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List of issues in relation to the third periodic report of Slovakia

Addendum

Replies of Slovakia to the list of issues* **

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* The present document is being issued without formal editing.

** The annexes to the present report are available for consultation from the Committee secretariat. They may also be accessed from the web page of the Committee.

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General information

Question No. 1

1. The Ministry of Justice of the Slovak Republic (“MJ”) does not record any data on the number of court decisions in which the judges directly refer to the International Covenant on Economic, Social and Cultural Rights (“Covenant”) and specifically article 12 thereof.

Question No. 2

2. Preventing corruption is one of the long-term priorities of Slovak governments. The MJ oversaw the adoption of the “anti-shell company” act, specifically Act No. 315/2016 Coll. on the Register of Public Sector Partners, in November 2016 and which establishes a register of public sector partners. The register constitutes a public administration information system containing the details of public sector partners and their beneficial owners and other authorised parties. The register includes other documents required by law (verification documents). The MJ is the administrator and operator of the register. Žilina District Court is the registering authority and is responsible for recording data. The register is another element to increase the transparency of legal arrangements and the public sector by exposing ownership and control structures of those entities doing business with the state, including down to the local government level.

3. “The anti-shell corporation” act was ranked as the third most positive measure increasing legal certainty in Slovakia in 2018 within the Legal Certainty Index¹ survey conducted by the Slovak Bar Association. The MJ sees this law as one of the most important initiatives in combating corruption as it exposes those who actually profit from such shell corporations over and above their formal owners: it exposes all areas of the handling of public funds, not just public procurement; it provides a means for public control and contains real instruments of enforcement when doubts are raised (for instance, under § 13 of Act No. 315/2016 Coll., the registering authority may levy fines from EUR 10,000 to EUR 1,000,000 for violations of statutory obligations, make changes to the recorded data or issue a decision to expunge an entity from the register, which establishes the right to withdraw from an agreement or contract that led to the distribution or acquisition of public funds or property, and the threat that they will have to be returned to their public sector partner).

4. The National Anti-Corruption Unit of the National Criminal Agency of the Praesidium of the Police Corps (“Unit”) performs tasks primarily associated with detecting, clarifying and investigating crimes of corruption, serious property and economic crime and crimes affecting the financial interests of the European Union (“EU”) falling within its substantive jurisdiction under the Order of the Minister of Interior No. 175/2010 on the definition of the jurisdiction of the Police Corps departments in detecting criminal offences, in identifying their perpetrators and on the procedure in criminal proceedings, as amended.

5. The Unit provides a statistical overview of criminal activity involving corruption, serious property and financial crimes, and crimes damaging the financial interests of the EU. It analyses the methods employed and the conditions that lead to these crimes being committed. Exposing the corrupt behaviour and practices of public officials and exposing corruption schemes in connection with the handling of public and EU funds has a significant impact on the public’s confidence in the proper functioning of public authorities.

6. The Government Office of the Slovak Republic was designated in Slovak Government Regulation No. 168 of 9 March 2011 as the corruption prevention authority in response to the proposal to designate a corruption prevention authority under Article 6 of the UN Convention against Corruption of 31 October 2003. In accordance with this Convention, the Government Office secures the strategic, methodology, legal and management activities involved in the area of corruption prevention via its corruption prevention unit. It functions as the central point of contact for corruption prevention for all

¹ <https://www.sak.sk/blox/cms/sk/sak/doc/219>.

bodies and levels of public administration, and the organisations established and operating under the auspices of public authorities and bodies.

7. Slovakia established the Specialised Criminal Court in 2006 as the court focused on ruling over the most serious crimes in the country. This court is the only court with jurisdiction to hear all crimes of corruption committed in Slovakia. The Office of the Special Prosecutor at the Prosecutor-General's Office of the Slovak Republic ("Office") was also established for the purposes of supervising legal compliance prior to the commencement of prosecution and preparatory proceedings in all criminal cases involving corruption. The Office has the power to actively intervene into the investigations of all corruption-related crimes. The Office's prosecutors are likewise prosecutors of the Prosecutor-General's Office. The Office's activities are managed by a special prosecutor elected by the Slovak parliament.

8. By assigning this supervisory role to the Office, Slovakia is moving towards accomplishing its stated goal of eliminating corruption. It is necessary to note in this context that the Office's Department of Corruption is staffed by prosecutors specialising in corruption-related crimes. In addition to prosecution oversight, these prosecutors are active in international institutions and conduct training activities in Slovakia's highest level authorities.

Statistical data is provided in the Appendix.

Issues relating to the general provisions of the Covenant (articles 1 to 5)

Maximum available resources (article 2 (1))

Question No. 3

9. The reduction of poverty and social exclusion is one of the long-term priorities of the public policies in Slovakia. Based on the EU Statistics on Income and Living Conditions (*EU SILC*) from 2017, the risk of poverty or social exclusion in Slovakia was at a level of 16.3%. The national goal has therefore currently been achieved to a level of approximately 150%, which means approximately 255,000 people have been lifted up and away from the risk of poverty or social exclusion.

10. Reductions have been recorded at all three levels:

- A decrease in very low work intensity (a reduction in the number of persons living in households with a very low work intensity), i.e. a reduction in the numbers of persons who are not working or only working occasionally in households to a level of 5.4%, as an effect of employment growth;
- A significant decrease in material need, specifically serious material deprivation, which expresses the share of persons with a lack of material goods and financial difficulties down to a level of 7%;
- A decrease in income poverty (level of poverty risk) to 12.4%, while the poverty threshold increased by 3.3%.

Statistics are provided in the Appendix.

Non-discrimination (article 2 (2))

Question No. 4

11. Based on analysis of the institutions of protection and promotion of human rights, the MJ is implementing a reform of the Slovak National Centre for Human Rights ("Centre") with the goal of aligning the law with the requirements of the Paris Principles. The draft amendment of the law expands the Centre's competencies, supports independence within the composition of the Centre's executive council and introduces a public selection

procedure for its executive director. The Centre's budget for 2019 was also increased by 40%, which also envisages expanding its staffing.

12. The Centre conducts activities as the National Institution for Human Rights and as the Equality Body whose competencies include providing free-of-charge legal assistance to the victims of discrimination and intolerance, issuing expert statements in matters concerning compliance with the principle of equal treatment under the anti-discrimination law, conducting independent investigations concerning discrimination, completing and publishing reports and recommendations on questions related to discrimination and representing parties in proceedings involving breaches of the principle of equal treatment under the anti-discrimination law.

13. The MJ together with the Ministry of Labour, Social Affairs and Family ("MLSAF") completed the National Strategy for the Protection and Promotion of Human Rights in Slovakia (adopted by the Slovak government on 18 February 2015) and the Action Plan for Preventing All Forms of Discrimination for the period 2016–2019. The Action Plan is composed of multiple operating objectives:

- Ensuring effective protection against discrimination, contributing to equality between men and women and non-discrimination, and the implementation of priorities funded by the European Social Fund ("ESF") should contribute to combating discrimination on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation;
- Improving the application and compliance with the anti-discrimination law in practice;
- Increasing the knowledge base in terms of causes and mechanisms;
- Increasing awareness of discrimination among decision-making actors;
- Increasing public awareness in terms of preventing discrimination and the means of protecting against discrimination.

Statistical data on the number of lawfully terminated administrative and judicial cases of discrimination where compensation has been awarded to the victims of discrimination and information on other adopted measures are provided in the Appendix.

Question No. 5

14. The need to provide special care to persons with disabilities is enshrined in various international documents, in particular the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol. The Convention entered into force for Slovakia on 25 June 2010. Government Resolution No. 103 of 20 February 2013 approved the proposal to establish a main contact point for the implementation of the Convention at the MLSAF.

15. Government Resolution No. 25 of 15 January 2014 approved the National Program for the Improvement of Living Conditions for Persons with Disabilities for the period 2014–2020, the basic objective of which is to ensure progress in protecting the rights of persons with disabilities recognized by the Convention and progress in their application through defined tasks and measures. The National Program was created as an open document, containing basic tasks for the period 2014–2020, with update and evaluation every 2 years.

More information is provided in the Appendix.

Question No. 6

16. Measures adopted to combat discrimination based on gender identity or sexual orientation are implemented within existing comprehensive policies to combat gender-based discrimination through the National Strategy for the Protection and Promotion of Human Rights in Slovakia.

17. The Action Plan for Preventing All Forms of Discrimination for the period 2016–2019 is the strategic document specifying the need to resolve discrimination based on sexual orientation and gender (and therefore gender identity).

18. Support for this issue is directed under a subsidy scheme of the MJ and MLSAF to support the activities of non-governmental organisations in the area of human rights. Projects of a similar type also receive partial support within a subsidy scheme of the Ministry of Culture of the Slovak Republic (“MC”) focused on the cultures of disadvantaged groups.

Equal rights of men and women (article 3)

Question No. 7

19. The equal rights of men and women were institutionally reinforced in 2014 through the adoption of strategic documents. The Slovak government approved the National Strategy of Gender Equality and the Action Plan for Gender Equality for the period 2014–2019 in 2014. Information concerning the on-going implementation of the Action Plan for Gender Equality is best reflected in the annual reports on the status of gender equality in Slovakia. The 2017 Report on the status of gender equality in Slovakia was officially submitted to a session of the Slovak government. A specific section of the 2017 report deals with the topic of violence against women and domestic violence. The process of preparing the 2018 Report on the status of gender equality in Slovakia is currently wrapping up. Another important document adopted by the Slovak government in 2014 is the National Acton Plan to Prevent and Eliminate Violence Against Women for the period 2014–2019 (“NAP”). The objective of the NAP is to create, implement and coordinate a comprehensive national policy for preventing and eliminating violence against women. A mechanism for monitoring the results of implementation on an interim basis is provided by the NAP fulfilment review process. The Report on the fulfilment of tasks of the National Act Plan to Prevent and Eliminate Violence Against Women for the period 2014–2019 – Review for the period 2014–2015 was submitted in June 2016. A majority of NAP tasks and indicators are being fulfilled on an on-going basis. The final monitoring report on the fulfilment of these tasks is currently being prepared. Taking into consideration the on-going implementation of tasks and indicators, it may be expected that a large majority of these tasks will be accomplished within the original implementation period.

20. In 2015, the MLSAF and the Institute for Labour and Family Research (“Institute”) launched a free-of-charge and non-stop hotline at 0800 212 212 for women experiencing violence. This national hotline is confidential for women and a safe space for women who are at-risk or currently experiencing violence. Hotline operators provide confidential crisis support and all pertinent and necessary information. With the goal of coordinating activities in the area of violence against women, the Coordination and Methodology Centre for Preventing Violence Against Women was established within the Institute at the initiative of the Gender Equality and Equal Opportunities Department. Its task is to coordinate comprehensive national policy for the prevention and elimination of gender-based and domestic violence. The Department provides expert support and sponsorship for the centre. Its activities are currently funded by the government and from the Prevention and Elimination of Gender Discrimination national project.

Issues relating to specific provisions of the Covenant (articles 6 to 15)

Right to work (article 6)

Question No. 8

21. Active labour market instruments are intended to reduce long-term unemployment by targeting specific types of interventions to those groups of the population most at risk. Such measures include financial contributions, stimuli, and the creation as well as training, preparation and re-qualification of job candidates and activation work.

22. A special contribution under Act No. 417/2013 Coll. on Assistance in Material Need (“act on assistance in material need”) is an example of a supporting measure focused on

resolving long-term unemployment and the long-term inactivity of persons in the system of assistance in material need. Since 2015, recipients of assistance in material need who are employed and whose income is anywhere from half to twice the minimum wage are eligible for a special contribution together with their working wages over a 12-month period (EUR 126,14 for 6 months and then EUR 63,07 for 6 months). Legislation does not preclude receiving this contribution in a situation where an individual or a household remains in the system of assistance in material need. This measure increases the motivation of persons in material need to find and keep a job.

23. Building on the positive experience from providing this special contribution within the system of assistance in material need, an amendment of the act on assistance in material need took effect on 1 May 2017, the objective of which was to provide greater support to motivate persons unemployed for an extended period of time or long-term inactive members of a household to take and keep lower-paying jobs by providing an exemption equal to 50% of the income of the household member provided with the special contribution from their employment or a similar working relationship within the process of assessing and subsequently providing assistance in material need. The implementation of this amendment has led to a reduction long-term unemployment and inactive persons of working age as they are able to continue to receive this special contribution as assistance in material need and their salary after they are employed or in a similar working relationship.

24. The implementation of the above-specified change resulted in a gradual increase in the number of recipients of the special contribution, which plateaued in October 2017 (9,582 persons). The total gradually decreased and currently (April 2019) a total of 3,702 persons are provided with the special contribution. A change in the amount of employment test income among recipients of the special contribution was also reflected in a rapid decrease in the total number of recipients of assistance in material need. Over a multi-month comparison, it is clear that this change resulted in a sharp decrease in the number of recipients of assistance in material need over comparable periods in the previous year (2016) and the following year (2018). A decrease of 30.6% was observed from April 2017 to April 2019. The impact was also reflected in a change in the structure of the recipients of assistance in material need, for instance in the form of an increase in claims for the activation contribution for those employed at the minimum wage. Overall, the goal of the above-specified measure was met, to increase the motivation to find and keep a lower-paying job and to reinforce the overlapping of salaries and assistance in material need, especially among families with children. Positive results may also be indirectly seen in connection with a decrease in the unemployment rate.

25. An amendment of the act on assistance in material need took effect on 1 April 2019 and serves as additional reinforcement towards motivating persons who are unemployed or inactive for an extended period of time to find work and to join the labour market, primarily through two key instruments. The activation contribution is divided into two levels and is provided at a higher amount to members of a household with income from employment in the amount of the monthly minimum wage at a minimum. This special contribution is provided for an extended period of 18 months, while it is provided at the higher amount for 12 months and then a lower amount for an additional 6 months.

26. According to statistics from the Headquarter of Labour, Social Affairs and Family, the official unemployment rate in 2018 fell in every month except for June and July. The unemployment rate in December 2018 was 5.04%. A total of 138,198 job seekers were registered in December 2018. This represents a year-on-year decrease of 23,717 persons, or 14.65% (161,915 persons in December 2017).

More information is provided in the Appendix.

Question No. 9

27. The Ministry of Interior of the Slovak Republic (“MI”) as the intermediate body for Priority Axes 5 and 6 of Operational Programme Human Resources together with Slovak Government Plenipotentiary for Roma Communities supports Roma employment through national projects that allow members of marginalised Roma communities (“MRC”) to work in various assistant positions providing social services under Act No. 448/2008 Coll. on

Social Services and Act No. 219/2014 Coll. on Social Work and on the Conditions for Performing Various Professional Activities in the Areas of Social Affairs and the Family, as amended. Such positions include field social workers, field workers and community workers. For instance, the focus in the Pre-Primary Education National Project in competence of the Plenipotentiary, the employment of educational and professional employees is supported by the positions of teacher's assistant, special educator, school psychologist, social pedagogue and therapeutic educator by applying the institute of temporary countervailing measures and with preferential employment of members of the Roma community. A total of 69 Roma are employed in the Pre-Primary Education National Project, 53 of whom were employed through the use of the institute of temporary countervailing measures, 52 as teacher's assistants and 1 as a professional employee. The Healthy communities 2A National Project, persons identifying as members of MRC account for 95% of the total number of health education assistants. A total of 245 persons were employed as health education assistants as of 31 December 2018. Similar facts concern the national project in the competence of the Plenipotentiary, which are Field social work and field work in the communities with the presence of MRC (in the project of 156 employees, 156 members of the MRC were employed in the positions) and Community Centers in the towns and cities with the presence of MRC – Phase 1 (number of workers in project 153, planned value 390, number of community centers supported 53, planned value 130, number of employed persons from MRC in project 42). These two national projects have already provided more than 47,000 interventions in the case of Roma integration. National projects create opportunities through specific activities for the employment of persons from MRC, who then receive training to systematically improve their potential. The broader professional community and general public are informed of the targeted employment of individuals from this environment through communication channels.

28. In addition to the national projects identified above, local civil service projects, which are a continuation of the successful Roma patrols in the past, provide tremendous potential for employing persons from MRC. Nearly 700 individuals from MRC are employed in the local civil service projects implemented within the first call in 2017.

29. National projects implemented within Priority Axis 5 of Operational Programme Human Resources include training for persons employed as field social workers, field workers, community workers, teacher's assistants and health education assistants.

30. The objective of this training is to increase the professionalism of this human capital and the quality of the provided assistance services and their professionalization within the MRC.

Right to just and favourable conditions of work (article 7)

Question No. 10

31. To secure measures to combat against horizontal and vertical segregation in Slovakia, the horizontal principles of non-discrimination and the equality of men and women were applied in projects co-financed from European Structural and Investment Funds ("ESIF"). The main objective of the horizontal principle of equality between men and women for ESF programs is to ensure labour market equality between men and women and to prepare for it and the objective for other ESIF programs is to reduce horizontal and vertical gender segregation in economic sectors. The main objective of the horizontal principle of non-discrimination for ESF programs is to ensure equal labour market opportunities and to prepare for them, and to ensure equal opportunity to access and use infrastructure and services for other ESIF programs. In order to prevent discrimination and promote equality between men and women, these principles will be applied in all programs through the introduction of countervailing measures and activities aimed at supporting disadvantaged groups.

Relevant specifics of Operational Programme Human Resources are provided in the Appendix.

Question No. 11

32. The primary objective of state bodies in the area of labour inspection on an annual basis is to protect employees in accordance with the goals and priorities of the Occupational Health and Safety Strategy in Slovakia for 2016 to 2020.

33. Based on an evaluation of the lessons learned from labour inspections, the National Labour Inspectorate completes a plan of primary tasks that are defined as nationwide labour inspection tasks. Extraordinary tasks are regularly implemented throughout the year and are focused on aligning with the defined labour inspection priorities in the given calendar year.

34. Labour inspectorates conducted labour inspections at 23,838 entities in 2013, 27,001 entities in 2014, 26,847 entities in 2015, 28,084 entities in 2016, 24,701 entities in 2017 and 30,379 entities in 2018.

35. A total of 51,736 deficiencies were identified in 2013, 47,241 identified in 2014, 46,155 identified in 2015, 41,935 identified in 2016, 47,261 identified in 2017 and 47,051 identified in 2018.

36. A majority of the identified deficiencies were in industrial manufacturing, wholesale and retail establishments, motor vehicle repairs, transport and storage, the construction industry and in the accommodation and meals sector.

37. Based on the outcomes of these labour inspections, labour inspectors propose technical, organisation and other measures to employers necessary to improve upon existing conditions and order the inspected entities to remedy the identified deficiencies by defined deadlines. Special measures include providing consulting services to employers and natural persons who are sole proprietors, but not employers and employees.

38. Enhancing the preventative activities of labour inspection bodies and focusing the performance of labour inspection activities on compliance with legislation and other regulations concerning occupational health and safety, especially involving employers with an elevated level of work risk, and employers who have registered an occupational injury over in recent years, have a positive impact on reducing occupational injury rates.

Question No. 12

39. The minimum wage act is a general law applicable to all employers under labour law arrangements and in similar working relationships, meaning it applies to all employees in the public and private sectors.

40. Based on our previous experience, we remain convinced that employers in the public and private sector respect the defined minimum wage. Considerations as to the justification or lack thereof for the institution of a minimum wage in Slovakia were overcome in the past and this institution is currently fully respected by all social partners.

More information is provided in the Appendix.

Trade union rights (article 8)

Question No. 13

41. Safeguards in Slovakia have been put in place to ensure that the rights to strike and to collective bargaining may be exercised effectively and in accordance with article 8 of the Covenant.

42. The district court in which the relevant trade union organisation maintains its registered office has jurisdiction to rule on the lawfulness of a strike.

More information is provided in the Appendix.

Right to social security (article 9)

Question No. 14

43. For the purposes of promoting the social inclusion of persons with disabilities, the state provides these individuals with financial contributions as compensation for the social consequences of their disability. This system is fully financed from the state budget and is not based on any insurance principle. It is intended to overcome or mitigate the disadvantage resulting from their disability in terms of mobility, orientation, communication, additional costs and self-care. A total of 14 kinds of contributions are provided: from one-time contributions, for instance to purchase special medical supplies, to modify a flat, to purchase a passenger car, to purchase lift equipment, to recurring contributions (provided monthly) for instance, for personal assistance, for transport and as compensation for additional costs. Contributions are provided depending on the income of persons with disabilities, while assistance is greatest to those with lower incomes and lower contributions, or no contributions, are provided as the income of beneficiaries increases. The assets of persons with disabilities are also reviewed. The basic eligibility criteria is that such person has a disability, meaning a severe lack of physical, intellectual or mental capacity expected to endure for more than 12 months given the prognosis for their specific disability. State authorities then assess the individual types of dependencies and propose a suitable form of compensation. State authorities also issue identification cards to persons with disabilities that are intended for use to receive benefits and discounts, for instance from transportation providers, to attend cultural events, when paying taxes and administrative fees, etc. (more than 330,000 persons currently have such identification cards) and parking permits for persons with disabilities, intended for use in reserved parking places and other special driving privileges (more than 95,000 persons currently have such permits).

Protection of the family and children (article 10)

Question No. 15

44. Amendment of the social services act has created a uniform framework for childcare providers for children under the age of 3 since 2017, which has become a new type of social service focused on the work-life balance. The same act modified options for providing social services in the field (and therefore in a child's home environment, in the household of a caregiver or in a space created for such specific purposes by the parent's employer) and which may be provided for children up to the age of 6 depending on their health condition. Authorisation to provide social services is established as of the date of registration in the register of providers of social services, which confirms the fulfilment of spatial requirements, as well as hygiene, personnel, material and financial conditions to provide social services. The legal institute of paternity leave is expressed in Slovak law in the third sentence of § 166 (1) of the Labour Code, which stipulates that men have equal right to parental leave to care for a new born child from the birth of such child in the same scope if they are caring for a new born child.

45. The institute of voluntary paternity leave is stipulated in our legislation so that fathers are recognised as equals to mothers under the law and such leave is referenced to as "parental leave".

More information is provided in the Appendix.

Question No. 16

46. Within the context of the issue of social services for patients with special needs, including persons with disabilities and older persons and their access to healthcare or the provisioning of adequate healthcare, the Department of Standard Preventative, Diagnostic and Therapeutic Processes at the Ministry of Health of the Slovak Republic has created a special expert working group for social paediatrics, for long-term care and a multidisciplinary expert working group to work on creating standardised procedures for these specific areas.

47. Within the expert group for nursing, a standard procedure was created and approved named “Comprehensive nursing management for patients in social facilities”, which lays down the procedures for providing the correct healthcare.

48. The personal assistance cash allowance is provided to persons with disabilities who reimburse their personal assistants with salaries.

49. The area of social services was decentralised from the state level to the local government level and the goal of decentralisation was to respect the need for ensuring social services were both accessible and effective while respecting the principle of subsidiarity. Local authorities, in the interests of meeting the needs of their constituents, assess public interest in their territorial districts in providing social services of a specific kind and form through a community plan of social services for the given municipality or a strategy for the development of social services in the relevant higher territorial unit.

More information is provided in the Appendix.

Right to an adequate standard of living (article 11)

Question No. 17

50. The overall and partial objectives of the Strategy of the Slovak Republic for the Integration of Roma to 2020 are focused on the inclusion of MRC in the areas of education, health, employment and housing, as well as over-arching cross-cutting topics including financial inclusion, discrimination and public opinion. All of these areas have the goal of lifting this group out of multi-generational poverty associated with social exclusion. A total of EUR 118,027,101.53 was distributed from the funds dedicated to fulfil the strategy’s measures in 2018.

51. Given that education is one of the tools for lifting people out of concentrated and generational poverty, the strategy focused tremendous attention on this specific area. A total of 98 municipalities joined the Support for Pre-Primary Education of Children from MRC I national project of the Office of the Slovak Government Plenipotentiary for Roma Communities with a total of 99 teacher’s assistants, 59 professional educational employees and 63 family work coordinators.

More information is provided in the Appendix.

Question No. 18

52. The integration of persons provided with international protection in Slovakia, i.e. granted asylum or provided with subsidiary protection, is currently being secured in the form of an integration project. The “STEP 3” integration project is financed from the Fund for Asylum, Migration and Integration is being implemented by the NGOs Adra and Marginál, while the Migration Office under the MI is responsible for material supervision over the project. The project provides those persons provided with international protection a financial contribution, services including psychological counselling, social counselling, work counselling, instruction to learn Slovak, assistance in finding accommodations and more. The Migration Office employs two integration managers, one of whom is responsible for Western and Central Slovakia and the other for Eastern Slovakia, and who are actively involved in caring for and supervising the integration of such persons granted international protection.

53. Individuals seeking asylum and placed in asylum facilities are provided with numerous pre-integration services within the “Effective Services for Asylum Seekers II” project financed from the same fund for Asylum, Migration and Integration being implemented by the NGO Slovenská humanitná rada and the town of Rovné and in collaboration with social workers at the Migration Office. These services include instruction to learn Slovak, social and psychological counselling, cultural orientation, art therapy, music therapy and various other free-time activities.

54. In addition to these services and activities, asylum seekers are provided with rooms and board or catering services, basic hygienic needs and supplies and other supplies

necessary for their survival at no charge during their stay at the asylum facility. Also, asylum seekers are reimbursed for urgent health care and in cases worthy of special consideration, if specific health care needs are identified on the basis of an individual assessment of the asylum seeker's health condition, the provision of this health care is also covered. During their stay in the asylum facility, asylum seekers are also provided with pocket money in a symbolic amount if there are no reasons to withhold such funds.

55. In addition to the above, please note the legislative amendment that improved the standing of aliens provided with subsidiary protection in Slovakia.

56. As of 1 July 2018, the amended Act No. 447/2008 Coll. on Financial Contributions as Compensation for Disabilities, as amended, expanded those eligible for benefits to include persons provided with subsidiary protection. Based on the amendment, persons with subsidiary protection (and not just asylum seekers) are eligible for the individual financial contributions to compensate for their disabilities so long as they meet the statutory requirements. Beginning on 1 July 2018, the law expanded eligibility to those entitled to compensatory maintenance from persons provided with subsidiary protection so long as they meet the statutory requirements.

57. For the purposes of Act No. 112/2018 Coll., those granted asylum and aliens granted subsidiary protection are considered vulnerable parties.

Question No. 19

58. In Slovakia, the primary responsibility for procuring one's own housing is borne by the citizen. The primary objective of the state in the area of housing policy is to gradually increase the overall level of housing so that it is accessible to the population and that every household can provide adequate housing. In line with the intentions of the concept of state housing policy, a system of supportive economic instruments for housing development is created in Slovakia, which are differentiated according to the social situation of those interested in housing. Within the scope of the Ministry of Transport and Construction of the Slovak Republic ("MTC"), a system of support for the purchase of rental housing intended for social housing through a combination of subsidies pursuant to Act no. 443/2010 Coll. on subsidies for housing development and social housing, as amended, and a subsidized loan from the State Housing Development Fund. Housing acquired in this way is intended for households whose income does not exceed three times the subsistence minimum. This income threshold thus covers all vulnerable groups. In 2018, a grant of EUR 26,344,360 was provided, which supported the acquisition of 1,385 social housing dwellings. At the same time, the acquisition of technical equipment at 1,005 rental dwellings was supported, with the aid amounting to EUR 1,517,970. However, not only the MTC but also other state administration bodies intervene in the area of improving access to housing through its measures, for example MLSAF, as well as Office of the Plenipotentiary of the Slovak Government for Roma Communities.

59. Slovakia moved to amend Act No. 443/2010 Coll. on Subsidies for Housing Development and on Social Housing, Act No. 150/2013 Coll. on the State Housing Development Fund and their implementing regulations, the result of which is improved availability of social housing. Act No. 112/2018 Coll. on the Social Economy and Social Enterprises was also adopted in 2018 with the intention of having a positive impact on housing. Other legislation was also adopted with respect to settling the ownership of land beneath structures inhabited by the MRC.

Specific information on this legislation and specific projects and measures to improve housing for members of the MRC are provided in the Appendix.

Question No. 20

60. It is necessary to emphasise that Slovakia has not adopted a nationwide document that systematically deals with the issue of homelessness. Discussions are, however, currently under way and a draft of the "National Strategy to Prevent and Resolve Homelessness" is currently being prepared by the MLSAF. The MTC is participating in the drafting of this document as one of the partners.

61. Data on homelessness is not aggregated centrally and the term “homelessness” is not legislatively defined. Data on homeless people is collected at the local level.

More information is provided in the Appendix.

Question No. 21

62. Slovak law does not permit residential segregation. The building act does not provide protection for tenure in terms of structures or land. Legal tenure is primarily provided protection under the Civil Code, which provides legal protection for the bona fide tenure of a land and legal protection for the rental of a flat. § 135c of the Civil Code establishes the ability of a land owner to sue via the courts to remove a structure established on the owner’s land without their consent and the court has the same right to establish, for compensation, an easement that is necessary to exercise ownership over the given structure. In proceedings under § 88a of the building act concerning subsequent permitting of a structure, if the builder demonstrates the compliance of the structure with generally binding regulations and the land use plan, but does not demonstrate ownership of the land or any other title to establish such structure and the land owner does not agree with such subsequent permitting of the structure, the building authority shall cancel the proceeding and refer the parties to the courts. Moreover, flats owned by towns and cities currently fall exclusively under the regulatory auspices of the short-term flat rental law, via which Slovakia implemented general comment no. 7 (1997) concerning forced evictions as this law provided a lower level of protection to flat tenants as under the Civil Code. Likewise, bankruptcy and restructuring law contains numerous protections against forced evictions, including processes during in voluntary auctions and execution proceedings for vacating properties and, inter alia, § 166d of the law stipulates the unassailable value of a dwelling, which is exempt from bankruptcy, § 167o thoroughly stipulates the conditions for the monetization of a dwelling and § 167r lays down the ability of the debtor’s relative to purchase such dwelling from the bankruptcy estate. The Execution Code stipulates specific protections involved in the sale of property within execution proceedings or the vacating of properties or flats during execution proceedings. It is also necessary to emphasise that municipal flats in Slovakia are subject to price regulations via measures issued by the Ministry of Finance of the Slovak Republic (“MF”). § 63 (3) of the Execution Code lays down strict conditions for (exceptional) execution proceedings in which the obliged party has reported a permanent or temporary place of residence, after approval by the court, for multiple execution proceedings in which the sought receivables exceed EUR 2,000. The obliged party has the right to lodge an appeal to be ruled upon by the judge in execution proceedings involving the vacating of property or the vacating of a flat. In justified and strictly defined instances where the rental of a flat is terminated, the Civil Code stipulates the obligation to provide substitute housing, which means a flat, substitute accommodations or shelter. Rental rates in flats owned by the state and local governments are subject to the MF measures to ensure the rental rates consider social aspects, especially with respect to social housing flats. The act on assistance in material need defines a housing allowance for persons in material need.

63. We believe that the problem of constructing segregating walls, a phenomenon which occurred in Slovakia in the past and which is receding in nature, is not strictly the result of legal deficiencies; rather it is a societal problem, and we consider it important to focus on more systematic practical guidance for local governments and to continue working to adopt integration policies and other more targeted instruments as the solution.

64. It may be said that Slovakia already applied the 3D principle (desegregation, de-ghettoization and destigmatization) as one of the basic conditions for drawing funds from public sources during the process of defining the programs financed using ESIF for the 2014–2020 programming period within Operational Programme Human Resources.

65. For this purpose, the Office of the Slovak Government Plenipotentiary for Roma Communities issued a methodology instruction for the effective application of the principles of desegregation, de-ghettoization and destigmatization. This methodology instruction was published in accordance with the Strategy of the Slovak Republic for the Integration of Roma to 2020. One of the primary objectives of the strategy, the methodology instruction and the operational programme itself is to halt the segregation of

Roma communities, to make a substantial and positive upturn in the social inclusion of Roma communities, non-discrimination and to change the attitudes of the majority population with regards to the Roma minority. These facts are expressed in the individual action plans within the strategy.

66. Given that the elimination of segregation/desegregation is identified as a process within the mentioned methodology instruction to bring about the end of the spatial and social separation or isolation of members of Roma communities and the majority population, the Slovak government is justified in taking an approach based on the recognition of the fact that involuntary residential segregation as a result of historical developments cannot be effectively resolved through state land use planning and housing policies alone and that this problem requires a more comprehensive solution with the active engagement of the majority society as well as members of MRC.

More information is provided in the Appendix.

Question No. 22

<i>Call</i>	<i>Activity allocation</i>	<i>Number of projects</i>	<i>Contracted amount (EU funds)</i>
Construction and renovation of kindergartens	EUR 50,054,814.00	59	EUR 19,922,703.97
Construction and renovation of community centres	EUR 30,807,037.00	105	EUR 22,307,847.10
Support for access to drinking water	EUR 16,054,814.00	30	EUR 2,310,969.63
Construction or expansion of a system for separated collection of municipal solid waste and implementation of remediation measures for illegal dumps, including remediation of negative effects of illegal dumps	EUR 18,160,295.00	118	EUR 13,378,224.42
Accessible housing	EUR 45,000,000.00	0	-
Mentoring and tutoring	EUR 5,000,000.00	9	EUR 1,616,147.48
Local civil service projects (MOPS)	EUR 32,650,000.00	147	EUR 17,063,660.51
Demand-driven projects (DOP), total	EUR 197,726,960.00	468	EUR 76,599,553.11

<i>National projects</i>	<i>Activity allocation</i>
Field social work and field work in municipalities	EUR 22,534,461.43
Community centres in municipalities with marginalised Roma communities – Phase I	EUR 15,885,417.36
Support for land settlement in marginalised Roma communities	EUR 2,016,466.34
Monitoring and evaluation of inclusion policies and their impact on marginalised Roma communities	EUR 2,640,712.22
Healthy communities	EUR 9,601,476.38
Support for pre-primary education of children from marginalised Roma communities, Phase I	EUR 16,970,593.09
National projects (NP), total	EUR 69,649,126.81

<i>Financial instruments</i>	<i>Activity allocation</i>
Support for social enterprises	EUR 1,535,516.00
Self-help housing	EUR 10,000,000.00
Financial instruments (FI), total	EUR 11,535,516.00
Total allocated to activities (DOP+NP+FI)	EUR 278,911,602.81

More information is provided in the Appendix.

Question No. 23

67. An amendment to Act No. 544/2010 Coll. on Subsidies under the auspices of the MLSAF introduced the ability to provide subsidies to support healthy eating habits in children (“meal subsidy”) to all children attending the final year of kindergarten education effective 1 January 2019. The meal subsidy provides EUR 1.20 per day in which the child attends their educational activities at kindergarten or lessons at primary school and received lunch.

68. Beginning on 1 September 2019, the amendment of this act will permit the blanket provisioning of the meal subsidy to all primary school students under the conditions specified in the law itself.

More information is provided in the Appendix.

Right to physical and mental health (article 12)

Question No. 24

69. The Ministry of Health (“MH”) kicked off the creation and implementation of standard procedures in clinical practice for diagnostics and treatment in 2017 and anchored the use of standard procedures for prevention, standard diagnostic and standard therapeutic procedures into legislation in 2018, according to which the correct healthcare shall be provided (if the given patient does not require a different solution given their clinical condition, co-morbidities and the like, which must be recorded in their health records) if it complies with existing standard procedures. The implementation of standard procedures is occurring across the health system, and includes state and private healthcare facilities. This means that the standard procedures published by the Minister of Health are binding for all healthcare providers.

70. The Department of Standard Preventative, Diagnostic and Therapeutic Processes is also implementing the “Creation of new and innovative procedures to perform prevention and their introduction into medical practice” project that will focus on the following areas over the next three years: prevention of psychiatric disorders, prevention of infectious diseases, prevention of lung diseases, prevention of neuro-degenerative diseases, prevention of cardiovascular diseases, prevention of endocrine and metabolic diseases and prevention of cancer.

Question No. 25

71. The Department is implementing the “Creation of new and innovative procedures to perform prevention and their introduction into medical practice” national project, within which an expert working group for psychiatry was established to focus on completing standard procedures for psychiatry. The following four standard procedures are valid as of 1 January 2019: Comprehensive management of a patient with schizophrenia, Comprehensive management of a patient with persistent delusional disorders, Comprehensive management of a patient with schizoaffective disorders, and Comprehensive management of a patient with acute and transient psychotic disorders.

72. The expert working group for psychiatry will create a standard procedure dealing with the issue of treatment involving the use of electro-convulsive therapy (ECT), which

will be based on the latest medical knowledge and recommendations. This standard procedure should introduce a humane and adequate approach to nursing and care for psychiatric patients. The expected plan for completing the standard procedure is in December 2019. The objective here is not to complete binding guidelines issued by the MH; rather it is to design a system for their internal and external control, with the ability to add a feedback-based control mechanism, records and registers.

73. The MH considers a reduction in the use of restraints as a high priority, and it expects to find a solution in the construction of secure units operating under special regimes and with the necessary spatial and material resources within existing psychiatric wards that would be used for the purposes of resolving the phenomenon of aggression among “typical” psychiatric patients. As opposed to court-ordered detention, healthcare professionals would make the decision on placement in a secure unit.

74. It is expected that the establishment of such secure units will result in an overall reduction in the use of restraints and create a route forward towards the gradual elimination of the use of caged beds.

75. The social services act from 2009 strictly defines that the use of any non-bodily and bodily restraints on the recipients of social services in social services facilities is prohibited so long as the situation does not put the lives or health of the recipient or other natural persons in jeopardy. In such event, restraints may only be used for the period of time necessary, while the use of non-bodily restraints (e.g. verbal communication) is always given priority over bodily restraints (such as using various holds, placing the recipient into a special room or using drugs). The provider is obliged to record every use of restraints into the register of their use and inform the MLSAF without delay of any instances where a review of the justification for the use of such restraints is appropriate given the circumstances.

Question No. 26

76. The Zdravé regióny (Healthy Regions) organisation is funded by the MH and functions to implement and develop temporary compensatory health measures. It thereby fulfils one of the overall objectives of the government’s strategic document, the Strategy of the Slovak Republic for the Integration of Roma to 2020, which is to improve the situation of MRC in the area of health.

77. It is implementing the Healthy communities 2A national project, which is financed from the ESF and the European Fund for Social Development within Operational Programme Human Resources. The objective of this project is to improve the health and health conditions in MRC through interventions in the area of social health determinants. These efforts primarily involve lowering the barriers to access healthcare (including increasing the availability of healthcare services and informing members of MRC regarding healthcare and prevention), increasing health literacy (including raising the level of awareness concerning healthcare among members of MRC) and improving health-related behaviour (primarily reducing lifestyle risks).

78. The core of the work conducted by Zdravé regióny is primarily via the activities of health education assistants directly in MRC and through health mediation, specific types of community work focused on overcoming communication barriers, spreading health knowledge and psycho-social support to persons living in marginalised locations. On average, 85% of the employees of Zdravé regióny are Roma who know Romani, which is fundamental for working with MRC.

Question No. 27

79. Alcohol in Slovakia is the subject of the National Action Plan for Problems with Alcohol for the period 2013–2020, the primary objective of which is to increase health awareness of the scope and nature of the health, social and economic effects of the harmful use of alcohol. The second major objective is controlling the sale of alcoholic beverages, checking the age of buyers and checking for the consumption of alcohol at the workplace and in transport. The national action plan emphasises the multi-sectoral nature of the

solutions to problems related to alcohol and also considers the means and competencies available at the level of individual departments.

80. The Public Health Authority of the Slovak Republic is engaged in the fulfilment of the Action Plan for Implementing the National Anti-Drug Strategy of the Slovak Republic for the period 2017–2020 within the health department by securing prevention, through education, primarily for young people concerning a healthy lifestyle, health education concerning drug problems and the use of legal and illicit addictive substances (alcohol, tobacco and illegal drugs).

81. The National Action Plan to Support Exercise is being implemented to support and promote exercise within a healthy lifestyle and is focused on monitoring select health indicators among secondary school students, and by testing their endurance and posture. The aim is to objectify anthropometric and selected biochemical indicators of health, and to assess physical fitness and posture.

82. Within the World Day on Movement to Health, the regional public health authorities in Slovakia carry out educational activities for the general public every year, as well as discussions and lectures for young people on the importance of physical activity and its life-long benefits. Participants are provided with educational materials.

83. The Challenging the Heart to Exercise campaign is currently under way. The objective of this campaign is to motivate as many adults as possible to exercise regularly in the form of a competition. It was conducted in all of Slovakia's regions from 25 March to 16 June 2019.

84. Within support for the health of marginalised groups at primary and special schools for Roma students in various age categories, meetings and lectures are being held on an on-going basis covering topics related to preventing the smoking of tobacco, and the use of alcohol and drugs. Health and educational materials were distributed within health education efforts for the Roma community to support health awareness. Collaboration is also developing with foster homes under the jurisdiction of the individual regional public health authorities with health and educational activities focused on clients, children and youth, the employees of such facilities, and foster parents.

More information is provided in the Appendix.

Right to education (articles 13–14)

Question No. 28

85. The Ministry of Education made fundamental legislative changes in 2015. Act No. 245/2008 Coll. on Education and Instruction (“School Act”) specifically stipulated that students whose educational and instructions needs are based exclusively on their upbringing in disadvantaged socio-economic backgrounds (“DSB”) cannot be enrolled into a special class or a special primary school and explicitly ordered the enrolment of such students into classes with other students in a “regular” class. The contribution for a student from a DSB was then modified to accomplish its purpose, specifically the need to secure conditions, content, forms, methods and processes in education and instruction that must be applied to develop the abilities and individual personality of such student and to achieve an adequate level of education and inclusion into society.

86. Amendment of Act No. 597/2003 Coll. on the Funding of Primary Schools, Secondary Schools and School Facilities, as amended, and with effect from 1 September 2017, amended § 4a (7), to which a portion of the School Act was moved, and specifically the provision of a contribution to improve the conditions for the education and instruction of students from DSB. Likewise, § 9f in the transitional provisions stipulated: For the purposes of providing a contribution to improve the conditions for education and instruction of students from DSB, such student is defined in the period from 1 September 2017 to 31 December 2019 as any student who is a member of a household in which members receive assistance in material need and the statutory guardian of this student

demonstrates this fact to the headmaster of their primary school in the period. This contribution goes beyond the standard norm for a student.

87. The contribution to improve the conditions for education and instruction of students from DSB is provided based on the number of students from DSB who are not educated in a special class or in the form of school integration, to pay for:

- (a) The payroll costs for a teacher's assistant for students from DSB or a social pedagogue;
- (b) Procuring didactic equipment and educational materials;
- (c) Participation of students in activities under a special regulation;
- (d) Education and instruction of students in special classes;
- (e) Preventing the transmission and outbreaks of infectious diseases;
- (f) The bonus for work with students from disadvantaged socio-economic backgrounds.

88. The trustee of a primary school which educates more than 85 students from DSB is obliged to use at least 50% of the total contribution to improve the conditions for educating and instructing students from DSB for the elementary school on the personnel expenses for teacher's assistants for students from DSB or a social pedagogue.

89. Additional measures include expansion of diagnostic instruments, the unification of theoretical and methodology-related procedures employed by expert employees and reflection on the interaction between research and practice.

90. The education and instruction of children from DSB and students from DSB in schools is conducted under individual conditions. These individual conditions include:

- (a) Modification of the organisation of education and instruction;
- (b) Modification of the environment in which education and instruction take place, or
- (c) The application of specific methods and forms of education and instruction.

91. A child or student whose special educational and training needs are based exclusively on their development in a DSB may not be enrolled into a special school or a special class in a kindergarten, a special class in a primary school or a special class in a secondary school.

92. Children or students from DSB are enrolled into classes in kindergartens, primary schools and secondary schools along with all other children and students. This does not apply if a student from a DSB is enrolled:

- (a) Into a remedial year at primary school with the informed consent of their statutory guardian, or
- (b) Into a specialised class.

93. The methodology information for professional employees in counselling facilities titled "Assessment of the cognitive development of children from disadvantaged socio-economic backgrounds" was updated in 2018. The updated edition incorporates the requirements of counselling facilities and implementation of the latest psychological, special pedagogical and pedagogical knowledge and experience from the diagnostic, counselling and educational and instructional process.

94. The State Pedagogical Institute completed a material titled Remedial Year – Recommendations for Educational and Instructional Activities in the Remedial Year at Primary School in 2018. This material is accessible on the State Pedagogical Institute website.

Cultural rights (article 15)

Question No. 29

95. The Plenipotentiary of the Slovak Government for National Minorities fulfilled the priority of the Program Proclamation of the Slovak Government for 2016 to 2019 focused on creating the conditions to align practices with the valid law concerning the use of the languages of national minorities. A number of working meetings were held on this specific topic and focused on exchanging information and consulting on proposals to improve the standing of national minorities and promoting the rights of members of these national minorities with representatives of central government bodies, relevant embassies in Slovakia, international organisations and representatives of the private sector. In the field of visual bilingualism, with emphasis on providing information about threats to life, health, safety or property of citizens in places accessible to the public alongside the national language and in the languages of national minorities, the plenipotentiary has initiated several meetings with responsible entities to set up systemic actions in this area.

96. With the goal of improving conditions for the use of the languages of national minorities and ethnic groups in practice, the plenipotentiary established a working group to ensure the alignment of practices with the valid law on the use of the languages of national minorities. The advisory language group to the plenipotentiary is composed of five independent sub-groups, specifically for Hungarian, Rusyn, Romani, Ukrainian and German. The main task of the advisory language group to the plenipotentiary is to prepare background materials to ensure uniform professional terminology in the languages of national minorities, informative language versions of legislative texts, official forms, documents on methodological materials when using the languages of national minorities as regulated by law. The advisory language group to the plenipotentiary prepared translations of 8 basic laws in 2018, which were then published on the Slov-lex legal and information portal in October 2018 in collaboration with the Ministry of Justice. Building on these activities, a memorandum of long-term cooperation was signed between the plenipotentiary and the minister of justice, within which the publication of such informative translated versions of selected laws and their amendments will continue in the languages of national minorities on the Slov-lex portal. The advisory language group to the plenipotentiary is continuing in its activities in 2019 and performing activities in the area of aligning practices with valid legislation.

97. A significant financial instrument for ensuring the preservation, expression, protection and development of the identity and cultural values of national minorities, education and instruction on the rights of members of national minorities, inter-ethnic dialogue and inter-cultural dialogue and understanding between the national majority and national minorities and ethnic groups under the auspices of the plenipotentiary was the Culture of National Minorities subsidy program until the end of 2017. A total of EUR 4,500,000 was allocated to this program in the state budget for 2017. This was a EUR 620,750 increase over the EUR 3,879,250 allocated in 2016. The manner in which these funds were distributed among the individual national minorities was based on the rules for allocating funds within the Culture of National Minorities program, which took into consideration multiple criteria in calculating the allocations for individual national minorities. These rules for distributing the funds were completed and approved by the Committee for National Minorities and Ethnic Groups.

98. Within this subsidy program, projects focused on preserving, expressing, protecting and developing identity and cultural values were supported, along with those focused on education and instruction on the rights of members of national minorities, inter-ethnic and inter-cultural dialogue and understanding between the national majority and the national minorities and ethnic groups.

99. A public institution, the Fund to Support the Cultures of National Minorities, was established in 2017 and which provides funds to support projects to support expanding the use of the languages of national minorities. The contribution from the state budget to the fund within the approved limits for the given budgeting period is EUR 8 million.

100. Support for the use of minority languages in the area of public broadcasting is secured legislatively under § 5 (1)(g) of Act No. 523/2010 Coll. on Slovak Radio and Television and on amendment of certain acts, as amended, according to which the primary activity of Slovak Radio and Television (“RTVS”) is to broadcast content and regionally-balanced programs in the languages of national minorities and ethnic groups living in Slovakia using a time scale corresponding to the national and ethnic composition of the Slovak population. To secure the production and broadcasting of programming for national minorities and ethnic groups, RTVS has established separate organisational units within Slovak Radio and Slovak Television. Likewise, under § 1 (3) (e) (9) of the cited law, an obligatory component of the RTVS programming strategy as submitted to the RTVS committee on an annual basis by its CEO as a part of the RTVS budget drafting process is the proposal of a division of broadcasting time for programming in the languages of national minorities and ethnic groups living in Slovakia as a part of the total broadcasting hours for the individual radio and television programming services under § 5 (1) (g).

101. An important part of the support for broadcasting for national minorities is also the financing of RTVS through the so-called contracts with the state where financial support is provided, inter alia, for radio and television broadcasting on the life of national minorities and in the languages of national minorities.

More information is provided in the Appendix.

Question No. 30

102. The freedom of scientific exploration is one of the principles directly defined in the Slovak constitution, specifically in Article 43 (1) of the constitution. The basic legislative framework for research and development in Slovakia is Act No. 172/2005 Coll. on the Organisation of State Support for Research and Development, as amended. This act lays down the conditions for providing state support for research and development, the standing and tasks of authorities responsible for science and technology, including the Slovak Research and Development Agency, the long-term focus of state science and technology policy, the national program for the development of science and technologies and information security for research and development.

103. In relation to research using embryonic stem cells, and under existing legislation, it must be said that no such research is permitted in Slovakia. Act No. 576/2004 Coll. on Healthcare and Related Services, as amended, only covers the topic of biomedical research. The provisions of § 26 (10) stipulate that research on a live human foetus or embryo cannot be performed without a medical indication. Moreover, these activities may constitute the crime of unauthorised experimentation of a human being and human cloning under § 161 of the Criminal Code.

104. Act No. 317/2016 Coll. (Transplantation Act) as amended lays down the requirements for assuring quality and safety in the donation, harvesting, processing, preservation, testing, storage, distribution and transplantation of human tissue or human cells, including hematopoietic stem cells from peripheral blood, hematopoietic stem cells from umbilical cord blood, hematopoietic stem cells from bone marrow, reproductive human cells, human tissue or human cells from amniotic membranes and stem human cells from adults. Human reproductive cells are human tissue or human cells intended for use in assisted reproduction (§ 2 (5) of the act).

105. Under § 4 of the transplantation act, the written informed consent for a donor of human reproductive cells for partner donation contains, in addition to the intended use, the option to use unused human reproductive cells for other reproductive purposes, for scientific and research purposes or to simply destroy such cells.

106. A healthcare provider is obliged to immediately report any tissue that is assigned the incorrect identification or if human reproductive cells are interchanged, which is considered a serious adverse event in the case of assisted reproduction (§ 29 (2)).

107. Assisted reproduction procedures in Slovakia (IVF – ET method) are currently reimbursed under the rules laid down in Act No. 577/2004 Coll. on the Scope of Healthcare Paid Under Public Health Insurance and Payments for Services Related to Provided

Healthcare, as amended. Under Government Regulation No. 777/2004 Coll., up to three cycles of assisted reproduction procedures are paid under public health insurance for women under the age of 39 if specific causes are involved.

More information is provided in the Appendix.
