 53 seats in regional parliaments. Additional seats were obtained by its representatives running as candidates of coalitions of various political groups. Members of no other national minority gained seats in regional councils. No chairmen of self-governing regions were elected from among national minority candidates.

Elections to the **National Council of the Slovak Republic** (Parliament) and to **municipal self-governing** bodies were held in 2006.

In elections to the **National Council of the Slovak Republic**, the Hungarian Coalition Party – Magyar Koalíció Pártja – obtained 11.68 % of valid votes, i. e. 20 seats.

The representatives of the Hungarian Coalition Party hold the following parliamentary positions:

- Chairman, Committee on Incompatibility of Functions
- Chairman, Committee on Human Rights, Minorities and the Status of Women,
- Deputy Chairman, Committee on Agriculture, Environment and Protection of Nature,
- Deputy Chairman, Committee on Education, Youth, Science and Sports,
- Deputy Chairman, Special Control Committee for Overseeing the National Security Office,
- Deputy Chairman, Special Control Committee for Overseeing the Slovak Intelligence Service.

In the elections to **municipal self-governing bodies** – mayors and municipal councillors – the Hungarian Coalition Party won 1,952 seats of mayors and members of municipal councils. The Hungarian Coalition Party gained additional deputy seats as part of various coalitions. In all, 215 candidates of the Hungarian Coalition Party were elected as mayors of municipalities.

The Roma Initiative of Slovakia gained 36 seats in municipal councils and 6 seats of mayors of municipalities.

The role of the advisory body to the Government on Roma issues continues to be performed by the **Government plenipotentiary for Roma communities** who fulfils the tasks aimed at addressing the issues of Roma communities and carries out systemic measures designed to improve their situation and integration into society through the Office of the Government Plenipotentiary for Roma Communities.

The role of the advisory and coordination body of the Government for national minority policy continues to be performed by the **Government Council on National Minorities and Ethnic Groups**. Members of the Council represent, on a parity basis, **12 officially recognised national minorities** (Hungarian, Roma, Ruthenian, Ukrainian, German, Croatian, Czech, Moravian, Polish, Bulgarian, Russian and Jewish); each minority has one representative. The representatives of national minorities are nominated by their associations, unions and societies. The Council is chaired by the Deputy Prime Minister of the Slovak Republic for Knowledge Society, European Affairs, Human Rights and Minorities. The post of vice-chairman of the Council is held by the Minister of Culture. Invited to Council meetings are the representatives of central state administration authorities and independent experts (including one expert from Hungary and one expert from the Czech Republic).

Voting in the Council is reserved to the representatives of national minorities; the Council may not discuss any issue concerning a specific national minority or ethnic group without the presence of its representative. Invited representatives of state administration and experts on relevant issues have no voting right.

**On 3 October 2007**, the Government approved the **draft statute and nominations for appointment of Council members** addressing the situation that ensued after the June 2006 parliamentary elections at the level of state administration and in the internal organisation of national minority unions, clubs and associations in the Slovak Republic. The reasons for amending the statute included a more balanced representation of civic associations of national minorities in the Council and the possibility to invite experts on minority issues.

**According to its Statute, the Council** has mainly the competence for:

- a) preparing proposals of Government measures aimed at ensuring protection and exercise of the rights of persons belonging to national minorities and ethnic groups;
- b) preparing, discussing and presenting summary reports to the Government relating to the situation and conditions of persons belonging to national minorities and ethnic groups, preservation of their identity, especially the development of their authentic culture and education in mother tongue; in this respect, the Council proposes and recommends solutions to the Government;
- c) drawing up opinions on generally binding legal regulations that concern the citizens belonging to national minorities and ethnic groups before they are submitted to the Government for deliberation;
- d) proposing elaboration of scientific analyses, studies and expert assessments on national minorities and ethnic groups by institutions and experts,
- e) discussing and proposing re-allocation of financial resources earmarked for national minorities and ethnic groups in the state budget act.

Since the approval of its new status, the Council met 4 times (in November 2007, February 2008, June 2008 and December 2008) to discuss draft acts, policy and information documents, and issued several recommendations concerning persons belonging to national minorities. Members of the Council took part also in a follow-up seminar on the results of the second round of monitoring of the Framework Convention held on 7 December 2007 and in the preparation of the report on the implementation of the Framework Convention in the Slovak Republic.

### **Article 16**

*The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention.*

No legislative acts or measures were adopted during the reference period that would result in changing the proportions of the population in the areas inhabited by persons belonging to national minorities.

**Act No. 221/1996 Coll. on territorial and administrative organisation of the Slovak Republic** as amended, according to which self-governing territorial units in the Slovak Republic consist of municipalities and self-governing regions, remains in force. Administrative units of the Slovak Republic are represented by 8 regions and 79 districts that constitute territorial units for exercising the powers of state authorities.

The area of public administration in Slovakia is provided for in **Act No. 302/2001 Coll. on self-government of higher territorial units (Act on Self-Governing regions)** as amended. The Act provides for the creation of 8 self-governing regions. Territorial boundaries of self-governing regions coincide with the territorial boundaries of respective state administration regions (created under aforesaid Act No. 221/1996 Coll.). Act No. 302/2001 Coll. on self-government of higher territorial units (Act on Self-governing Regions) as amended was amended by Acts No. 16/2006 Coll., No. 330/2007 Coll., No. 334/2007 Coll. and No. 335/2007 Coll.; however, these amendments did not affect and/or change the proportions of the population living in the areas referred to in Article 16 of the Framework Convention.

### **Article 17**

*1. The Parties undertake not to interfere with the right of persons belonging to national minorities to establish and maintain free and peaceful contacts across frontiers with persons lawfully staying in other States, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a common cultural heritage.*

*2. The Parties undertake not to interfere with the right of persons belonging to national minorities to participate in the activities of non-governmental organisations, both at the national and international levels.*

The following information completes the information already given in the second implementation report:

No legislative changes were made during the reference period in this area that would interfere with and/or restrict the rights of the citizens belonging to national minorities relating as regards the possibility of their transfrontier contacts, especially with persons of the same ethnic, cultural, linguistic or religious identity living in other states.

Cross-border co-operation is recognised as an important form of the development of frontier regions. Its comprehensive development in the political, economic and cultural area creates a favourable basis for the deepening of neighbourly relations with the Czech Republic, the Republic of Poland, the Hungarian Republic, the Austrian Republic, and Ukraine.

The entry of the neighbouring countries (except for Ukraine) to the Schengen zone opened new possibilities for expanding mutual co-operation with the neighbouring states. It brought a positive development of tourism, common regime of principles for using hiking trails in protected border zones, protection of fauna e. g. in the International Biosphere Reserve in the Eastern Carpathians, co-operation of rescue services on the Slovak-Polish border, building of industrial parks, etc. On the Slovak-Hungarian border, attention is focused on the development of transport infrastructure, such as the reconstruction of bridges across the Ipel' River. In this area, Slovakia and Hungary declare their joint commitment to intensify mutual contacts with the aim of accelerating the construction of road infrastructure in co-operation with Hungarian partners. Attention is also attached to the construction of the expressway connecting Rajka border crossing with Győr – Hegyeshalom expressway, to preparing the construction of a bridge across the Danube in Komárno, and to the cross-border railway infrastructure with the aim of enabling direct mutual contacts to citizens.

Since the Slovak-Ukrainian border became the external Schengen border, special attention will be given to the implementation of the Agreement on Local Border Traffic between the Slovak Republic and Ukraine, to the situation in the granting of visas to Ukrainian citizens after the entry of Slovakia to the Schengen space, the state of border crossings on the Slovak-Ukrainian border, and other current problems of Slovak-Ukrainian border regions.

#### **Article 18**

*1. The Parties shall endeavour to conclude, where necessary, bilateral and multilateral agreements with other States, in particular neighbouring States, in order to ensure the protection of persons belonging to the national minorities concerned.*

*2. Where relevant, the Parties shall take measures to encourage transfrontier co-operation.*

In conformity with the Treaty on Good Neighbourliness and Friendly Co-operation between the Slovak Republic and the Republic of Hungary (hereinafter the “Treaty”) signed in Paris on 19 March 1995 and the subsequent Protocol between the Ministry of Foreign Affairs of the Slovak Republic and the Ministry of Foreign Affairs of the Republic of Hungary signed on 24 November 1998 in Bratislava (hereinafter the “Protocol”), 12 Slovak-Hungarian mixed commissions were created.

The overview of Slovak-Hungarian mixed commissions:

- the Slovak-Hungarian mixed commission on military and other security policy issues – the Ministry of Defence of the Slovak Republic
- the Slovak-Hungarian mixed commission for the issues of economic co-operation – the Ministry of Economy of the Slovak Republic
- the Slovak-Hungarian mixed commission for nature and environmental issues – the Ministry of Environment of the Slovak Republic
- the Slovak-Hungarian mixed commission for the issues of transport, telecommunications and their infrastructure – the Ministry of Transport, Post and Telecommunications of the Slovak Republic
- the Slovak-Hungarian mixed commission for the issues of agriculture, veterinary and phytosanitary protection – the Ministry of Agriculture of the Slovak Republic
- the Slovak-Hungarian mixed commission for the issues of culture and press – the Ministry of Culture of the Slovak Republic
- the Slovak-Hungarian mixed commission for the issues of education, science, sports and youth – the Ministry of Education of the Slovak Republic

- the Slovak-Hungarian mixed commission for the issues of health, health insurance and social welfare – the Ministry of Labour, Social Affairs and Family of the Slovak Republic
- the Slovak-Hungarian mixed commission for the issues of co-operation in the areas under the competence of the Ministry of the Interior – the Ministry of the Interior of the Slovak Republic
- the Slovak-Hungarian mixed commission for minority issues – the Ministry of Foreign Affairs of the Slovak Republic
- the Slovak-Hungarian mixed commission for European and Euroatlantic integration and other foreign policy issues – the Ministry of Foreign Affairs of the Slovak Republic
- the Slovak-Hungarian mixed commission for cross-border co-operation – the Ministry of the Interior of the Slovak Republic

### **Intergovernmental commissions for cross-border co-operation**

**The Agreement between the Government of the Slovak Republic and the Government of the Republic of Hungary on Crossing the State Border for Tourism Purposes Using Hiking Trails Crossing the State Border** was signed in Budapest on 10 May 2006.

**The Agreement between the Government of the Slovak Republic and the Government of the Republic of Hungary on the Prevention of Cross-border Crime and Co-operation in the Fight against Organised Crime**, signed in Bratislava on 2 October 2006 and the related **Agreement on Setting up Joint Service Points Designed for Maintaining Contacts** entered into effect on 6 June 2007.

In conformity with the Treaty on Good Neighbourliness and Friendly Co-operation between the Slovak Republic and the Republic of Hungary (hereinafter the “Treaty”) signed in Paris on 19 March 1995 and the subsequent Protocol between the Ministry of Foreign Affairs of the Slovak Republic and the Ministry of Foreign Affairs of the Republic of Hungary signed on 24 November 1998 in Bratislava (hereinafter the “Protocol”) and based on the **Agreement between the Government of the Slovak Republic and the Government of the Republic of Hungary on Cross-border Co-operation** between administrative units or authorities signed in Budapest on 23 April 2001 (hereinafter the “Agreement”), the **Intergovernmental Slovak-Hungarian Mixed Commission on Cross-border Co-operation** (hereinafter the “mixed commission”) was created. The Slovak section of the Intergovernmental Slovak-Hungarian Mixed Commission for Cross-border Co-operation is chaired by the State Secretary of the Ministry of the Interior.

To date, the mixed commission met eight times; the following meetings were held in 2007 – 2008:

- 6th meeting, Štúrovo - Esztergom (2 February 2007),
- 7th meeting, Košice (11 October 2007),
- 8th meeting, Győr (22 April 2008).

The **Slovak-Ukrainian (Ukrainian-Slovak) Intergovernmental Commission for Cross-border Co-operation** (hereinafter the “commission”) was created in conformity with the **Agreement between the Government of the Slovak Republic and the Cabinet of Ministers**

**of Ukraine on Cross-border Co-operation** signed on 5 December 2000 in Bratislava. The Slovak section of the commission is chaired by the State Secretary of the Ministry of the Interior.

To date, the commission met seven times:

- 1st meeting, Zemplínska Šírava (6-7 May 2004),
- 2nd meeting, Huta (1-2 December 2005),
- 3rd meeting, Humenné (11-12 May 2006),
- 4th meeting, Solochin (7-8 December 2006),
- 5th meeting, Michalovce (21-22 June 2007),
- 6th meeting, Antalovci (13-14 December 2007),
- 7th meeting, Prešov (5-6 June 2008).

The **Slovak-Czech Intergovernmental Commission for Cross-border Co-operation** (hereinafter the “commission”) was created on the basis of the **Agreement between the Government of the Slovak Republic and the Government of the Czech Republic on Cross-border Co-operation** signed in Bratislava on 2 November 2000. The Slovak section of the commission is chaired by the State Secretary of the Ministry of the Interior.

To date, the commission met eight times; the following meetings were held in 2004 – 2008:

- 5th meeting, Skalica (24 November 2005),
- 6th meeting, Modrá (14 December 2006),
- 7th meeting, Oščadnica (30 October 2007),
- 8th meeting, Bořetice (6 May 2008).

The **Slovak-Polish Intergovernmental Commission for Cross-border Co-operation** (hereinafter the “commission”) was created on the basis of the **Agreement between the Government of the Slovak Republic and the Government of the Republic of Poland on Cross-border Co-operation** signed in Warsaw on 18 August 1994. The Slovak section of the commission is chaired by the State Secretary of the Ministry of the Interior.

To date, the commission met thirteen times; the following meetings were held in 2004 – 2008:

- 10th meeting, Podbanské (5-6 September 2005),
- 11th meeting, Wisła (18-19 September 2006),
- 12th meeting, Bardejovské kúpele (2-3 July 2007),
- 13th meeting, Ustroň (16-18 June 2008).

At the level of ombudsman institutions, one of the forms of cross-border co-operation is **co-operation between ombudsmen of the Visegrad region launched in 2004 on the initiative of the public defender of rights in the Slovak Republic**. These are annual meetings of representatives of ombudsman institutions of V4 countries, the so-called V4 Ombudsman Summits (applying a rotation principle for organising the meetings), that have the objective of identifying the themes that dominate in the work of ombudsman institutions and deepening and improving mutual co-operation in tackling these themes, making an intensive use of the regional vicinity and of historic similarities between the countries of the Visegrad region.

The Slovak Republic is a member country of the programme of the **Decade of Inclusion of the Roma Population 2005 – 2015** (hereinafter the “Decade”). The Decade programme creates the

space for an international dialogue (exchange of experience and best practice) between its member states focusing on the reduction of disparities and the development of the standard of living of the Roma by implementing political reforms and programmes.

The national coordinator of the Decade in the Slovak Republic is the Deputy Prime Minister for Knowledge Society, European Affairs, Human Rights and Minorities, represented at the meetings of the International Steering Committee of the Decade by the Government plenipotentiary for Roma communities (the Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities).

The Decade brings together the governments, intergovernmental and non-governmental organisations and the Roma civil society with the aim to:

- launch the initiatives to strengthen inclusion of the Roma – the key priority of regional and European political programmes;
- exchange experience and learn from one another;
- meaningfully involve the Roma into the formulation of all the policies that have an immediate impact on them;
- use the international experience and expertise to make progress in the areas that concern the life of a part of the Roma community;
- use active communication to raise awareness of the public about addressing the situation of the Roma.

The priority areas of the Decade are: employment, education, health and housing. In deciding about its specific focus, every participating Government took into account also other key issues such as poverty, discrimination and gender mainstreaming with regard to a part of the Roma population.

The Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities proposes to focus the Slovak presidency on the following themes:

- identity of the Roma in the current social situation (personal and group identity),
- adult education and multicultural education of Roma and of the majority society,
- Slovak presidency – the fifth year of the Decade

**The Slovak Republic will assume the presidency of the programme of the Decade of Inclusion of the Roma Population 2005 – 2015 in the term of 1 July 2009 – 30 June 2010.**

At the 7th meeting of the International Steering Committee in Bucharest (17-18 November 2005), the participating states and international institutions decided to set up a multidonor trust fund to support the Decade (hereinafter the “Trust Fund”). The Trust Fund is administered by the World Bank, and its objective is to finance international activities of the Decade in harmony with the provisions of agreements on the administration of the Fund concluded between relevant governments and the World Bank. The Trust Fund is a flexible financial instrument for supporting joint activities of the International Steering Committee.

On 21 June 2006, the Government of the Slovak Republic adopted Resolution No. 547 approving the **Contribution to the Trust Fund for the Decade of Inclusion of the Roma Population in the amount of EUR 20,000**. This amount was released from the budget chapter of the Office of the Government as part of the expenditures earmarked for addressing the problems of the Roma community.