



## Economic and Social Council

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### Committee on Economic, Social and Cultural Rights

Pre-sessional working group

23–27 May 2011

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

### List of issues to be taken up in connection with the consideration of the second periodic report of Slovakia concerning articles 1 to 15 of the International Covenant on Economic, Social and Cultural Rights (E/C.12/SVK/2)

#### I. General Information

1. In view of the fact that the Covenant is directly applicable in the State party's legal order, please provide examples of cases where it has been invoked in national courts of law, either as a ground for a case or as interpretative guidance for legal norms. In case the provisions of the Covenant have not been invoked in courts, please provide information on any obstacles encountered. (E/C.12/1/Add.81, para. 4)
2. Please provide information on the efforts of the State party towards reaching the international agreed target of 0.7 per cent of GNI as official development assistance. Please also provide information as to what extent the State party seeks to promote the realization of economic, social and cultural rights through its international development cooperation policy. (E/C.12/SVK/2, paras. 28-29)
3. Please inform the Committee whether the State party is considering ratifying the Optional Protocol.

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

##### Article 2 paragraph 2 - Non-discrimination

4. Please provide information, including statistical data, on the progress achieved since the examination of the State party's initial report in 2002, in combating discrimination faced by the Roma population in the enjoyment of economic, social and cultural rights, particularly in the fields of education, housing, health and employment.

5. Please inform the Committee whether the Population and Housing Census conducted in May 2011 has gathered information on the situation of ethnic minorities, on the basis of self-identification, in the fields of housing, employment and education.
6. Please clarify the nature of the temporary special measures envisaged by the amended Anti-discrimination Act, how the decision as to whether there is 'demonstrable inequality' is made, and which persons and groups can benefit from such measures. Please also explain why, under the Act, quotas and other special measures cannot be introduced to achieve de facto equality of men and women. (E/C.12/SVK/2, paras. 10, 19 and 358)
7. Please indicate to what extent equal access to facilities is guaranteed in law and in practice for persons with disabilities.

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

8. Please provide information on the extent to which the implementation of the National Action Plan for Women, the Policy Document on Equal Opportunities for Women and Men and the Gender Equality Strategy has resulted in practice in a significant improvement of the enjoyment of economic, social and cultural rights by women. Please also provide relevant data thereon.

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

### **Article 6 - The right to work**

9. Please explain to what extent the 'Employment and Social Inclusion in the 2007-2013 Programme' as well as the 'National Reform Programme for 2008-2010' have enhanced the accessibility to the labour market for the unemployed and job-seekers and addressed the structural problems in the labour market such as long-term unemployment and the limited availability of employment services.
10. Please indicate whether there are restrictions to the access to the labour market for non-nationals and what work-related services are available to them. (E/C.12/SVK/2, para.58)
11. Please provide information on the estimated extent of the informal sector in the national economy and provide information on the measures taken to assist workers with their integration in the formal economy.
12. Please provide information on the extent to which the State party has been successful in enforcing relevant legislative provisions aiming at improving the employment of persons with disabilities.

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

13. Please inform the Committee as to whether the minimum wage affords a decent living for workers and their families.
14. Please provide information as to what extent the relevant amendment to the Labour Code as well as other measures taken have led to an effective implementation of the principle of equal wage for work of equal value and reduced the earning gap between men

and women. Please also indicate whether the procedure on the correction of deficiencies has been applied to rectify unequal remuneration. (E/C.12/SVK/2, para. 101)

15. Please mention if any measures have been taken to inform both employers and employees about the provisions of the Antidiscrimination Act concerning sexual harassment and furnish an assessment of the positive impact of this legislative change on reducing the incidence of sexual harassment in the workplace.

### **Article 9 - The right to social security**

16. Please indicate whether the period of provision of assistance to the job-seekers of six consecutive calendar months also applies to those who have the most challenges in accessing employment, such as persons with disabilities, the long-term unemployed, older persons and former convicts. Please also inform the Committee about the benefits which the unemployed are entitled to after the expiration of the four or six-month period, as well as whether there is a need for extending the duration of unemployment benefits in view of the fact that 70.9 per cent of the unemployed persons have been so for more than a year. (E/C.12/SVK/2, paras.49, 58 and 165)

17. Please provide information on the social assistance schemes available for the following groups, as well as the conditions that apply:

- (a) Persons who are not economically active;
- (b) Self-employed persons who are not eligible to the mandatory sickness and pension insurance;
- (c) Persons working in the informal economy;
- (d) Non-nationals, including asylum-seekers and refugees. (E/C.12/SVK/2, paras. 139 and 141)

18. In view of paragraphs 231 and 232 of the State party's report, please inform the Committee about the eligibility criteria regulating the access to social assistance benefits, and indicate whether any of these benefits are based on non-contributory schemes.

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

19. Please indicate to what extent the mechanisms introduced by the legislation for the social and legal protection of children and social guardianship, which entered into force in September 2005 have been implemented. (E/C.12/SVK/2, para. 203)

20. Please indicate to what extent the new State Family Policy enables the full enjoyment of the Covenant rights under article 10.

### **Article 11 - The right to an adequate standard of living**

21. Please provide information on the availability and the adequacy of housing as well as about homelessness in the State party. Please also provide information on the concrete results of the implementation of the "Long-term Housing Development Concept for Marginalized Population Groups and the Model of its Financing."

22. Please provide information on the impact of the shift to bio-fuels production on food production and on the enjoyment of the right to food by all.

### **Article 12 - The right to physical and mental health**

23. Please indicate whether the National Sexual and Reproductive Health Protection Programme has been adopted and implemented. Please also inform the Committee whether the right to sexual and reproductive health of women remains guaranteed in the event of conscientious objections by health-care providers.

24. What measures has the State party adopted to ensure the necessary care to persons with mental health problems as well as to promote community care. Please also provide information on difficulties faced by the State party in this regard. (E/C.12/SVK/2, paras. 436-439)

25. In view of the high prevalence of tobacco consumption in the State party, please inform the Committee whether, in addition to its awareness-raising campaigns, a more comprehensive approach, which would include among others the provision of therapy and the enforcement of a ban on indoor smoking in public places, is envisioned by the State party. (E/C.12/SVK/2, para. 416)

### **Articles 13 and 14 - The right to education**

26. Please provide brief information on the impact of measures adopted by the State party to encourage a more balanced participation of female and male students to pursue education in traditionally male-dominated fields of study.

27. Please provide information on the impact of measures taken to ensure the availability and accessibility of mainstream educational institutions and programmes at various levels for pupils and students with disabilities.

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

28. Please provide information on steps taken by the State party to guarantee and encourage participation and access to cultural goods and services especially by vulnerable groups, such as minorities, in particular Roma, older people and persons with disabilities.

29. Please provide information on measures taken by the State party to promote education in the languages of minorities, including Hungarian language

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