

Sixth Periodic Report of the Slovak Republic on the Implementation of the Convention on the Rights of the Child

Introduction

1. The Slovak Republic became a Contracting Party to the United Nations Convention on the Rights of the Child (hereinafter referred to as the “Convention”) as a result of the succession on 28 May 1993 with effect from 1 January 1993. The initial report of the Slovak Republic to the Convention was discussed by the United Nations Committee on the Rights of the Child (hereinafter referred to as the “Committee”) at the 25th meeting of the Committee in Geneva on 3 October 2000.

The Second Periodic Report of the Slovak Republic for the Period 2001-2005 was discussed by the Committee at its 1231st and 1232nd meetings on 22 May 2007 and at its 1255th meeting on 8 June 2007 the Committee adopted the Committee's Final Recommendations.

The Third, Fourth and Fifth Periodic Consolidated Reports of the Slovak Republic for the period 2007–2012¹ was assessed by the Committee at its 2116th and 2117th meetings² held from 24 to 25 May 2016, and the Committee adopted the Committee's Final Recommendations (hereinafter referred to as the “Final Recommendations”) at its 2132nd meeting³ held on 3 June 2016.

2. The Slovak Republic submits the Sixth Periodic Report on the measures taken to safeguard the rights recognized by the Convention and on the progress made in exercising these rights (hereinafter referred to as the "Report") under Article 44 of the Convention for the period 2013–2019. The Report was prepared by the National Coordination Centre for Addressing Violence against Children in cooperation with the relevant ministries, the Plenipotentiary of the Government of the Slovak Republic for Roma Communities and other entities operating in the field of children's rights. In accordance with the Guidelines on the form and content of regular special reports to the Convention, the Report shall contain information according to the groupings of rights identified by the Committee and shall provide specific information on the measures taken to implement the recommendations of previous Final Recommendations.

I. I. General measures for implementation

(Articles 4, 42 and 44 para. 6 of the Convention)

Coordination

3. The transmission of information related to the implementation of the Convention is staffed by the Committee on Children and Youth, in which the statute of the Committee guarantees the representation of the ministries interested (Ministry of Labour, Social Affairs and Family of the Slovak Republic, Ministry of Education, Science, Research and Sport of the Slovak Republic, Ministry of Culture of the Slovak Republic, Ministry of Health of the Slovak Republic, Ministry of Finance of the Slovak Republic, Ministry of the Interior of the Slovak Republic, Ministry of Justice of the Slovak Republic, Ministry of Foreign and European Affairs of the Slovak Republic) and territorial self-

¹ CRC/C/SVK/3-5

² CRC/C/SR.2116 and 2117

³ CRC/C/SR.2132

government at local and regional levels (Association of Slovak Towns and Municipalities, Union of Towns of Slovakia, Association of Self-Governing Regions SK8, Office of the Commissioner for Children).

4. The Council of the Government of the Slovak Republic for Human Rights, National Minorities and Gender Equality is a permanent professional, advisory, coordinating and counselling body of the Government of the Slovak Republic in the field of the protection of fundamental human rights and freedoms, political and civil rights, rights of persons belonging to national minorities and ethnic groups, economic, social and cultural rights, rights for environmental protection and cultural heritage, in the field of rights of the child and enforcing the best interests of the child, the rights of persons with disabilities, the rights of the elderly and the rights of gays, lesbians, bisexuals, transgender people and intersex people, in promoting the principles of equal treatment, equal opportunities and gender equality. (for more information see Annex 1, point 1.)

5. The Commissioner for Children is an independent body that participates in the protection of children's rights by supporting and enforcing the rights granted to the child by international treaties by which the Slovak Republic is bound. He or she is established by Act No. 176/2015 Coll. on the Commissioner for Children and the Commissioner for Persons with Disabilities and on Amendments to Certain Acts, as amended (hereinafter referred to as the “Commissioner Act”). The Act defines the substantive competence of the Commissioner so that all activities defined by law of the Commissioner are focused exclusively on promoting and monitoring the rights and interests of the child, granted to the child by international treaties by which the Slovak Republic is bound. The Commissioner for Children assesses, on an initiative or on his or her own initiative, the observance of the rights of the child, therefore everyone has the right to contact the Commissioner for Children in matters concerning violations of the rights of the child or threats to the rights of the child (for more information see Annex 1, point 1A. – 1B.)

Resource allocation

6. Within the Committee on Children and Youth, there was a working group for the identification of the mechanism for monitoring and allocation of resources spent from the public budget for the protection of children and families, which derived its mandate from the National Action Plan for Children for 2013–2017. The Committee noted the termination of the mandate of the working group to identify the mechanism for monitoring and allocating resources spent from the public budget on the protection of children and families. As information, we state that the Committee on Children and Youth at its meeting on 22 November 2018 took note of the activities and conclusions of the working group of the Committee responsible for drafting the National Action Plan for Children, which will follow on from the National Action Plan for Children for 2013–2017 summarized into the Entry Report. As the conclusions of the working group based on the data collection did not confirm the contracting authority's original vision of the need to prepare a separate document aimed at ensuring compliance with the obligations of the Convention, the working group recommended not to continue in preparing the National Action Plan for Children. At the same time, the working group proposed a procedure for developing those strategic challenges that were identified in the process of preparing the National

Action Plan for Children, in coordination with the preparation of the document “Vision and Strategy for Slovakia's Development until 2030” (for more information see Annex 1, point 1C.)

Data collection

7. The Slovak Republic, through the Ministry of Labour, Social Affairs and Family of the Slovak Republic (hereinafter referred to as “MLSAF SR”), in cooperation with the Statistical Office of the Slovak Republic within the preparation of the programme of state statistical surveys, specifies in detail needs and forms of implementation of individual statistical surveys, including factual specification of the requirement for statistical output, characteristics of output and identification of their feasibility. In this context, it also monitors and evaluates all contexts concerning various aspects of children's lives in Slovakia from a social point of view. This is done by collecting statistical data in the form of statistical report forms (own web applications with their own database), administrative data sources in the form of monthly statistics and various information systems that correspond to the competencies of the Ministry of Labour, Social Affairs and Family of the Slovak Republic. Based on Act No. 540/2001 Coll. on state statistics, as amended, departmental reports collect data on the implementation of measures of the social and legal protection of children and social guardianship and data on the provision of care and education to children in the Centre for Children and Families (hereinafter referred to as the “CCF”) for the purpose of implementing measures, for implementing a special programme and a resocialization programme (for more information see Annex 1, points 2 to 7.)

8. An analytical unit of the Institute of Cultural Policy was established at the Ministry of Culture of the Slovak Republic for monitoring and evaluation of policies. Its aim is, inter alia, to collect and use available data on public policies in the field of culture and to formulate recommendations for their creation and implementation on their basis. The activity of the institute is also the creation of measurable indicators for assessing the impact of various policies. At present, within the statistical survey of culture, data on performance indicators intended for children's spectators (number of children's performances, exhibitions and events for children, etc.) and the number of children's visitors and spectators are also collected. Based on this, it is possible to monitor changes in the offer and participation of children's visitors. The 2017 National Statistical Survey of Culture (of December 2018) report, drawn up by the National Education Centre, states that the number of events for children and young people in museums, libraries and theatres increased in 2017, and in galleries, astronomical facilities and music events decreased, at the same time since 2015 the range of radio and television broadcasting for children and youth has been growing (for more information see Annex 1, points 8 to 10.)

9. Research is carried out on human and child's rights in the school and family environments is carried out in the Centre for Scientific and Technical Information (hereinafter referred to as the “CSTI”) of the Slovak Republic, Department of Methodology and Creation of Education System Information, Section of Prevention and Research in the Field of Youth, as part of long-term monitoring of education and applying human rights, and it is related to the fulfilment of priority III (Education, training and research in the field of human rights) of the National Strategy for the Protection and Promotion of Human Rights in the Slovak Republic (hereinafter referred to as the “SR”). The target of the representative national research on educating on human and child's rights in the school and family environments in 2018 was to

continually map and analyse the legal awareness of pupils, sources of information on human rights (school and family representation) and the level of cooperation between the school and the pupil's family in educating on human rights, as well as the degree of parental participation in educating children on human and child's rights. At the same time, the task pointed out shortcomings in the observance of human rights in the school and family environment and the obtained results were compared with previous research surveys (2007, 2009, 2012, 2014 and 2016) in order to outline the development trends of the studied phenomena (for more information see Annex 1, point 11.)

10. Funding for the Office of the Commissioner for Children is provided under the General Treasury Report. The Ministry of Finance of the Slovak Republic operatively re-evaluates and adjusts the amount of the transfer for the Office. The approved amount of the transfer in 2019 was EUR 453,108. The draft budget of the General Treasury Report for 2020 to 2022 budgets a transfer to the Office of the Commissioner for Children for each year of EUR 589 655.

11. In terms of the general comment No. 2 and the subsequent recommendation No. 12 a) on the Third, Fourth and Fifth Consolidated Periodic Reports of the Slovak Republic on the Implementation of the Convention on the Rights of the Child, the Commissioner for Children sent a letter to the International Coordinating Committee of National Human Rights Institutions, in which the Acting Commissioner for Children asked to assess her independence in accordance with the Paris Principles. In terms of general comment No. 2 and the subsequent recommendation No. 12 b) to the Fifth Periodic Report of the Slovak Republic on the Implementation of the Convention on the Rights of the Child, we state that a system for monitoring the implementation of measures proposed by the Commissioner for Children has not yet been established. In this context, the Commissioner for Children pointed out that, despite the fact that in her reports⁴ for 2016, 2017, 2018, 2019 she submitted to the National Council of the Slovak Republic a total of 301 proposals for remedies for individual areas of the child's rights protection, only a small part of them the bearers of the agenda in question have adopted and implemented it in their policies.. The Commissioner for Children also notes that she was not invited to the work of the working groups mentioned in points 9, 12, 13 of the present report and also in points 12, 13, 15 and 20 of the Annex 1 during the period under review.

12. The Slovak Republic has long applied the participatory principle in the preparation of legislative and non-legislative materials within working groups in which representatives of non-governmental organizations also operate. The members of the working groups are representatives of state administration bodies and bodies of territorial self-government, the non-governmental sector and professional associations.

13. Through their members represented in the Committee on Children and Youth (a permanent professional body of the Council of the Government of the Slovak Republic for Human Rights, National Minorities and Gender Equality), non-governmental organizations are systematically involved in planning, implementation, monitoring and evaluation of policies, plans and programmes related to children's rights. The Committee on Children and Youth has been dealing with this topic for a long time - it has set up a working group to create a mechanism for the participation of children and young people

⁴ <https://komisarpredeti.sk/o-komisarovi/sprava-o-cinnosti-komisara-pre-deti/>

in the formulation of public policies and monitoring of the implementation of the Convention. The staffing of the working group has so far been only informal. At its meeting in June 2019, the Committee on Children and Youth recommended extending the mandate of the working group for the creation of a mechanism for the participation of children and youth in policy-making and monitoring the implementation of the Convention and adding members of the working group as proposed by the working group leader. In accordance with the above conclusion, the Chairman of the Committee, by his or her decision, extended the mandate of the working group without time limit and at the same time extended the working group by three members, namely from the Office of the Plenipotentiary of the Government of the Slovak Republic for Civil Society Development, the Slovak Youth Council and the Institute for Active Citizenship (for more information see Annex 1, points 12 to 21.)

B. General principles

(Articles 2–3, 6 and 12)

Non-discrimination

14. Based on the analysis of institutions for the protection and promotion of human rights, the Ministry of Justice of the Slovak Republic prepared a proposal for the reform of the Slovak National Centre for Human Rights in order to harmonize the law with the requirements of the Paris Principles. The National Council of the Slovak Republic has not yet supported the Ministry's proposal, but nevertheless progress has been made by increasing the Centre's funding as well as the staffing. The Centre's budget was increased by 40% and the Centre's staffing was strengthened by 7 new staff. The Centre's independence is guaranteed in the Act on the Establishment of the Slovak National Centre for Human Rights. The Centre operates as an NHRI (Slovak National Centre as a National Human Right Institution) and as an Equality Body which competence includes, inter alia, the provision of free legal aid to victims of discrimination and intolerance, the issuing of expert opinions on compliance with the principle of equal treatment under the Anti-Discrimination Act, conducting independent investigations on discrimination, drafting and publishing reports and recommendations on discrimination issues and representing the party in litigation in matters related to violation of the principle of equal treatment under the Anti-Discrimination Act.

15. The Slovak Republic has developed an Action Plan for the Prevention of All Forms of Discrimination for the years 2016–2019 for the National Strategy for the Protection and Promotion of Human Rights in the Slovak Republic (adopted by the Government of the Slovak Republic on 18 February 2015). The Action Plan consists of several operational objectives:

- ensuring effective protection against discrimination, contributing to gender equality and non-discrimination, implementing ESF-funded priorities should contribute to combating discrimination based on gender, race or ethnic origin, religion or belief, disability, age or sexual orientation,
- improve the application of and compliance with the anti-discrimination law in practice,
- increase the knowledge base on causes and mechanisms,
- raising awareness of discrimination among decision-makers,
- raising public awareness of discrimination prevention and discrimination protection methods.

16. For the field of audiovisual media services, the legislative implementation of this Recommendation is ensured through the provision of Section 19 para. 1 letters a) and b) of Act No. 308/2000 Coll. on broadcasting and retransmission and on the amendment to Act No. 195/2000 Coll. on telecommunications as amended (hereinafter referred to as the “Broadcasting and Retransmission Act”) (for more information see Annex 1, points 22 to 28.)

17. In accordance with Act No. 596/2003 Coll. on the state administration in education system and school self-government, in the education sector the State School Inspection (hereinafter referred to as the “SSI”) has been established, which also deals with discrimination in its activities. It handles complaints and petitions. The SSI regularly publishes a Report on the state and level of education at schools and school facilities in the Slovak Republic for each school year.⁵ Every year, the Ministry of Education, Science, Research and Sport of the Slovak Republic directs schools and school facilities and informs them about the prohibition of discrimination in the departmental regulation through the Pedagogical-organizational instructions (hereinafter referred to as the “POI”) in sections 1.5.4.3 Anti-discrimination and 1.5.4.4. National minorities.

18. The Government of the Slovak Republic approved on 27 June 2018 by its Resolution No. 302/2018 National Programme for the Development of Education and Training (hereinafter referred to as “NPDEaT”) with its Implementation Plan. The NPDEaT also identifies three cross-cutting priorities aimed at solving significant and current social and economic problems. One of the cross-cutting priorities is the Integration and Inclusion of Marginalized Roma Communities (hereinafter referred to as the “MRC”) and students from socially disadvantaged environment (SDE).

19. The Section of National and Inclusive Education of the Ministry of Education, Science, Research and Sport of the Slovak Republic pursuant to Act No. 597/2003 Coll. on the financing of primary schools, secondary schools and school facilities, as amended, pursuant to the provisions of Section 4d, annually allocates earmarked funds for financing the development project Support for the Education of Pupils from Socially Disadvantaged Environment at Primary Schools. The priority area of support is activities contributing to the elimination of an undesirable phenomenon, such as the spatial, organizational, physical and symbolic exclusion or separation of Roma pupils due to their ethnicity (often in combination with social disadvantage) from other pupils.

20. In 2017, the Ministry of Education, Science, Research and Sport of the Slovak Republic supported 23 projects in the total amount of EUR 49,000 within the call Support for Education and Training of Pupils from Socially Disadvantaged Environment at Primary Schools; in 2018, 21 projects were supported in the total amount of EUR 45,243 and in 2019, 20 projects in the amount of EUR 47,250 were supported. It also funded the Health and Safety at Schools development project, which supports activities and programmes aimed, inter alia, at protecting pupils' mental health, improving the psychosocial climate at schools, eliminating harmful effects and preventing risky behaviours such as: violence, bullying and cyberbullying, aggression, hate speech, manifestations of extremism and radicalization of pupils, abuse, trafficking in human beings. In 2017, 156 projects were submitted to the Ministry of Education, Science, Research and Sport of the Slovak Republic, of which 20 were supported

⁵ <http://www.ssiba.sk/Default.aspx?text=g&id=2&lang=sk>

by funds in the amount of EUR 35,000; in 2018, 51 projects were submitted to the Ministry of Education, Science, Research and Sport of the Slovak Republic, of which 19 projects were supported by funds in the amount of EUR 34,948; and in 2019, 98 projects were submitted to the Ministry of Education, Science, Research and Sport of the Slovak Republic, of which 16 projects were supported by funds in the amount of EUR 34,991 (for more information see Annex 1, points 29 to 35.)

21. Within the same right to education, in 2016 the Ministry of the Interior of the Slovak Republic as the Intermediating Body for priority axis 5 and 6 for the OP HRD also announced a call aimed at expanding capacities of kindergartens, either in the form of reconstruction or construction of new buildings, which had several evaluation rounds in which potential applicants (municipalities, cities from less developed regions) could apply for a non-repayable financial contribution from EU resources (85% of the total value of the project). The main criterion/condition was to increase the capacity by at least 30% of the capacity of the kindergarten/dispatched workplace at the time of submitting the application for non-refundable financial contribution (i.e. from the capacity before its expansion). Under this first call, 55 applications for non-refundable financial contribution were contracted in a total value of EUR 18,721,137 (EU resources). The call continued in 2018, when 10 applications for non-refundable financial contribution have been contracted so far, in a total value of EUR 4,252,579 (EU resources). We can therefore state that the projects from both calls will improve the conditions for education and training of 3,639 children from the environment of marginalized Roma communities (hereinafter referred to as the “MRC”) (the data is monitored through MU P0716 - “Number of children from MRC attending the supported school infrastructure of kindergartens”) for 65 projects with a total contracted amount of EUR 22,973,716 (EU resources).

22. The Intermediating Body for the OP HRD also announced a call for the National Project “Support for pre-primary education of children from marginalized Roma communities”, which aims to provide systematic support for children's participation in the MRC environment in the pre-primary education (e.g. through teacher assistants, targeted community centre programmes and field social work, through programmes aimed at improving cooperation between pre-school facilities and parents of Roma children, educating pedagogical staff, supporting children's attendance by ensuring transport accessibility, e.g. by operating a school bus, providing didactic packages for pre-school facilities and other indirect financial costs associated with participation in the pre-school preparation of children from low-income families, etc.) Part of the NP is the monitoring of the measurable indicator “Number of children from the MRC who have completed at least one year at supported kindergartens”, where the number of 4,000 children has been contracted so far. And last but not least, indirectly the Ministry of the Interior of the Slovak Republic, as the Intermediating Body for the OP HR, contributes to improving the educational level of children from the MRC environment through a call focused on “providing mentoring and tutoring support for pupils from the MRC with emphasis on successful completion of primary school and smooth transition into secondary school” where, so far, 22 projects have been contracted for a total value of EUR 3,772,357 (EU resources) (for more information see Annex 1, points 36 to 42.)

23. In order to ensure and bring about a more effective investigation of crimes of extremism and racially motivated crimes, an amendment to the Criminal Code entered into force on 1 January 2017. The amendment to the Criminal Code did not fundamentally change the anti-extremist provisions, but

tightened them up. The wording of the crimes of extremism has been modified and the resolution of these crimes has been transferred to the competence of a specialized criminal court and a special prosecutor's office. In order to take sufficient measures to prevent and combat hate speech, the Presidium of the Police Force has taken measures which result in the establishment of a specialized unit integrated into the organizational structure of the National Criminal Agency of the Presidium of the Police Force. The activities of the National Anti-Terrorism Unit (hereinafter referred to as the "NATU") are focused not only on the detection and investigation of terrorist-related crimes, but also on the detection and investigation of extremist crimes. Despite its nature as a repressive body, the NATU places great emphasis on cooperation, for example on the platform of the Committee for the Prevention and Elimination of Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance ("CRAX"). (for more information see Annex 1, point 44.)

24. In the Ministry of Justice of the Slovak Republic, the Intent of the National Project for the Operational Programme Effective Public Administration for the 2014–2020 Programming Period is implemented in 2014–2020, within which the main goal of the National Project is to educate employees of the Ministry of Justice and gaining professional knowledge should be effectively provided by high-quality education of the staff of the Ministry of Justice as well as the administrative staff of the courts. The aim of the National Project is to provide such educational activities that result in professionally prepared, trained staff in the justice sector able to support the implementation of the reform in all areas of justice, including strategic planning, implementation of management systems, measuring system performance and service quality and policy-making and strategy development. The specific goal of this National Project is to increase the efficiency of the judicial system. Part of the main goal of the project is the pilot implementation of specialized internships abroad for selected employees of the Ministry of Justice and court administration staff with the aim of applying examples of foreign good practice in national conditions of the Slovak Republic and strengthening professional knowledge and analytical skills of employees in the form of specialized education focused on the development of competences and human resources skill in specific areas. Cross-sectional training of employees and transfer of know-how - the aim of the activity is to enable employees of the Ministry of Justice involved in performance in individual areas (e.g. legislation, supervision, criminal law) to undergo short-term exchange stays in international organizations to gain new knowledge and practical experience in the areas of justice. This knowledge will be acquired by seconded staff at relevant workplaces abroad, directly by monitoring ongoing processes and engaging in professional dialogue with foreign partners. In addition to exchange stays, the activity will also include workshops with foreign experts, especially in the areas of constitutional law, criminal law, civil law, commercial law, family law, bankruptcy law and private international law (for more information see Annex 1, points 45 to 47.)

The best interests of the child

25. The strategy for the prevention of crime and other anti-social activities in the Slovak Republic for the years 2016–2020 is a nationally valid document approved by the Government of the Slovak Republic, which also takes into account the rights of the child. In accordance with this document, the provision of subsidies and the fulfilment of tasks arising for the ministries from this document, the rights of the child shall be observed. Raising public awareness is fulfilled by the regular publication of

information on the social media of the Crime Prevention Department of the Office of the Minister of the Interior of the Slovak Republic and on the website of the Ministry of the Interior of the Slovak Republic. The Ministry of Transport and Construction of the Slovak Republic (hereinafter referred to as the “MTC SR”) has also prepared materials with a direct impact on children, namely: The strategy for increasing road safety in the Slovak Republic in the years 2011–2020 and the National Strategy for the Development of Bicycle Transport and Bicycle Touring in the Slovak Republic.

26. The right to the primary consideration of the best interests of the child is implemented in the media legislation through the regulation of the protection of minors from inappropriate content and the so-called uniform labelling system.

27. Details on the uniform labelling system are regulated by Decree of the Ministry of Culture of the Slovak Republic No. 589/2007 Coll. laying down details of a uniform system for the labelling of audiovisual works, phonograms of works of art, multimedia works, programmes or other components of a programme service and the manner of its application, as amended.

28. The United Nations Committee recommends that States Parties prepare a non-exhaustive and non-hierarchical list of elements that could be used to assess the best interests of the child. As the absence of such elements has long been pointed out by the case law and the practice of the SLPCaSG bodies, the Family Act proposed to supplement the principles of family law with the principle of the best interests of the child. The principle contains a non-hierarchical list of elements that must be taken into account when assessing the best interests of the child (not all elements will be appropriate in each case, and the content of each element will vary from child to child and from case to case, depending on the type of decision and specific circumstances). As the obligation to consider and assess the best interests of the child applies not only to court decisions or for the care of the court of minors, it is regulated by the Act on SLPCaSG that for the purposes of taking into account and assessing the best interests of the child in the field of social and legal protection of children and social guardianship, elements of the child interest principle are used as regulated in the Family Act. The SLPCaSG bodies assess the life situation of the child and the family in each case, at the same time assess the possibilities of the child's parents, other relatives and other close persons to solve the situation of the child and the family and determine the degree of risk to the child. The SLPCaSG measures are always carried out with regard to the best interests of the child. The best interests of the child shall be a primary consideration in decisions in all matters concerning the child and shall be given due weight. The employees of the SLPCaSG bodies are regularly methodically guided in this issue (for more information see Annex 1, points 48 to 53.)

29. Pursuant to the Education Act, education and training are based on the principles of equality of access to education and training, taking into account the educational needs of the individual and his or her co-responsibility for their education, prohibition of all forms of discrimination and especially segregation, equivalence and inseparability of education and training in the educational process, preparation for a responsible life in a free society in the spirit of understanding and tolerance, gender equality, friendship between nations, national and ethnic groups and religious tolerance, strengthening the educational side of the educational process through all subjects, but also specific educational jobs

aimed at development of feelings and emotions, motivation and interests, socialization and communication, self-control and self-regulation, moral values and creativity, balanced development of all aspects of the child's and pupil's personality in the school education, prohibition of the use of all forms of corporal punishment and sanctions in education and training. (for more information see Annex 1, points 54 to 59.)

30. Through the Road Safety Department of the Ministry of Transport and Construction of the Slovak Republic as the national road safety coordinator in the Slovak Republic, educational and training activities on road safety for pupils and teachers are regularly organized in school facilities in cooperation with members of the Police Force of the Slovak Republic, the city police and volunteers. The events highlight the importance of traffic education at schools (including respecting children's rights and taking into account their best interests). Teachers and students are provided with promotional materials and reflective aids free of charge. Part of the event Where to go after leaving primary school - STUDY TRANSPORT, which is organized by the Ministry of Transport and Construction of the Slovak Republic in Bratislava, is an interactive lecture for visitors on the topic of human rights, children's rights and non-discrimination in transport. The lecture is provided by the Slovak National Centre for Human Rights and has been a regular part of the event programme since 2017 (for more information, see Appendix 1, point 60).

Respecting the opinions of the child

31. At its meeting, the Government of the Slovak Republic approved the NPDEaT, where, inter alia, special attention is paid to three cross-cutting topics. It is about the development of the system of further education within lifelong learning, the integration and inclusion of MRCs and pupils from the SDE, as well as the connection of the system of education and training with the needs of the economy and the labour market.⁶ Pursuant to Act No. 596/2003 Coll. on the state administration in education and school self-government, pupils are represented by the pupil school board and it represents their interests in relation to the headmaster and the school management. The pupil school board expresses its opinion on essential issues, proposals and measures of the school in the field of education and training, participates in creating and ensuring compliance with school rules, represents pupils in relation to the headmaster and school management and presents their opinions and proposals to them. Pursuant to this Act, the school council, the municipal school council and the territorial school council are initiative and advisory self-governing bodies that express and promote the public interests and the interests of pupils, parents, the Police Force and other employees in the field of education and training. They perform the function of public control, assess and comment on activities of schools, school facilities, local state administration bodies, bodies of municipalities and self-governing regions from the point of view of school issues.

32. The Slovak Republic has long applied the participatory principle in the preparation of legislative and non-legislative materials within working groups in which representatives of non-governmental organizations also operate. The members of the working groups are representatives of state administration bodies and bodies of territorial self-government, non-governmental sector and professional associations and it proceeds in accordance with valid Legislative Rules of the Government

⁶ <https://www.minedu.sk/data/att/13285.pdf>.

of the Slovak Republic - it submits materials (except informative ones) to public inter-ministerial comment proceedings via the portal www.Slov-lex.sk. In accordance with the above-mentioned principle of participation, a Working Group for the Recodification of the Legal Regulation of Audiovisual Media Services was established during the preparation of the draft legal regulation which will transpose the revised Directive on Audiovisual Media Services into Slovak legislation. The interests of children in this working group are represented by the Office of the Commissioner for Children (for more information see Annex 1, points 61 to 64.)

C. Civil rights and freedoms

(Articles 7, 8 and 13-17)

The right to identity

33. The pregnancy of minors is usually unwanted, and these girls often come from families with low socio-economic status. The SLPCaSG body provides a minor mother with professional counselling and specific help and support in resolving problem situations that arose in connection with her pregnancy or already motherhood. When planning social work with a minor mother and her family, measures are chosen primarily in the outpatient and field forms in centres for children and families (former children's homes), which are aimed at supporting and developing the parenting skills of the minor mother. Measures in the outpatient and field forms are carried out after the previous recommendation of the SLPCaSG body. The SLPCaSG centre and body will prepare a plan for the implementation of measures in the outpatient and field forms in cooperation with a minor mother and her family. If the situation of a minor mother and her child requires the implementation of measures in the residential form in the centre, it is possible to place the minor mother and her child on the basis of an agreement after prior written recommendation to SLPCaSG body or based on a court decision. The Centre carries out residential measures for a minor mother in a separate group, or in a separate group for minor mothers with children. The Centre and the SLPCaSG body shall prepare a plan for the implementation of measures in a residential form in cooperation with a minor mother and her family. For a minor mother and her child, it is desirable if placement in the facility is a temporary solution to the situation. This means that, where possible and expedient, such measures are sought and implemented for a minor mother and her child that lead to their return to the natural or substitute family environment. The implementation of measures is focused primarily on the development and support for parental skills of a minor mother, on the development of the relationship between the minor mother and her child, on education regarding the care of the child, on satisfying his or her needs, etc. If a situation arises when a minor mother is placed in a facility, she is placed in the facility with her child. Care is taken to ensure that the child is not separated from his or her minor mother, but, on the contrary, that measures are chosen that help to develop this relationship. The same approach applies if the minor mother is already in the facility, i.e. the pregnancy of a girl placed in a facility should not be a reason for placement in a reeducation centre or for the separation of the mother from the child. If the stay in the facility has been terminated and the mother cannot return to her natural family environment, in cooperation with parties interested (municipality, higher territorial unit, accredited entity, social services facility, etc.) alternatives of help are sought that allow the mother to remain with her child, e.g. in emergency housing facilities, in a shelter for families with children, in a social flat, etc.; if it is assessed that a mother needs accompaniment and repeated support, measures are carried out in the outpatient and field forms. The centre may create conditions for the provision of care for a pregnant woman, this woman after childbirth

and her baby up to 24 months of age. In order to take the necessary measures, the centre cooperates with the SLPCaSG body. The centre ensures housing, meals or provides meals to the pregnant woman, this woman after childbirth and her child, or creates conditions for the preparation of meals and provides service activities. Pursuant to Section 29 para. 1 of the Family Act, a court may “grant parental rights and obligations in relation to the personal care of a minor child also to a minor parent of a child over the age of 16, if he or she fulfils the preconditions that he or she will ensure the exercise of this right in the interest of the minor child (for more information see Annex 1, point 65.)

34. Act No. 6/2019 Coll., amending the Act of the National Council of the Slovak Republic No. 171/1993 Coll. on the police force, as amended, and amending certain acts, established the Office of the Inspection Service on 1 February 2019. The Office of the Inspection Service is a department within the competence of the Ministry of the Interior of the Slovak Republic. In its activities, the Office of the Inspection Service is governed by the Constitution of the Slovak Republic, constitutional laws, laws, other generally binding legal regulations and international treaties by which the Slovak Republic is bound. The Office of the Inspection Service is managed by the Director. The Director of the Office of the Inspection Service reports to the Government of the Slovak Republic for the performance of his or her function. The Office of the Inspection Service is a special part of the Police Force with competences for the entire territory of the Slovak Republic for the detection, investigation and abbreviated investigation of criminal offences of members of the armed security forces, i.e. members of the Police Force and members of the Prison and Judicial Guard Corps, and since 1 January 2020 also of criminal offences committed by customs officers, with the exception of criminal offences committed in connection with infringements of customs or tax regulations in the field of value added tax on imports and excise duties. The Office of the Inspection Service also performs, to the extent defined by the Minister, tasks in the field of internal control, financial control, personal data protection, handling of complaints, handling of petitions and the role of a responsible person pursuant to special regulations within the competence of the Ministry of the Interior of the Slovak Republic.

35. In the field of combating criminal activity of members of the armed security forces, i.e. members of the Police Force and members of the Prison and Judicial Guard Corps, and since 1 January 2020 also of criminal offences committed by customs officers, the Inspection Unit of the Office of the Inspection Service plays a decisive role as one of the organizational units. As part of the investigation and abbreviated investigation, a police officer assigned to the Office of the Inspection Service is in matters investigated procedurally independent and is bound only by the Constitution, constitutional laws, laws, other generally binding legal regulations, international treaties by which the Slovak Republic is bound, and to the extent set out in the Criminal Procedure Code, as well as instructions and orders of the prosecutor. The Office of the Inspection Service shall pay due regard to all submissions made to members of the armed security forces, in particular where they carry out an official intervention or act against all persons, regardless of gender, race, skin colour, language, religion and belief, political or other opinion, national or social origin, nationality or ethnic group, property, family or other status. Submissions are thoroughly checked out and investigated and a possible racial motive is obligatorily ascertained, with each submission being decided in a manner regulated by law (for more information, see Annex 1, point 65A. – 65B.)

36. An amendment was made to Act No. 576/2004 Coll. on health care, services related to the provision of health care and on the amendment to certain acts (Section 6b - abortion - effective from 1 September 2009).

The Decree No. 56/2014 Coll. was adopted, which lays down details on the instruction that precedes the informed consent before sterilization of a person and models of informed consent before sterilization of a person in the state language and in the languages of national minorities. The Committee of Ministers of the Council of Europe in Resolution CM/ResDH (2014) 43 considered all measures taken by the Slovak Republic to be sufficient. It follows from the above that, although all the judgements confirmed the violation of the rights under the Convention, the discriminatory approach to the provision of health care or the existence of a systemically organized discriminatory policy was not confirmed (for more information see Annex 1, points 66 to 68.)

37. The amendment to the Family Act of 2015, which entered into force on 1 January 2016, defined the criteria of the best interests of the child in accordance with point 50 of the General Comment No. 14 of the Convention on the Rights of the Child (hereinafter referred to as the “CRC”).

Specifically, Art. 5 letter

b) the safety of the child, as well as the safety and stability of the environment in which the child resides,

c) protection of the dignity as well as of the child's mental, physical and emotional development,

e) endangering the child's development by interfering with his or her dignity and endangering the child's development by interfering with the mental, physical and emotional integrity of a person who is a close person of the child.

Therefore from 1 January 2016, the provision of Section 30 para. 3 of the Family Act shall also be interpreted in the light of Art. 5 of the Family Act, which is to serve as a basic rule of interpretation: Parents have the right to use appropriate educational means in the upbringing of the child so that the health, dignity, mental, physical and emotional development of the child are not at risk. The term “appropriate educational means” must therefore be interpreted very restrictively from 1 January 2016. Current legislation no longer tolerates corporal punishment at home. Physical punishments are capable of causing a threat to the values protected by the new Art. 5, i.e. health, dignity, mental, physical and emotional development. The amendment therefore definitively excludes the concept of “violence” out of legal and appropriate educational measures, as it is interpreted by the Committee in the General Comment No. 13. The parent must not use any form of physical or mental violence, harm, abuse, neglect or negligent treatment, torture against the child. After 1 January 2016, the Slovak legislator left a certain small degree of intervention (intervention) against the integrity and dignity of the child. It decided to do so because the CRC Committee itself admits in point 14 of the General Comment No. 8 (2006): “Parenting and caring for children, especially infants and young children, requires frequent physical interventions to protect them. These are fundamentally different from the intentional punishing use of force to cause a certain degree of pain, discomfort or humiliation” (for more information, see Annex 1, point 69.)

Violence, abuse and neglect

38. Act No. 61/2018 Coll. amended Act No. 305/2005 Coll. on the social and legal protection of children and on social guardianship and on the amendment to certain acts and, inter alia, a new

obligation has been introduced for the Central Office of Labour, Social Affairs and Family to maintain and publish on the website a list of all CCFs (former children's homes, crisis centres, rehabilitation centres). At present, there is a list of all facilities of social and legal protection of children and social guardianship, including those established by self-government (in 2019 there were 3 CCFs in the founding competence of the self-government. The CCFs established by self-government must meet the same requirements as CCFs established by non-state entities or the state, the requirements are regulated directly by generally binding legal regulations - law and decree (e.g. personnel, spatial, professional requirements), which all entities are obliged to comply with.

39. The SLPCaSG body assesses the situation of each child and his or her family and determines the degree of risk to the child. The SLPCaSG body is obliged to accept and assess any initiative concerning the violation of the child's rights, while the initiative to assess the child's situation is not only the notification of risks for a child's life, health or favourable development or of using gross or degrading forms of child treating or punishment, but any information, submission, request, notification from various sources, including the appointment of the Office of Labour, Social Affairs and Family to the position of conflict carer in court proceedings, or a request from investigative, prosecuting and adjudicating bodies for cooperation if the child is suspected of having committed a criminal offence, and others. After receiving the initiative, an employee of the SLPCaSG department will check and assess the child's situation. If the SLPCaSG staff member is not allowed to check the child's condition and has information indicating that the child is at risk of life and health, he or she may apply to the court for permission to enter the dwelling. In carrying out the measures, the SLPCaSG body cooperates with interested parties such as a doctor, school, police, municipality, etc. If necessary, it will propose the implementation or ensure the implementation of a professional method - assessment of the situation of the child and family, assessment of possibilities of parents, other relatives and other close persons of the child to solve the situation of the child and family for determining the child's risk (Section 11, para. 3, letter b) of point 5 of Act No. 305/2005 Coll. on the social and legal protection of children and on social guardianship and on the amendment to certain acts). The SLPCaSG body may ensure, in the outpatient or field form, the implementation of measures in the centre to assess the situation of the child and family, assess the possibilities of parents, other relatives and other close persons of the child to solve the situation of the child and family for determining the child's risk if it was not possible to unambiguously determine the degree of the child's risk with measures taken within the own competence (Section 73, para. 6a of Act No. 305/2005 Coll., on the social and legal protection of children and on social guardianship and on the amendment to certain acts). If the complaint is information about the threat to life, health or favourable development of the child or information about the use of gross or degrading forms of treatment of the child and forms of punishment of the child, it is necessary, after receiving the complaint, to immediately perform the so-called preliminary assessment, if the current situation of the child allows so, no later than 5 days from the date of receipt of the complaint. A comprehensive assessment of the situation of the child and his or her family, even in situations where any information, request or notification is received by the SLPCaSG body, can contribute to the timely identification of victims of violence even in cases where such suspicion does not arise directly from the content of the complaint. Such legal procedures ensure the timely identification of child victims of violence and sexual abuse. The amendment to Act No. 305/2005 Coll. on the social and legal protection of children and on the social guardianship and on the amendment to certain acts, has regulated the conditions for the implementation of measures in the residential form in order to prevent the emergence, aggravation and

recurrence of certain crisis situations of children, i.e. a specialized programme for children who have been trafficked, battered and sexually abused, or to take measures to verify the extent to which children are at risk of battering, sexual abuse or other acts endangering their life, health or favourable mental, physical or social development. The SLPCaSG facilities with a specialized programme implement measures in the residential, outpatient and field form, while the residential form of implementation of measures does not have to be implemented only on the basis of a court decision, but also on the basis of an agreement with the child's parent or the person personally taking care of the child, and on the basis of the child's request (Section 59 of Act No. 305/2005 Coll. on the social and legal protection of children and social guardianship and on the amendment to certain acts). Taking into account the need for an individual approach for this target group of children and their subsequent integration into society, the intention is the gradual establishment of the SLPCaSG facilities with a specialized programme in each of the eight self-governing regions in the Slovak Republic. Amendment to Act No. 305/2005 Coll. on the social and legal protection of children and social guardianship and on the amendment to certain acts brought the possibility for centres for children and families with a specialized programme to implement measures in the outpatient or field form, which has expanded the possibilities of assistance in the early intervention of this target group of children. In 2019, the Central Office of Labour, Social Affairs and Family of the Slovak Republic (hereinafter referred to as the "CLSAF") contracted 3 accredited entities that closely specialize in children with CAN syndrome for the implementation of outpatient or field measures within the approved priorities. In the reports on the activities of the Commissioner for Children, the Commissioner for Children expresses the need to provide pedopsychiatric, psychological and social care for children with psychiatric diagnoses, mental disorders and mental illnesses placed in the centres for children and families (hereinafter referred to as the "CCF"), in social services facilities for children and in reeducation facilities or for children who are in the personal care of parents (or other natural persons), and subsequently, in view of their difficult diagnosis, must undergo institutional health care (in psychiatric wards of hospitals) or in the outpatient form (for more information see Annex 1, points 70 to 73.)

40. The basic strategic goal of the Slovak Republic is to achieve a qualitative change in the perception and solution of violence against children by consistently linking and integrating partial policies into an effective and functional mechanism for comprehensive and systematic solutions to violence against children. Based on the Resolution of the Government of the Slovak Republic No. 24/2014 of 15 January 2014, the National Coordination Centre for Addressing Violence against Children (hereinafter referred to as the "NCC") was established. The NCC is an organizational part of the Ministry of Labour, Social Affairs and Family of the Slovak Republic. The NCC, inter alia, coordinates the fulfilment of the strategic goals of the Slovak Republic in the field of the protection of children against violence and creates and maintains a communication mechanism of individual ministries, state institutions, cities, municipalities, non-governmental organizations and other entities operating in the field of child protection from violence, provides the role of the coordinator for the implementation of the Convention and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

41. The key strategic material is the National Strategy for the Protection of Children against Violence approved by a resolution of the Government of the Slovak Republic, for the fulfilment of which, in addition to the Ministry of Labour, Social Affairs and Family of the Slovak Republic, also

such ministries as the Ministry of Justice of the Slovak Republic, the Ministry of Health of the Slovak Republic, the Ministry of Culture of the Slovak Republic, the Ministry of the Interior of the Slovak Republic, the Ministry of Education, Science, Research and Sport of the Slovak Republic claimed responsibility as administrators and co-administrators, and the cooperating entities are the General Public Prosecutor's Office of the Slovak Republic, the Commissioner for Children, the Ombudsman, NGOs, and other entities. The National Strategy for the Protection of Children against Violence was updated twice - by the Government Resolution No. 474/2017 in October 2017 and by the Resolution of the Government of the Slovak Republic No. 638/2019 in December 2019, (material: update of the National Strategy for the Protection of Children against Violence), while the update allows to continue within the multidisciplinary cooperation and substantive competence of the relevant ministries (the Ministry of the Interior of the Slovak Republic, the Ministry of Health of the Slovak Republic, the Ministry of Justice of the Slovak Republic, the Ministry of Education, Science, Research and Sport of the Slovak Republic, the Ministry of Culture of the Slovak Republic as well as the Ministry of Labour, Social Affairs and Family of the Slovak Republic itself), the General Public Prosecutor's Office of the Slovak Republic and other entities in fulfilling strategic goals, as well as to reflect on new challenges in the field of the protection of children against violence. One of the key tasks of the National Strategy for the Protection of Children against Violence is to create a national coordination framework for tackling violence against children, ensuring systematic monitoring and evaluating of the systems of protection of children against violence, preventing institutional and systemic violation of children's rights, ensuring professionalism and quality of policy implementation, increasing awareness of the issue of violence against children (for more information see Annex 1, points 74 to 76.)

42. With effect from 1 January 2019, the legal conditions were specified in detail for providing professional assistance to a child who is a victim of the crime of trafficking in human beings, a child battered or sexually abused, and the conditions for implementing measures to verify the level of risk of child battering, sexual abuse or other acts endangering his or her life, health, favourable mental, physical or social development (e.g. Section 46, Section 46, etc.). The new conditions of assistance are part of a broader concept of fundamental changes in the conditions of assistance to children and families in the Slovak Republic. From various types of facilities, the Centres for Children and Families have emerged, in which the conditions for performance have been redefined according to the purpose of assistance they specialize in and the form of assistance⁷ they provide (residential, outpatient, field), including clarification of professional, personnel, spatial standards and changes in the financing system. Due to the fact that it is just professional assistance in crisis situations of a child who is a victim of the crime of

⁷ The purpose of the centre

- a) measures temporarily replacing the child's natural family or substitute family environment on the basis of a court decision on ordering institutional care, ordering an urgent measure or imposing an educational measure - residence measure of the court
- b) an outpatient educational measure to be decided by a court or body of the SLPCaSG in administrative proceedings
- c) measures to prevent the emergence, aggravation and recurrence of crisis situations of the child in the natural family or substitute family environment, □ disorders of the child's psychical, physical or social development due to problems in different environments (family, substitute family, wider social environment)
- d) a specialized programme for the prevention of emergence, aggravation and recurrence of crisis situations of a child who is a victim of the crime of trafficking in human beings, a child who is battered or sexually abused or for the implementation of measures to verify the child's risk of battering, sexual abuse or other activities threatening their life, health, favourable mental, physical or social development,
- e) a rehabilitation programme to promote the social inclusion of a child or adult natural person addicted to alcohol, drugs or pathological gambling.

trafficking in human beings, child battered or sexually abused (or verification of the child's risk of battering, sexual abuse or other acts endangering his or her life, health, favourable mental, physical or social development) has its specifics - the performance of assistance is regulated separately in the form of a specialized programme. Since the essence of such a specialization is the provision of professional assistance to a child in a crisis situation (crime) or verification of whether the child is at risk, for example, by sexual abuse (diagnosis is essential, in addition to focusing on professional help in existing situations, it is also important to confirm or refute the presumption of whether or not a child is at risk, for example, by sexual abuse), emphasis is placed on the timeliness of such measures. In addition to the possibility of placing a child in the centre on the basis of an agreement with the parent/person caring for the child personally (on the recommendation of the body of social and legal protection of children and social guardianship) and at the child's request (Section 46 para. 2), the child may also be admitted on the basis of a court decision ordering an urgent measure or imposing an educational measure. The centre, the purpose of which is a specialized programme, is obliged to implement measures according to the elaborated specialized programme of the centre, but it is not obliged (unlike the programmes of other centres) to publish the programme on its website. The entire SLPCaSG system is designed in such a way that it is possible, in cooperation with other responsible entities, to provide children, including children who are notifiers of cases of abuse in their family (regardless of whether the primary victim is a child or who is a potential perpetrator), to provide in time children with such help they need. Legal conditions allow for different intensities and forms of child assistance (depending on the degree of threat taking into account family circumstances and family options) - from outpatient assistance, through residential assistance in agreement with parents to court intervention in the form of urgent measures and residence assistance based on court decisions. With effect from 1 January 2019, the CLSAF methodically directs all centres for families with children that implement measures. Entities that implement the SLPCaSG measures on the basis of the granted accreditation (non-state entities) are bound by all regulations, methodological guidelines or internal standards issued by the CLSAF, which also standardizes procedures and processes in accredited entities (for more information see Annex 1, points 77 to 78.)

43. Pursuant to Section 7 para. 1 of Act No. 305/2005 on the social and legal protection of children and social guardianship and on the amendment to certain acts - everyone is obliged to notify the body of social and legal protection of children and social guardianship of the violation of the rights of the child. Pursuant to Section 3 of Act No. 301/2005 Coll. Criminal Procedure Code as amended - state authorities, higher territorial units, municipalities and other legal entities and natural persons are obliged to provide co-operation to investigative, prosecuting and adjudicating bodies and the court in the performance of their tasks related to criminal proceedings. State authorities, higher territorial units, municipalities and other legal entities are obliged to notify investigative, prosecuting and adjudicating bodies without delay of facts indicating that a criminal offence has been committed and to process requests from investigative, prosecuting and adjudicating bodies and courts in a timely manner.

44. Pursuant to Section 3 para. 5 of Act No. 274/2017 on victims - the prosecutor's office, police and courts, in case of justified need, especially in the interest of ensuring the law and protection of victims, cooperate with entities providing assistance to victims. The Crime Victims Act perceives a child as a particularly vulnerable victim. Criminal law protection of children against sexual abuse is provided by Act No. 300/2005 Coll. Criminal Code, which regulates substantive criminal law issues and into which several requirements of international documents are transposed on combating sexual abuse,

sexual exploitation, child pornography, child trafficking, as well as effective protection against this serious type of crime (for more information see Annex 1, points 79 to 81.)

45. The Police Force statistically records cases of domestic violence and sexual abuse, identified as one of the crimes under a special part of the Criminal Code, in the information system Record-keeping and statistical system of criminality, within which the subject of processed information are also statistical data on “Crimes committed in connection with domestic violence”. Through ESSK, data on crimes, their perpetrators and victims of crime are collected and stored. On the part of the Criminal Police Office of the Presidium of the Police Force, the most serious cases of domestic violence and sexual abuse are monitored through the notification duty of the Police Force departments conducting investigations and abbreviated investigations.

46. The Ministry of Labour, Social Affairs and Family of the Slovak Republic, in cooperation with the National Coordination Centre for Violence against Children, actively addresses this issue, when solving issues of violence against children, in cooperation with locally relevant Centres for Children and Families in the form of educational meetings, where there is room for professional discussion on the issue and various prevention programmes which are also applied directly in the Centres for Children and Families (for more information see Annex 1, points 82 to 84.)

47. According to the data of the Research Institute of Child Psychology and Pathopsychology (hereinafter referred to as “RICPP”), in April 2018 a representative survey of Tobacco, Alcohol, Drugs (TAD) was carried out, which was attended by pupils of the 5th - 9th years of primary schools and students of the 1st to 4th years of secondary school pupils who filled in the TAD1 and TAD2 questionnaires, where one module was built up to estimate the incidence of bullying/cyberbullying and aggression in the school environment. In addition to them, their teachers also completed a questionnaire (TAD3). The TAD3 questionnaire also used several of the same questions about bullying as for primary and secondary school students, which made it possible to compare how these groups of people perceive bullying/cyberbullying at school. The statistical analysis identified the relationship between alcohol use, online behaviour and bullying - a structural model. The Ministry of Education, Science, Research and Sport of the Slovak Republic supported the research team of the international study “Health Behaviour in School Aged Children” (HBSC) dealing with health-related behaviour of 11-, 13- and 15-year-old schoolchildren, addressing almost 10,000 schoolchildren. The findings are processed in the National Report. From the publication we present mainly the following chapters: Use of modern technologies, Violent Behaviour (victim of cyberbullying, aggressor of cyberbullying).⁸ (for more information see Annex 1, point 85.)

48. The Slovak Republic, through the National Coordination Centre for Addressing Violence against Children, which is an organizational part of the Ministry of Labour, Social Affairs and Family of the Slovak Republic, began working on the National Concept of Child Protection in the Digital Space in 2018. This document was approved by the Government of the Slovak Republic in February 2019. The National Concept for the Protection of Children in the Digital Space was approved for the period 2020–2025 and includes, inter alia, the following tasks:

⁸ https://hbcslovakia.files.wordpress.com/2019/06/nar-sprava-zdravie-11_lq.pdf

- Raise awareness of the risks of creating and disseminating sexually explicit material and sexting, with an emphasis on the target group of children.
- Promote and raise awareness among children, parents and carers about the rights and obligations of children in the digital space, including existing restrictions (e.g. content filtering), risks of the digital space and protection and assistance possibilities.

Family environment and alternative care (Articles 5, 9-11, 18 (1) to (2), 20-21, 25 and 27 (4))

Family environment

49. If the committee's recommendation relates to the principle of the Family Act reading: "The society recognizes that a stable family environment consisting of the child's father and mother is the most suitable for the all-round and harmonious development of a child.", the Ministry of Justice of the Slovak Republic refers to the wording of the explanatory memorandum to the governmental bill amending Act No. 36/2005 Coll. on the family and on the amendments to certain acts, as amended, and amending certain acts. The explanatory memorandum states: "In the basic principles, a sentence is added about what constitutes the most suitable environment for the all-round and harmonious development of the child. The addition of this principle is primarily to express the conviction of the Slovak society that the courts and all bodies that affect children with their procedures (decisions) should respect the fundamental right of the child to grow up from birth in a natural family environment according to the circumstances of the specific situation (according to Article 7 of the Convention, every child has the right to know and be cared for by the parents; in Part II, point 3, of the 2009 United Nations Guidelines for the Alternative Care for Children it is set out: Given that the family is a fundamental unit of society and a natural environment for the growth, well-being and protection of children, efforts should be made first and foremost to keep children or return them to the care of their parents or, if that is not possible, close relatives. The addition of the principle fulfils the commitment of the Programme Statement of the Government of the Slovak Republic - support the protection of minors so that the principle is applied as widely as possible according to which every child should grow up from birth in a natural family environment - subject procedural regulations and family law regulations to the expert analysis in those parts concerning placing children in alternative family care in order to avoid placing children in institutional care as the most extreme solution."

Children who have been denied a family environment

50. Amendment to Act No. 305/2005 Coll. on the social and legal protection of children and social guardianship and on the amendment to certain acts brought new forms of work with the child and his or her family. The new legislation has made it possible to choose and apply new measures depending on the situation of the child or adult, while fully supporting the family law that placing a child in a court decision enforcement facility is a last resort. The reason for introducing new forms of assistance to children and their families is to ensure at least a minimum range of services for children and their families. The overall unavailability of professional services for the family (both outpatient and field services) has been addressed since 2009 by expanding the competencies of the SLPCaSG bodies.

Utilizing the potential of SLPCaSG facilities - state and non-state children's homes, crisis centres and resocialization centres to address the availability of outpatient and field professional assistance to children and their families required a complete change in the conditions for the implementation of measures in facilities. As of 1 January 2019, the Centres for Children and Families were established from the original children's homes, crisis centres and resocialization centres to provide the outpatient and field forms of professional work for children and families for the purpose of performing:

- measures temporarily replacing the child's natural family or substitute family environment on the basis of a court decision on ordering institutional care, ordering an urgent measure or imposing an educational measure (hereinafter referred to as the “court residence measure”),
- educational measures imposing an obligation to submit to social or other professional counselling, obligations imposed to ensure the purpose of the educational measure pursuant to a special regulation or urgent measures (hereinafter referred to as the “outpatient educational measures”),
- measures to prevent the emergence, aggravation and recurrence of crisis situations and disorders of the child's mental, physical or social development in a natural or substitute family environment,
- a specialized programme for the prevention of emergence, recurrence or aggravation of crisis situations of a child who is a victim of the crime of trafficking in human beings, battered or sexually abused children,
- a resocialisation programme to support the social integration of a child or adult natural person addicted to alcohol, drugs or pathological gambling into the natural environment (for more information, see Annex 1, point 86. to 92.)

51. Pursuant to Act No. 305/2005 Coll. on the social and legal protection of children and social guardianship and on the amendments to certain acts, the principle of equal treatment in the implementation of SLPCaSG measures and the protection of the rights of the child applies. In accordance with the principle of equal treatment, discrimination on grounds of gender, religion or belief, marital or family status, skin colour, language, political or other opinion, trade union activity, national or social origin, disability, age, property, family or other status shall be prohibited. The employees of the SLPCaSG bodies are methodically guided in the topic of equal treatment of all clients in order to prevent their discrimination.

52. Call Advice and education in the field of prevention and elimination of discrimination II. Within the OP Human Resources, the demand-oriented call Counselling and Awareness in the Field of Prevention and Elimination of Discrimination II. has been announced, the aim of which is to support on the one hand activities leading to awareness of gender equality and increased awareness of the prevention of all forms of discrimination and ways of protection against it (for employers with an emphasis on SMEs, public administration employees) and, on the other hand, counselling and other support services for people at risk of discrimination. One of the activities is also counselling for victims of domestic violence. The call also supports awareness-raising activities in the form of conferences and information campaigns. By the end of 2018, 32 applications for a non-repayable financial contribution had been contracted.

- National Project Prevention and elimination of gender discrimination

In 2018, the Institute for Research on Work and Family (hereinafter referred to as the “IRWF”) under the professional guarantee of the Department of Gender Equality and Equal Opportunities (hereinafter referred to as the “DGEEO”) began implementing the activities of the National Project Prevention and

Elimination of Gender Discrimination. The aim of the project is to ensure systemic institutional provision of counselling activities in the field of discrimination, including violence, and to strengthen the professional capacities of the Institute for Research on Work and Family in implementing the gender elimination policy not only in terms of conducting research but also providing basic counselling in the field of discrimination. A special activity is the implementation of tasks related to the prevention and elimination of violence against women, namely the activities of the Coordination and Methodological Centre for the Prevention of Violence against Women, including the National Helpline for Women Experiencing Violence. The project is a prerequisite for the creation, stabilization and maintenance of the system of integrated protection and support for victims of violence and the harmonization of efforts to reduce and prevent it. It is focused on the systematisation and interconnection of different procedures and measures, both legislative and non-legislative nature, so that they are coordinated and lead to joint efforts by public administration institutions and non-public entities to prevent, reduce and effectively support and protect those persons experiencing such violence. The National Project consists of two main activities. The first activity Support for Effective Mechanisms to Eliminate Discrimination between Women and Men is implemented through education (training on gender equality and how to prevent discrimination, by developing original research, methodologies, monitoring and educational campaigns on gender equality) and counselling activities (by providing advice on issues related to discrimination based on gender and family, as well as for public sector entities and research and analytical activities). The second activity of the National Project is Support for the development of services and measures for victims of violence, especially for women. It takes place mainly through activities of the Coordination Methodological Centre for Prevention of Violence against Women, which will develop the field of multi-institutional cooperation, coordinate regional teams of experts, create action plans for individual regions in Slovakia, build intervention teams in education, develop methodological guidelines and standards for providing support and protection of perpetrators of violence and their children, develop research, monitoring and information and education activities on gender-based violence. Another important part of this activity will be the continuation and development of the National Helpline for Women Experiencing Violence, which will provide 24-hour distance crisis support for victims of discrimination - women experiencing violence - through expert advice. All activities of the National Project Prevention and Elimination of Gender Discrimination will take place by February 2022. The websites www.zastavmenasilie.sk, <https://www.gender.gov.sk/>, <https://www.ceit.sk/IVPR/> will inform about the outputs of the project in the form of professional publications, analyses, strategies, campaigns and educational events that have taken place, as well as social media and electronic and printed media.

- The Coordination and Methodological Centre for Gender-Based and Domestic Violence (CMC) was established within the Institute for Labour and Family Research. Its role is to coordinate a comprehensive national policy for the prevention and elimination of violence against women and domestic violence. The Ministry of Labour, Social Affairs and Family of the Slovak Republic, Department of Gender Equality and Equal Opportunities, provides a professional guarantee for the centre. The project of the establishment of the CMC was financed from the grant of the Norwegian Financial Mechanism and co-financed from the state budget of the Slovak Republic and implemented under the SK09 Programme: Domestic and gender-based violence. The project activities were implemented in cooperation with partner institutions: The Institute for Work and Family Research, the Council of Europe and the Norwegian Centre for Violence and Traumatic Stress Studies. At present, its activities continue on the basis of funding from government sources and subsequently within the National Project Prevention and Elimination of Gender Discrimination, supported under the Operational

Programme Human Resources. With the establishment of CMC, the Slovak Republic fulfilled Art. 10 of the Council of Europe Convention on preventing and combating violence against women and domestic violence: “Parties shall designate or establish at the national level one or more official bodies responsible for the coordination, implementation, monitoring and evaluation of policies and measures to prevent and combat all forms of violence covered by this Convention.” The CMC has involved in its work more than 60 experts, mainly from the non-governmental sector and academia, including counsellors available to women experiencing violence on the National Women's Helpline. In cooperation with relevant ministries, self-governing regions, non-governmental organizations and other actors at the state and regional level, the CMC prepared methodological and educational activities and materials, proposed legislative changes and maintained multi-institutional cooperation. The CMC research is presented in the “Research” section (for more information see Annex 1, points 93 to 104.)

53. Based on its mandate, the Slovak National Centre for Human Rights monitors and evaluates respect for human rights and the principle of equal treatment, collects and provides information on racism, xenophobia and anti-Semitism in the Slovak Republic, conducts research and surveys to provide data on human rights and fundamental freedoms, collects and disseminates information in this field. The centre also prepares educational activities, participates in information campaigns in order to increase the tolerance of society.

54. In the Slovak Republic, a system of long-term support for the procurement of rental flats intended for social housing has been provided through a combination of subsidies pursuant to Act No. 443/2010 Coll. on subsidies for housing development and on social housing, as amended, and a preferential loan from the State Housing Development Fund. By using this tool, local governments can fully finance the acquisition of affordable rental housing and thus increase access to housing for specific vulnerable groups of population. In 2019, the acquisition of 999 rental flats intended for social housing owned by the local government was supported and the procurement of technical equipment for 712 rental flats was supported.

55. Act No. 150/2013 Coll. on the state fund for housing development, as amended, enables former children from children's homes to obtain a preferential loan for the purchase or construction of a flat up to 100% of acquisition costs (up to a maximum of EUR 80,000) with a 1% interest rate and a maturity period of up to 40 years. In 2019, 6 former children of children's homes submitted an application to the State Housing Development Fund for the provision of support for the purchase of a flat, and all the applications were granted.

56. The preparation of a child and subsequently a young adult placed in the Centre for Children and Families for life in society is a long-term targeted process during which the Centre's employees strive to form desirable characteristics, correct inappropriate behaviour, acquire practical skills and acquire knowledge to successfully complete vocational training, as well as being able to establish and maintain appropriate social relationships. In this process, the SLPCaSG facilities focus on comprehensive assistance and support in the process of independence, so that the young adult after leaving the centre has any necessary competencies, which are a prerequisite for his or her integration into society and finding jobs on the labour market. Not only practical training is important, but also psychical support. The social work plan includes a plan for preparation for the gaining of independence of a young adult drawn up at least one year before the child reaches the age of majority and a plan on the gaining of

independence of a young adult, which also includes the expected method of securing further housing (Section 30 para. 10 of Decree No. 103/2018). Forms of providing housing for a young adult after leaving the centre represent various options from return and integration into the biological environment from which the young adult comes, housing in the form of sublease or supported housing in facilities designed for this, or the possibility of acquiring their own property. To facilitate the gaining of independence for a child or young adult, facilities cooperate with state and non-state institutions and prepare and complete various programmes, career workshops for students graduating from secondary/higher education, which prepare them for competition procedures, writing a CV, etc. Also programmes focused on financial literacy, but also independence in communication with various institutions and organizations (mortgage centres, banks, LSAF offices, housing companies, future employers). An important element in supporting the independence of a young adult is the legal possibility by which the Centre provides a contribution to independence for a young adult (Section 65 letter b) of Act No. 305/2005 on the social and legal protection of children and social guardianship and on amendments to certain acts)” (for more information see Annex 1, points 105 to 107.)

57. The performance of foster care and alternative personal care is regularly evaluated by the court in cooperation with the SLPCaSG body. Pursuant to Act No. 305/2005 Coll. on the social and legal protection of children and social guardianship and on the amendment to certain acts, the SLPCaSG body shall continuously monitor the performance of alternative personal care and foster care and submit a report to the court at least every six months on the quality of childcare in alternative personal care or foster care, including whether parents can take over the minor child into personal care. The work with substitute families immediately after entrusting the child to alternative care and supporting the family to adapt to the new situation, coping with the initial problems in the child's adaptation in the family, coping with the role of the substitute parent, etc. appear to be positive. Within the NP DEI NS project, professional teams focused on alternative family care were created at the Offices of Labour, Social Affairs and Family - consisting of 1 social worker and 1 psychologist for each Office of Labour, Social Affairs and Family. A total of 46 professional teams were created to support substitute families, and 92 new job positions were created within these teams. These alternative family care teams offered help and support to facilitate substitute family care for substitute families. In most cases, professional teams worked with substitute families with relationship-related problems, whether they are relationships between substitute and biological parents, intergenerational problems, problems in child behaviour, communication problems, etc. If the body of social and legal protection of children and social guardianship ascertains, when implementing measures under this Act, that the natural person to whom the child is entrusted in alternative personal care, the foster parent or guardian who personally cares for the child needs professional assistance to facilitate the provision of an substitute family environment for the child, such body shall propose to that natural person the provision or ensuring of the provision of social counselling or other professional counselling, the implementation or provision of the implementation of measures - to facilitate the resolution of educational or family problems, - in the exercise of the child's legal rights. The centre also performs outpatient and field measures for an adult natural person to whom a child is entrusted to alternative personal care, who is a foster parent or guardian of the child and needs professional assistance to facilitate the provision of an substitute family environment for the child (for more information see Annex 1, points 108 to 109.)

58. Based on the results of monitoring carried out in the Centres for Children and Families in 2018 and 2019 by the Office of the Commissioner for Children, 79% of children were found to be able to communicate in the language they consider to be "closest"; they are Slovak 68%, Hungarian 2.6%, Romani 12.5% and English 7%. It follows from this that children placed in the Centres for Children and Families are supported in their identity also in the form of communication in the Romani language. As part of their lifelong learning, employees are supported in consolidating their knowledge and skills so that they can support and preserve the ethnic identity of children as much as possible. The SLPCaSG facilities are open to the possibilities of hiring Roma experts, especially in the field of education in the field of work with a Roma child. In facilities, they speak with a child in the language that the child understands. Staff speak the regional/minority language. When hiring employees, the advantage is the command of a language other than the official language, which is defined according to the region (Romani, Hungarian, Ruthenian, etc.)

F. Disability, basic health care and well-being
(Articles 6, 18 para. 3, 23-24, 26, 27 para. 1 to 3 and 33)

Children with disability

59. The Education Act Section 3 deals with the principles of education and training, which are based on equal access to education and training, taking into account educational needs of the individual and their co-responsibility for their education, prohibiting all forms of discrimination and especially segregation, preparation for responsible life in a free society in the spirit of understanding and tolerance, gender equality, friendship between nations, national and ethnic groups and religious tolerance, strengthening the educational side of the educational process through all subjects, but also specific educational jobs aimed at developing feelings and emotions, motivation and interests, socialization and communication, at self-control and self-regulation, for moral values and creativity, the prohibition of providing or making available information or the misuse of information means that could lead to the violation of morality or to incitement to national, racial and ethnic hatred or other forms of intolerance. In Section 4, the Education Act states the objectives of education and training, which are to enable the child or pupil to acquire competencies, especially in the field of communication skills, oral skills and written skills, use of information and communication technologies, communication in the state language, mother tongue and foreign language, mathematical literacy, and competences in technical sciences and technologies, to lifelong learning, social and civic competences, entrepreneurial skills and cultural competences, learn to correctly identify and analyse problems and propose solutions and be able to solve them, gain and strengthen respect for human rights and fundamental freedoms and the principles set out in the Convention on the Protection of Human Rights and Fundamental Freedoms, as well as respect for the law and in particular the relationship to the prevention and stopping the emergence and spread of crime and other anti-social activities, prepare for a responsible life in a free society, in the spirit of understanding and tolerance, gender equality, friendships between nations, national and ethnic groups and religious tolerance, learn to control and regulate their behaviour, care for and protect their health, including healthy nutrition and the environment, and respect universal ethical values, obtain all information on children's rights and ability to apply them.

60. Pursuant to Section 144 of the Education Act, a child, pupil has the right to equal access to education, an individual approach respecting his or her abilities and possibilities, talents and health status to the extent provided by this Act, respect for his or her religion, worldview, nationality and ethnicity, provision of counselling and services associated with upbringing and education, upbringing and education in a safe and hygienic environment, respect for one's person and to be provided with the protection against physical, psychological and sexual violence. A child with special educational needs or a pupil with special educational needs has the right to education and training using specific forms and methods that meet his or her needs and to the creation of the necessary conditions to enable such education and training. A child with special educational needs or a pupil with special educational needs has the right to use special textbooks, didactic texts, workbooks, multimedia aids and special didactic and compensatory aids in education and training; deaf children and pupils are guaranteed the right to education in the Slovak sign language as their natural form of communication; blind children and pupils are guaranteed the right to education and training using Braille; children and pupils with impaired communication skills are guaranteed the right to education and training through substitute means of communication (for more information see Annex 1, points 110 to 113.)

61. A professional substitute family (PSF) is an organizational part of the facility and is a form of institutional care (the child is entrusted by the court to the care of an institution - the CCF, not a specific natural person) which gives the child the opportunity to grow up in real family conditions. The quality of social relationships and emotional bonds is important for the child that are established between the child and members of the substitute family. The PSF should therefore be “equipped” with emotional, psychological and educational tools to heal the child's “wounds on the soul”. The legal regulation of this form of care was re-evaluated during the years 2016-2017 by representatives of the state and non-state sector operating in the field, and the result was fully reflected in the amendment to the relevant provisions of the Act in 2018. The Centres for Children and Families and their founders have the obligation to ensure and create conditions so that every child under the age of six is included in the PSF no later than four weeks after admission to the Centre. This obligation, inter alia, does not apply to the placement of a child whose state of health requires special care in a specialized independent group, i.e. children who, on the basis of the opinion of a medical examiner, are dependent on professional continuous nursing care, which is not realistic to provide in the conditions of a professional substitute family.

By law, the placement of children in the PSF takes precedence over their placement in a separate arranged group, and a specialized separate group also in the case of this group of children this possibility is considered individually. However, the facility cannot have an unrealistic obligation under the law to place a child in the family that the family would not be able to take care of due to his or her serious health condition. Experience has also shown that the conditions for the provision of professional care by professional substitute parents for entrusted children are diverse, and therefore it was necessary to unify access to professional substitute parents. “Rules to ensure an individual process for selection procedures for the job position of a children's home employee who provides care for a specified number of children in the home environment and standards of work with this employee” have been laid down. The Standards of Work with PSF section contains a procedure for cooperation between the PSFs and facilities and applies to both state and non-state facilities. During the period under review, there was an increasing number of PSFs which were willing and able to provide care to a larger number of

children, i.e. also larger sibling groups or children with disabilities (for more information see Annex 1, points 114 to 118.)

Health and medical services

62. The Ministry of Health of the Slovak Republic, explicitly the Department of Epidemiology of the Public Health Office of the Slovak Republic, is the relevant department in the field of vaccination. It is working on this issue within the European Vaccine Action Plan 2015–2020, the National Immunization Programme, the Action Plan for Maintaining the Condition of Measles Elimination and Congenital Rubella Syndrome and for the Elimination of Rubella in the Slovak Republic. It publishes a Vaccination Calendar for compulsory regular vaccinations of children and adults every year. It performs and evaluates administrative inspections of vaccination in the Slovak Republic every year. It proposes changes to legislation in the field of vaccination and prevention of communicable diseases. To support vaccination, the Public Health Office of the Slovak Republic, the Department of Epidemiology, is carrying out activities within the European Immunization Week. In the field of vaccination of the population of Roma communities, the organization Healthy Regions plays an important role, which focuses part of its activities performed in the field to support preventive health programmes. By introducing appropriate health promotion activities in the MRC, it has a positive effect on access to health care by reducing, in particular, internal barriers. Increasing participation in preventive examinations and compulsory vaccination contributes to the early identification of the occurrence of infectious diseases, increasing health awareness and health care, improving communication between MRCs and health care providers, and increasing trust in the health system (for more information see Annex 1, points 119 to 122.)

Adolescent health

63. The area of health care provided to women in relation to reproduction is provided mainly by the specialized department of gynaecology - obstetrics comprehensively in the scope of prevention, diagnosis and treatment, including planned parenthood and infertility treatment on the basis of valid legislation.

- Act No. 575/2001 Coll. on the organization of government activities and the organization of the central state administration, Section 19 letters a) to g): “The Ministry of Health of the Slovak Republic is the central body of state administration for health care, health protection, public health insurance, further education of health professionals, natural healing spas, natural healing resources, natural mineral waters, pricing policy in the field of prices of products, services and performance in health care and in the field of rental prices of non-residential premises in medical facilities, control of the ban on biological weapons. “

Act No. 36/2005 Coll. on the family and on the amendments to certain acts, Section 43 para. 3 letters a) to c): “The child is further obliged to cooperate with the parents in the care and upbringing of him or her, fulfil his or her educational duties commensurately with his or her abilities and avoid a way of life that could be endangering him or her, especially the use of substances that harm his or her physical and mental health.“

- Act No. 576/2004 Coll. Section 11 para. 2 “The right to the provision of health care and services related to the provision of health care, including cross-border health care 9a) is equally guaranteed to everyone in accordance with the principle of equal treatment in health care and in the provision of goods and services established by a special regulation. 10) In accordance with the principle of equal treatment, discrimination also on grounds of gender, religion or belief, race, citizenship, nationality or ethnicity, sexual orientation, marital and family status, skin colour, language, political or other opinion, trade union activity, national or social origin, disability, age, property, family or other status shall be prohibited.”

- Section 3 para. 11 of this Act “Public health insurance fully reimburses health care in connection with a secret childbirth. 11a) Reimbursement by the health insurance company will be carried out on the basis of the healthcare provider’s declaration that the woman who has requested in writing that her person be kept secret in connection with childbirth is its insured person (for more information, see Annex 1, point 123 to 131.)

Standard of living

64. In the case of legislation that conditions the amount of payment of child allowance, parental allowance and childbirth allowance by compliance with preventive measures, we are of the opinion that there is no discrimination. This legislation applies to everyone and does not only apply to certain groups of the population. These are only measures motivating persons receiving the above-mentioned state social security allowances to pay attention to the proper fulfilment of their children's compulsory school attendance when caring for dependent children, or to ensure that their children behave in accordance with generally binding legal regulations valid in the territory of the Slovak Republic. Moreover, in the above-mentioned cases the payment of those state social security allowances is not completely suspended, but these allowances are paid to a special beneficiary designated by the competent Labour, Social Affairs and Family Office through which the purpose of the state social security allowances in question are subsequently temporarily ensured. A special beneficiary may be, for example, the municipality in which the entitled person resides, or - in justified cases - another appropriate person. Finally, we add that these are measures of a temporary nature, whereby after the lapse of the set deadline and provided that the undesirable situation is remedied, the Labour, Social Affairs and Family Office shall decide to release the special beneficiary and the state social security allowances in question are subsequently paid directly to beneficiaries. In connection with the topic of child allowance, we would like to draw the committee's attention to the fact that in 2019, Act No. 600/2003 Coll. on child allowance and on the amendment to Act No. 461/2003 Coll. on social insurance, as amended, was changed, on the basis of which persons caring for dependent children who have entered the first year of primary school for the first time will be paid a one-off child allowance in the amount increased by EUR 100, in the month in which a dependent child enters the first year of primary school for the first time. The aim of this measure is to ensure that every child who starts compulsory schooling has basic school needs ensured. Providing an increased child allowance also financially relieves parents of the increased expenses they incur as a result of their child entering primary school. We can state as an example: in 2019, approximately 59,000 children were positively affected, for whom a one-off increased child allowance will be paid to provide for school needs (for more information see Annex 1, points 132 to 135.)

Education, leisure time and cultural activities
(Articles 28, 29, 30 and 31)

Education, including training and guidance

65. In the Education Act, as a basis in Section 3 para. d) Principles of education and training, the prohibition of all forms of discrimination and in particular segregation is also included. However, Section 145 is important, which directly stipulates that the rights are guaranteed by the Education Act equally to every applicant, child, pupil and student in accordance with the principle of equal treatment in education established by Act No. 365/2004 Coll. on equal treatment in certain areas and on protection against discrimination and on the amendments to certain acts (Anti-Discrimination Act), as amended. An applicant, child or student who considers that his or her rights or legally protected interests have been affected as a result of non-compliance with the principle of equal treatment may seek legal protection in court. The school or school facility must not penalize or disadvantage an applicant, child, pupil and student for exercising his or her rights. As part of the planned activities of the Ministry of Education, Science, Research and Sport of the Slovak Republic in cooperation with the European Commission, i.e. of the ET 2020 working group on the Promotion of Citizenship and Common Values of Freedom, Tolerance and Non-Discrimination through Education, a working meeting was held in September 2017 - Peer learning activities on the topic of identifying challenges and ways to prevent discrimination and segregation in education. Participants from EU countries researched together, exchanged knowledge and experiences and sought solutions to residential segregation, with an emphasis on ensuring equal access to quality education, social inclusion and efforts to combat discrimination in education (for more information see Annex 1, points 136 to 149.)

66. The subject Civics in the 8th year of primary school focuses on the issue of human rights and freedoms. Pupils learn to be well informed about the Constitution of the Slovak Republic (how the Slovak Republic perceives human rights and freedoms, what attitude it takes towards them and how willing and ready it is to guarantee them to citizens, equally for all, i.e. regardless of age, gender, family, race, nationality, religious affiliation, etc.). Emphasis is also placed on knowledge of the content, objectives and importance of international instruments on human rights and children's rights. In ethics/religious education, pupils are sensitized on non-discrimination, the best interests of the child, respect for the child's views, the right to identity, violence against children, significant violations of rights in the world (e.g. child abuse for work, child sexual abuse and child pornography, child abuse for participation in armed conflict). The curriculum of these subjects is focused on the development of value competencies - respect for human dignity and human rights, children's rights, respect for cultural diversity, respect for democracy, justice, equality and the law.

In the 5th year of primary school, history topics include conflicts, war, child soldiers, peace, and they learn about inhumane ways of dealing with people and a particularly vulnerable group - children. The cross-cutting topic Multicultural Education places more emphasis on current topics and on the development of such competencies of pupils, which are related to globalization, diversity, the need to seek unity in diversity.

At higher education (secondary schools and grammar schools), pupils analyse stories of children whose rights are violated, look for causes and suggest possible solutions to problems in the area of non-respect for human and children's rights (for more information see Annex 1, points 150 to 152.)

67. By Act No. 209/2019 Coll., which amends the Education Act, the Ministry of Education, Science, Research and Sport of the Slovak Republic introduces compulsory pre-primary education for five-year-old children with effect from 1 January 2021. On 26 January 2015, the Ministry of Education, Science, Research and Sport of the Slovak Republic published on the website a call for applications for subsidies from the Ministry of Education, Science, Research and Sport of the Slovak Republic to expand the capacity of kindergartens in the form of extension, construction and reconstruction of premises for needs of kindergartens and building school catering facilities in these kindergartens for 2015, and on 29 June 2015 a call for applications for subsidies from the Ministry of Education, Science, Research and Sport of the Slovak Republic to expand and maintain the capacity of kindergartens in the form of extension, construction and reconstruction of premises for the needs of kindergartens and construction of school catering facilities in these kindergartens for 2015. The aim of the support under this call was to expand the capacity of kindergartens with the aim of gradually achieving the 95% participation of children aged 4 to 5 in the pre-primary education in kindergartens by 2020. The Ministry of Education, Science, Research and Sport of the Slovak Republic allocated EUR 14.5 mil. for this purpose. 185 successful applicants were supported, who also thanks to the subsidy from the Ministry of Education, Science, Research and Sport of the Slovak Republic had the opportunity to create 227 new classes and maintain the existing capacity in another 22 classes. The expansion and maintenance of the capacity of kindergartens from these subsidies enabled the admission of about 5,000 new children and the creation of jobs for about 460 teachers for the pre-primary education. The Commissioner in the MPK submitted a proposal for the pre-primary education from the age of 4, mainly due to socialization of children from socially disadvantaged environment, because one year is a relatively short time to catch up where children did not have enough incentives for proper psychosocial development and also learning the state language plays a big role because one year for a preschooler is a short time.

68. The data are monitored by cities and municipalities as founders of leisure time centres in cooperation with the relevant authorities. Leisure time centres (hereinafter referred to as the “LTC”) are financed from share taxes through self-government. In the case of grant support, they can apply for it in the said grant programme, if they are interested in such a form of support. The Ministry of Education, Science, Research and Sport of the Slovak Republic, as the administrator of this task, does not have the competence to increase financial resources directly for the LTC. These are established by towns and municipalities. However, the LTCs can apply for additional financial resources through the subsidy scheme of the Ministry of Education, Science, Research and Sport of the Slovak Republic “Youth Programmes 2014–2020”, which is administered by IUVENTA - Slovak Youth Institute.

69. On 1 July 2017, Act No. 138/2017 Coll. on the fund for the support for the culture of national minorities, as amended, pursuant to which the Fund for the Support for the Culture of National Minorities was established. The competence to allocate subsidies in this area has thus been transferred from the Office of the Government of the Slovak Republic to this new public-law institution independent of central state administration bodies, represented by experts from all national minorities. The creation of the new fund resulted not only from the programme statement of the Government of the Slovak Republic, but also from the continuous efforts of the Ministry of Culture of the Slovak Republic to gradually transform the grant system into public-law funds. The main purpose of the fund is to preserve, express, protect and develop the identity of cultural values of national minorities, education and training for the rights of national minorities, as well as development and support for intercultural

dialogue and understanding between Slovak citizens and citizens belonging to national minorities and ethnic groups by providing financial funds to support their cultural and scientific activities in the form of grants or scholarships.

(for more information see Annex 1, points 153 to 157.)

Special protective measures

(Articles 22, 30, 32–33, 35–36, 37 b) to d) and 38, 39 and 40)

Asylum-seeking children and children-refugees

70. The Committee is concerned that:

- (a) Families with children seeking asylum are systematically detained for long periods in very unsuitable conditions and alternatives to detention are often not used for them;
- (b) There are no support services or special accommodation for asylum-seeking and refugee families;
- (c) Children do not have access to education until three months after their detention and do not receive adequate health care, including due to a lack of non-Slovak-speaking medical staff and a lack of interpreters, and if many refugees are coming at the same time, they also lack sufficient clothing and other basic things;
- (d) During the recent migration discussions on the EU relocation and resettlement scheme, the State Party has repeatedly made it clear that it will not accept Muslim refugees and asylum seekers.

71. In these cases, the procedure is always explicitly carried out only in accordance with the applicable legal standards. It should be noted that a third-country national may be arrested for the time strictly necessary, up to a maximum of six months. This period can be extended for reasons stated by law by up to 12 months, but not in the case of families with children or vulnerable persons (Section 88 (4) of Act No. 404/2011 Coll. on the residence of aliens). Vulnerable persons, including families with children, can be detained in the necessary case and for the shortest possible time (Section 88, para. 9 of Act No. 404/2011 Coll. On the Residence of Aliens). Milder measures regarding the arresting of minors with families are applied in Slovakia as little as possible, mainly because the primary condition that the police authority examines is the ability of an alien to get accommodation and other necessary needs for all family members, which in the vast majority cases families with children cannot meet. As foreigners with children are unable to provide accommodation and other necessary needs for all family members, it is certainly in the best interests of the child to place them in the Department of Police Arresting of Aliens, which meets the requirements for adequate, hygienically fit accommodation, meals and leisure time activities. In addition to the committee's recommendations, we would like to state on point (d) that the Slovak Republic proceeded in relation to the religion of relocated persons without any discrimination within the implementation process of selecting persons as part of the relocation process. (for more information see Annex 1, point 158. – 158A.)

72. The protection and representation of unaccompanied minors' rights by the SLPCaSG body is already guaranteed from the stage of their capturing in the territory of the Slovak Republic. A representative of the SLPCaSG body is present during discussions of the offence and submissions of explanations to the Police Force department and supervises the securing of legally protected interests of an unaccompanied minor when submitting the explanation or while staying at the Police Force department (interpretation, instructions, meals, hygiene, rest). Measures in the interest of the unaccompanied minor shall be implemented without delay. Until an unaccompanied minor is placed in a court decision enforcement facility (or until the court appoints an unaccompanied minor's carer, the measures are implemented by the office in district of which the unaccompanied minor is staying, even if the office has not yet been appointed as a carer by a valid court decision and the unaccompanied minor is provided, in particular, with age-appropriate care, counselling and health and medical care (for more information see Annex 1, point 159.)

73. The Migration Office of the Ministry of the Interior of the Slovak Republic provides minor asylum seekers accompanied by parents with access to education in accordance with Art. 14 of the Adoption Directive - as soon as possible they are included in the fulfilment of compulsory school attendance, access to social services is provided through social workers who are employed in asylum facilities of the Ministry of the Interior of the Slovak Republic and to psychological services through projects financed from the Fund for Asylum, Migration and Integration. Legal aid during the asylum procedure is provided free of charge to all asylum seekers on a voluntary basis by an NGO implementing a project funded by the Asylum, Migration and Integration Fund.

74. The Act on the Provision of Legal Aid to Persons in Material Need establishes the Legal Aid Centre, a state budget organization that provides legal aid under this Act by its employees, designated lawyers and mediators. This Act applies to the provision of legal aid, inter alia, also in asylum matters, in administrative expulsion proceedings, in the proceedings for the arresting of a third-country national, in the proceedings for the arresting of an asylum seeker, and in these cases also in the proceedings before a court in the administrative judiciary and proceedings before the Constitutional Court of the Slovak Republic.

75. In asylum matters, legal aid is provided under this Act to natural persons who have become entitled to the provision of legal aid concerning an asylum case. A natural person has the right to legal aid in an asylum case if a) he or she has applied for legal aid in an asylum case, b) he or she does not have his or her representative for proceedings in which he or she requests legal aid pursuant to this Act, c) the Ministry of the Interior of the Slovak Republic has issued a decision 1. on refusal of asylum, 2. on withdrawal of asylum, 3. on non-extension of subsidiary protection, 4. on revocation of subsidiary protection, 5. by which the application for asylum was rejected as manifestly unfounded, 6. by which the application for asylum was rejected as inadmissible or 7. by which asylum procedure has been discontinued because the application has already been decided before and the facts of the case have not changed significantly, 8. on handing over to another state, d) he or she is in a state of material need. The applicant submits the application for legal aid in the asylum case at the Centre or at the Ministry of the Interior during the interview in the asylum procedure or in the transfer procedure to another state. If an application was submitted to the Ministry of the Interior of the Slovak Republic, the Ministry of the Interior of the Slovak Republic shall immediately deliver the application to the Centre together with the

decision. If it is not a decision, the Ministry of the Interior of the Slovak Republic shall notify the natural person in a language which he or she is presumed to understand that this decision does not establish the right to the provision of legal aid; in such a case, the Ministry of the Interior of the Slovak Republic does not deliver the application to the Centre. If the application was filed in the Centre, the Centre shall immediately inform the Ministry of the Interior of the Slovak Republic of this fact (for more information see Annex 1, points 160 to 163.)

76. A person who is obviously a minor is also considered to be such a person by his or her declaration. A third-country national who declares himself to be an unaccompanied minor and who is clearly not a minor shall be considered an adult until the result of the medical examination. Due to the short period of time, i.e. several hours, for which the result of the examination is available, the procedure of the police service cannot be described as discriminatory. At the same time, we must state that other medical procedures are not performed with such a person, only acts aimed at determining the actual age of the alien (for more information see Annex 1, point 164. to 168.)

77. At the national level, statistical reports on legal and illegal migration of foreigners are regularly processed in accordance with national legislation, which are published on the website of the Ministry of the Interior of the Slovak Republic and are available in Slovak and English.⁹ Statistics on arresting are published in these reports to the following extent: location by citizenship and method of termination of arresting in the Return Policy section. We are not aware of the publication of such narrowly specified statistics (numbers of arrested families with children in the required breakdowns) in other EU Member States. Collection and publication of required statistics on the number of arrested foreigners - families with minor children, their age, country of origin, reason for their detention and length of detention and evaluation of these statistics, as well as the situation of these children on a regular basis requires minimal adjustment of the IS MIGRA information system. Which is conditioned by funding. Priorities in the adjustment of the Police Force information systems are implementation measures that must be adopted in accordance with European legislation (Entry/Exit system, SIS, ...).

78. In addition to the above, we pay attention to:

- common rules for the collection and elaboration of the EU statistics on migration and international protection in accordance with Regulation (EC) No. 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection - Eurostat
- collection and provision of migration data to the agency Frontex in accordance with Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard

The above statistics sent to Eurostat and Frontex are not focused on the category of arresting of families with children, the collection is focused on the basic categories of illegal and legal migration such as: illegal stay, unauthorized entry, refusal of entry, return, etc.

Administration of justice against juveniles

⁹ <http://www.minv.sk/?rocenky>

79. The Constitution of the Slovak Republic enshrines the principle of special protection of children and youth, which is explicitly stated in its Article 41 paragraph 1, which reads: “Special protection of children and minors shall be guaranteed”. This constitutional principle is concretized by the regulations of various branches of law, in particular civil and family law, labour law, administrative law, social security law and criminal law. Pursuant to the Criminal Procedure Code (Section 135) - if a person under the age of 18 is interrogated as a witness on matters whose resuscitation in memory could - due to his or her age, relationship to or dependence on the perpetrator, the nature and circumstances of the offence committed - adversely affect his or her mental and moral development or put him or her at risk of secondary victimization or, in the case of a crime against human dignity, the interrogation must be conducted in a considerate and content-related manner so that it does not have to be repeated in further proceedings. A psychologist or expert shall be called in for the interrogation, who with regard to the subject of the interrogation and the degree of mental development of the interrogated person will contribute to the proper conduct of the interrogation, and a representative of the body of social and legal protection of children and social guardianship if the carer is not present in the interrogation pursuant to Section 48 para. 2 of the Criminal Procedure Code.

80. In the Crime Victims Act, a child (a person under the age of 18) has a special status when he or she is regarded as a particularly vulnerable victim/person. The Crime Victims Act regulates the victim's right to protection against secondary victimization or repeated victimization. Investigative, prosecuting and adjudicating bodies (prosecutor's office and police), the court and the victim support body shall act in such a way that their activities do not cause secondary victimization and take effective measures to prevent re-victimization. To support this fact, the Ministry of the Interior of the Slovak Republic is implementing a national project with the aim of implementing special interrogation rooms for child victims and other particularly vulnerable victims of crime. The project will contribute to reducing the risk of secondary victimization of crime victims in criminal proceedings by creating areas adapted for the interrogation of children and other particularly vulnerable victims of crime and by providing specialized training for police officers who interrogate children and other particularly vulnerable crime victims in practice. At the same time, it will create a tool to combat trafficking in human beings and sexual abuse (for more information see Annex 1, points 169 to 170.)

81. According to the Criminal Code, who at the time of committing an otherwise criminal offence did not reach the age of fourteen is not criminally liable. Anyone under the age of fifteen at the time of the offence is not criminally liable for the crime of sexual abuse. Pursuant to the Criminal Procedure Code, if the detained or arrested person is a juvenile (child under the age of 18), investigative, prosecuting and adjudicating bodies shall notify the juvenile's legal representative, the body of social and legal protection of children and social guardianship of this fact without undue delay, and if the juvenile has a carer appointed, investigative, prosecuting and adjudicating bodies shall also notify this carer of this fact. Legal representation for a minor (own lawyer) before the accusing is possible only through legal representatives (lawyer of legal representative), as full legal capacity is acquired in the Slovak Republic upon reaching the age of 18. A minor does not have full legal capacity and therefore cannot enter into a legal representation agreement with a lawyer and grant him or her a power of attorney. After the accusing, the minor must have a defender already in the preparatory proceedings, chosen by his or her legal representative or, if this is not possible, another authorized person (direct relative, sibling, adoptive parent ...), even against his or her will. In cases where no defender has been

elected for the defendant within the specified time limit, the defender shall be elected by the court without delay.“ (for more information see Annex 1, points 171 to 172.)

82. In Section 3 para. 8 of the Act on Victims, in the case of a particularly vulnerable victim, which is a child, the obligation of investigative, prosecuting and adjudicating bodies, courts and entities providing assistance to victims is stipulated to take into account the best interests of the child with reference to Art. 5 of Act No. 36/2005 Coll. on the family and on the amendment to certain acts as amended by Act No. 175/2015 Coll. The presence of the persons present in the interrogation is also regulated by Section 135 para. 1 of Act No. 301/2005 Coll. Criminal Procedure Code. Its amendment, effective from 1 January 2019, significantly strengthened the rights of child victims in the sense that if a legal representative is unable to exercise his or her rights, a lawyer is appointed as a carer in the criminal proceedings of a child victim to represent his or her rights.

83. In the period under review, the IC MI SR dealt with preventive activities aimed at combating trafficking in human beings and the fulfilment of these recommendations was ensured through the fulfilment of tasks arising from the National Programme for Combating Trafficking in Human Beings for 2015–2018, the tasks were fulfilled in accordance with the National Action Plan for Combating Trafficking in Human Beings for the years 2015–2018. In 2018, the fifth strategic document for the field of combating trafficking in human beings was also prepared and approved by the Resolution of the Government of the Slovak Republic No. 495/2018, entitled: The National Programme for Combating Trafficking in Human Beings for the years 2019–2023. In accordance with the Regulation of the Ministry of the Interior of the Slovak Republic No. 180/2013 on the provision of the programme of support and protection of victims of trafficking in human beings of 19 December 2013, in 2018 services and assistance were provided as amended by the Regulation in question. Victims of trafficking in human beings are provided within the framework of the Programme for the Support and Protection of Victims of Trafficking in Human Beings (hereinafter referred to as the “Programme”), services consisting mainly of: isolation from the criminal environment; assistance in voluntary return to the Slovak Republic or to the country of origin in the case of an alien; social assistance; psychological counselling; psychotherapeutic services; legal advice; health care; retraining courses. The programme also includes the provision of legal advice, especially in the area of criminal and civil law, within which problems are addressed, especially in the area of executions and compensations. At the same time, the Regulation in question was amended in 2018, as of 1 January 2019, services for victims of trafficking in human beings are provided in accordance with the Regulation of the Ministry of the Interior of the Slovak Republic No. 144/2018 of 10 December 2018 on the provision of a programme to support and protect victims of trafficking in human beings. The Regulation in question also addresses the issue of third-country nationals or stateless persons, more specifically regulates the procedures for providing assistance, assisted voluntary return of victims of trafficking in human beings (“THB”) and assistance to unaccompanied minors who have been included in the programme.

84. Every year, in order to fulfil the tasks in the current National Programme, a schedule for training aimed at increasing the expertise of state and non-state entities in the field of trafficking in human beings (hereinafter referred to as the “THB”) is focused on victim identification and expanding the National Reference Mechanism for Early Victim Identification. Lecture activities for schools were also carried out. Within its competencies, the IC MI SR continued in 2018 to increase awareness of

trafficking in human beings issues and the possibilities of assistance. The individual lectures were focused on the identification of potential risks, especially in connection with travelling abroad for work or temporary job. As part of the commemoration of the European Day of Combating Trafficking in Human Beings, for approx. 350 students at several schools of the BA region lectures on the trafficking in human beings issues were presented. The IC MI SR in cooperation with the National Unit for Combating Illegal Migration of the BBFP PPF conducted training for (approx. 100) students of secondary health schools in Košice in the field of identification and prevention of trafficking in human beings. Based on cooperation with the organizers of the event, representatives of the IC MI SR participate in the JobExpo 2018 event in Nitra. Every year, preventive lectures are also given for young people placed in diagnostic institutes with the aim of preventing trafficking in human beings. During the lectures, they are informed in simple terms about the problem of trafficking in human beings and several promotional materials are distributed with the possibility of help and preventive advice (for more information see Annex 1, points 173 to 179.)

85. The issue of criminality and liability for conduct in violation of the Optional Protocol on the Participation of Children in Armed Conflict is regulated in the Criminal Code. Monitoring and evaluation of violations of the provisions of the Optional Protocol on the Participation of Children in Armed Conflict is carried out by the Military Police in cooperation with departmental and non-ministerial security bodies. The information obtained is evaluated and passed on to each other. Subsequently, measures are taken in cooperation with the relevant components to prevent the activities of militant groups. Pursuant to Section 392 of the Criminal Code - a citizen of the Slovak Republic who performs service in a foreign army without a permit shall be punished by imprisonment for a term of two to eight years. An offender shall be punished by imprisonment for a term of five to ten years if he or she commits the act referred to in paragraph 1 during a state of war or war (for more information see Annex 1, points 180 to 186.)

List of abbreviations:

HEA – Health Educational Assistant

CCF – Centre for Children and Families

CSTI – Centre of Scientific and Technical Information

Convention – United Nations Convention on the Rights of the Child

ECC – European Consumer Centre

GPPO SR – General Public Prosecutor’s Office of the Slovak Republic

IC MI SR - Information Centre for Combating Trafficking in Human Beings and Crime Prevention of the Ministry of the Interior of the Slovak Republic

CC – Community centres

RD PF – Regional Directorate of the Police Force

UM – Unaccompanied minor

MTC SR - Ministry of Transport and Construction of the Slovak Republic

MF SR - Ministry of Finance of the Slovak Republic

ME SR – Ministry of Economy of the Slovak Republic

MC SR – Ministry of Culture of the Slovak Republic

MLSAF SR – Ministry of Labour, Social Affairs and Family of the Slovak Republic

MRC – Marginalized Roma communities

MJ SR – Ministry of Justice of the Slovak Republic

MESRaS SR – Ministry of Education, Science, Research and Sport of the Slovak Republic

MI SR – Ministry of the Interior of the Slovak Republic

NGO – Non-governmental organizations

MH SR – Ministry of Health of the Slovak Republic

MFEA SR – Ministry of Foreign and European Affairs of the Slovak Republic

NCA – National Criminal Agency

NP – National Project

NP CC – National Project Community Centres

NP HC – National Project Healthy Communities

NPDEaT – National Programme for the Development of Education and Training

NATU – National Anti-Terrorism Unit

OSCE - Organization for Security and Co-operation in Europe

OP HR – Operational Programme Human Resources

THB – Trafficking in Human Beings

PrS – Professional staff

POI – Pedagogical-organizational instructions

PeS – Pedagogical staff

PF – Police Force

RTVS –Radio and Television Slovakia

SOI – Slovak Trade Inspection

SLPCaSG – Bodies of social and legal protection of children and social guardianship

Report – Sixth Periodic Report of the Slovak Republic on the Implementation of the Convention on the Rights of the Child

SR – Slovak Republic

SS – Secondary schools

SP – BFHI - Standard Prevention Procedure: Care for the newborn and the mother according to the principles of the Baby-friendly Hospital Initiative - support for relationship and lactation.

NIE - National Institute for Education

SSI – State School Inspection

BBFP PPF – Bureau of Border and Foreign Police of the Presidium of the Police Force

UNODC – United Nations Office on Drugs and Crime

CLSAF – Centre for Labour, Social Affairs and Family of the Slovak Republic

VOP – Ombudsman

CRAX – Committee for the Prevention and Elimination of Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance

Committee - United Nations Committee for the Rights of the Child

WHO – World Health Organization

PS – Primary schools