



European Network of
National Human Rights Institutions

Implementing the Council of Europe Recommendation on National Human Rights Institutions: The State of Play

The situation in Slovakia



Slovakia Country Report

Overview

Name of NHRI and mandate:

- Slovak National Centre for Human Rights (SNCHR)
- Multi-mandate NHRI, also: Equality body.

Sources:

- NHRI: [ENNHRI, State of the Rule of Law in Europe in 2022, Slovakia Country Report](#); [ENNHRI, State of the Rule of Law in the European Union in 2023](#)
- Sub-Committee on Accreditation (SCA): [SCA Report March 2014](#)
- CoE Independent Bodies: [ECRI Country Report on Slovakia \(2020\)](#)

Good practices and improvements:

- **CM Recommendation 12: awareness by relevant authorities of the NHRI:** State authorities have a good understanding of the mandate and role of the SNCHR. Still, the NHRI reports the need for authorities to enhance the effectiveness of the institution, including by strengthening provisions to ensure relevant entities cooperate with the NHRI in all aspects of their mandate.

Key areas where improvement is needed:

- **CM Recommendation 1:** the SNCHR is accredited with B-status.
- **CM Recommendation 3§1-3-5: strong human rights mandate, including unfettered access, and involvement in relevant policy and legislative processes:** The NHRI reports that since 2018/2019, no efforts have been taken to strengthen the enabling law of the NHRI. In line with SCA recommendations (2014), the NHRI believes the enabling legislation should be strengthened to include, among others, the explicit power to address and investigate all human rights violations, and to submit opinions, proposals and recommendations on both legislative and non- legislative initiatives concerning any human rights matters to relevant state entities.
- **CM Recommendation 4 & 5: broad and transparent selection and appointment, and objective dismissal:** In line with the recommendation of the SCA (2014), and ECRI (2020), the enabling legislation of the Slovak NHRI should be amended to ensure the formalization and application of a broad, transparent and participatory selection and appointment process that is based on clear, objective, pre-determined and publicly available criteria. The governance structure of the institution should also be amended to ensure that members of Parliament do not have voting rights on the Administrative Board, ensuring the independent functioning of the SNCHR. Moreover, the law should be amended to ensure an objective dismissal process.
- **CM Recommendation 9 & 12: implementation of NHRI recommendations:** As reported by the SNCHR, the legislative framework should be amended to include the obligation for state authorities to respond to the recommendations and opinions of the NHRI. Additionally, the enabling law should strengthen the obligation of authorities to cooperate with the institution, while the Minister of Justice could encourage further cooperation of relevant state authorities in practice.
- **CM Recommendation 13: protection of the NHRI against harassment and threats:** In line with findings of the SCA (2014) and ECRI (2020), national authorities should further safeguard the independence of the SNCHR, including through amendments to the enabling legislation that would establish functional immunity for its members for official actions undertaken in good faith. Moreover, the NHRI's staff members were reportedly the target of online harassment because of the NHRI's work on women and LGBTQ+ rights.

Specific findings per Principle

The tables below include data on the assessment of the implementation of each Principle (i.e. the individual parts) within the Recommendation from three sources: the National Human Rights Institutions, the Sub-Committee on Accreditation of GANHRI and the Council of Europe independent bodies. Overall, the findings are considered in four overall groups: the establishment of NHRIs; the strengthening of NHRIs; a safe and enabling environment for NHRIs; and cooperation with and support for NHRIs.

I. Establishment of NHRIs

Principle 1	<p>Member States should ensure that NHRIs are in place and that they are established, accredited and function in full compliance with the Paris Principles.</p>
Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI	<p><i>SCA Report March 2014, p. 8</i></p> <p>The SCA recommends that the SNCHR be accredited with B-status.</p>
Assessment of implementation by CoE independent bodies	<p><i>Report by Nils Muižnieks – Commissioner of Human Rights of the Council of Europe – following his visit to the Slovak Republic from 15 to 19 June 2015, 2015, para. 37.</i></p> <p>The Commissioner welcomes the planned reform of the Slovak National Centre for Human Rights with the purpose of bringing it fully in line with the Paris Principles.</p> <p><i>Ibid, para. 17</i></p> <p>The authorities have informed the Commissioner about the on-going legislative process aimed at bringing the set-up and functioning of the SNCHR, which has a grade “B” status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, in line with the Paris Principles. These efforts are meant to strengthen the institution’s</p>

	<p>mandate, independence and pluralism and to address its resource needs. While commending these positive steps, the Commissioner is worried by the views expressed by a number of his interlocutors that the authorities do not consistently respond positively to the SNCHR’s proposals and recommendations.</p> <p><i><u>ECRI Conclusions</u> on the implementation of the recommendations in respect of the Slovak Republic subject to interim follow-up, 2017, p.6:</i></p> <p><i>Considering more specifically the points raised in the recommendation (start without delay the reform of the Centre, which should be provided with sufficient financial and human resources) ECRI notes that the reform of the Centre has been on the agenda of a number of Governments for the last six years. However, so far all attempts at reform have yielded no concrete results in terms of change of legislation.</i></p>
<p>Principle 2</p>	<p>Member States should provide a firm legal basis for NHRIs, preferably at the constitutional level, and/or in a law which defines the mandates and functions of such institutions, guarantees their independence and provides them with the means necessary to accomplish their functions effectively, both at national and international levels, bearing in mind existing standards and recommendations on NHRIs, in particular the Paris Principles and their interpretation developed by GANHRI’s Sub-Committee on Accreditation.</p>
<p>Assessment of implementation by the NHRI</p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 7</i></p> <p>The Centre has no constitutional basis as it was established by Act of the Slovak National Council No. 308/1993 Coll. on the Establishment of Slovak National Centre for Human Rights, as amended.</p> <p>After the efforts in 2018/2019 to amend the establishing act of the Centre and ensure legislative compliance with the United Nations Principles on the Status of National Institutions (‘Paris</p>

	<p>Principles'), there have been no efforts or legislative work to amend the law and strengthen the mandate and independence of the Centre in compliance with the Paris Principles.</p> <p>While a minor amendment adopted in March 2023 specified that reports prepared and published by the Centre under Article 1 (2) (h) of the Act on the Centre are independent reports, it did not have significant impact on implementation of the Paris Principles.</p> <p><i>Information Provided by the NHRI in 2023</i></p> <p>Within the official position of the Slovak Republic on the proposed directives of the European Commission on standards for equality bodies submitted to the inter-resort commentary procedure in January 2023, the Ministry of Justice recognised in relation to guarantees of independence the need to adopt legislative changes and acknowledged that the directives bring about the opportunity to reinstate the efforts to strengthen independence of the institution.</p> <p>The minor amendment was Act No. 110/2023 Coll. amending and supplementing the Act No. 564/2001 Coll. on Public Defender of Rights as amended and amending and supplementing certain other acts.</p>
<p>Assessment of implementation by CoE independent bodies</p>	<p><i>ECRI Report on the Slovak Republic (sixth monitoring cycle), 2020, § 7</i></p> <p>ECRI recommends that the Slovak authorities strengthen the independence of the Slovak National Centre for Human Rights (§§ 2 and 22 to 30 of ECRI's General Policy Recommendation No. 2). In particular they should (i) establish a transparent, competency-based and participatory procedure for selecting persons holding leadership positions, in which process the executive authorities should not have any decisive influence; and (ii) provide that these persons shall benefit from immunity, be protected against threats and coercion and have appropriate safeguards against arbitrary dismissal or arbitrary non-renewal of their appointment.</p>

II. Strengthening of NHRIs

<p>Principle 3.1</p>	<p>Member States should ensure that the mandate given to NHRIs to protect and promote human rights is as broad as possible and in full compliance with the Paris Principles and that it allows them, inter alia, to:</p> <ul style="list-style-type: none"> - monitor and analyse the human rights situation in the country, publish reports on these findings and address recommendations to public authorities at national, regional and local levels and, when applicable, to private entities, and present an annual report to the relevant authorities, including before parliament, for its consideration.
<p>Assessment of implementation by the NHRI</p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 7</i></p> <p>The Centre believes its regulatory framework would need to be strengthened. Besides greater inclusion of the Centre in the participatory processes, the legislative and institutional framework should be amended to enhance the mandate of the Centre in submitting its opinions, comments and recommendations on both legislative and non- legislative initiatives to relevant state entities.</p> <p><i>Information Provided by the NHRI in 2023</i></p> <p>A minor amendment adopted in March 2023 specified that reports prepared and published by the Centre on issues related to discrimination under Article 1 (2) (h) of the Act on the Centre are independent reports, it did not have significant impact on implementation of the Paris Principles.</p>
<p>Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI</p>	<p><i>SCA Report March 2014, p. 8</i></p> <p>While the SCA acknowledges that the SNCHR interprets its mandate broadly to encompass all human rights, it encourages the SNCHR to advocate for legislative changes to explicitly include power to</p>

	submit to the Government opinions, recommendations, proposals and reports on any matters concerning human rights;
Principle 3.2	<p>Member States should ensure that the mandate given to NHRIs to protect and promote human rights is as broad as possible and in full compliance with the Paris Principles and that it allows them, inter alia, to:</p> <ul style="list-style-type: none"> - freely address public opinion, raise public awareness on human rights and carry out education and training programmes;
Assessment of implementation by the NHRI	<p><i>Information provided by the NHRI in 2023.</i></p> <p>The Centre conducts a wide range of awareness-raising activities, including campaigns, public debates, podcasts, media statements, trainings for diverse target groups as well as educational activities both under its mandate as NHRI and EB. This is based on two provisions of its enabling legislation – Article 1 (2) d) “the Centre prepares educational activities and participates at information campaigns aiming to increase tolerance in the society” and c) “the Centre conducts research and surveys to provide human rights data, gathers and disseminates information in this area”.</p>
Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI	<p><i>SCA Report March 2014, p. 8</i></p> <p>While the SCA acknowledges that the SNCHR interprets its mandate broadly to encompass all human rights, it encourages the SNCHR to advocate for legislative changes to explicitly include power to create awareness of human rights norms through teaching, research and addressing public opinion</p>

<p>Principle 3.3</p>	<p>Member States should ensure that the mandate given to NHRIs to protect and promote human rights is as broad as possible and in full compliance with the Paris Principles and that it allows them, inter alia, to:</p> <p>- fully address all alleged human rights violations by all administrative authorities, other relevant State entities and, when applicable, private entities</p>
<p>Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI</p>	<p><i>SCA Report March 2014, p. 8</i></p> <p>The enabling law provides the SNCHR with a clear mandate to promote and protect human rights, but with an emphasis on areas of equality and discrimination.</p> <p>While the SCA acknowledges that the SNCHR interprets its mandate broadly to encompass all human rights, it encourages the SNCHR to advocate for legislative changes to explicitly include power to effectively investigate complaints of human rights violations.</p>
<p>Assessment of implementation by CoE independent bodies</p>	<p><i>Report by Nils Muižnieks – Commissioner of Human Rights of the Council of Europe – following his visit to the Slovak Republic from 15 to 19 June 2015, 2015, para. 37.</i></p> <p>The Commissioner invites the authorities to consider extending the SNCHR’s mandate with the power to issue effective and dissuasive sanctions in cases of human rights violations.</p>

<p>Principle 3.4</p>	<p>Member States should ensure that the mandate given to NHRIs to protect and promote human rights is as broad as possible and in full compliance with the Paris Principles and that it allows them, inter alia, to:</p> <ul style="list-style-type: none"> - have unfettered access to all relevant premises, including places of deprivation of liberty, and to all relevant individuals, in order to be able to carry out a credible examination of all issues covered by their mandate and to all relevant information, subject to possible restrictions stemming from the protection of other rights and legitimate interests and with due respect for the confidentiality of information obtained;
<p>Assessment of implementation by the NHRI</p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 7</i></p> <p>the powers of the Centre to conduct independent investigations, concerning the area of non-discrimination and human rights violations should be enhanced.</p> <p><i>Information Provided by the NHRI in 2023</i></p> <p>Within the official position of the Slovak Republic on the proposed directives of the European Commission on standards for equality bodies submitted to the inter-resort commentary procedure in January 2023, the Ministry of Justice in relation the power to have “effective access to information” required explication of the scope of this right in relation to private/non-state actors. It referred to the current legislation under which there are no guarantees for the Centre to enforce provision of information by private entities.</p>

<p>Principle 3.5</p>	<p>Member States should ensure that the mandate given to NHRIs to protect and promote human rights is as broad as possible and in full compliance with the Paris Principles and that it allows them, inter alia, to:</p> <ul style="list-style-type: none"> - monitor existing and draft policies and legislation with human rights implications before, during and after their adoption in order to advise the State about the impact of such policies and legislation on human rights and on the activities of human rights defenders, including by making relevant and concrete recommendations.
<p>Assessment of implementation by the NHRI</p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 8</i></p> <p>The competence of the Centre to participate in all stages of legislation and policy making is limited. As concerns the participation in commenting on proposed legislative or other policy documents, the Centre can only participate in the interdepartmental commentary procedure as part of general public, as it is not an obligatory commenting entity. In particular instances, it can be stated that there is a lack of willingness to engage in consultation from the side of state authorities in the process of law-making or policy-making. There is a need for more systematic involvement of the Centre in legislative and non-legislative processes.</p> <p><i>ENNHRI, State of the Rule of Law in Europe 2022, p. 9:</i></p> <p>In 2021, for example, the Centre adopted an internal methodology for monitoring and participating in legislative processes in order to enhance the effectiveness and formalize the participation in legislative processes and evaluate their success. Hence, despite the fact that the Centre does not have an explicit mandate, it is trying to strengthen its activities in this area internally.</p>

<p>Principle 3.6</p>	<p>Member States should ensure that the mandate given to NHRIs to protect and promote human rights is as broad as possible and in full compliance with the Paris Principles and that it allows them, inter alia, to:</p> <p>- contribute to an effective justice system for all, through awareness-raising measures and facilitating access to rights and remedies and, as applicable, by providing legal assistance, being a party before the courts or, when applicable, receiving individual complaints;</p>
<p>Assessment of implementation by the NHRI</p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 7</i></p> <p>The NHRI has the mandate to contribute to access to justice for individuals, including through complaints handling, providing legal assistance to individuals and awareness- raising.</p> <p>The Centre, within its mandate acting as the equality body in the Slovak Republic can represent individuals in civil litigation in <i>anti-discrimination disputes</i>.</p>
<p>Assessment of implementation by CoE independent bodies</p>	<p><i>ECRI Country Report on Slovakia 2020, p. 9</i></p> <p>The law does not expressly empower the SNCHR to [...] have recourse to conciliation procedures, bring cases, in its own name, before institutions and courts, intervene as amicus curiae before courts or monitor the execution of decisions dealing with discrimination and intolerance (§§ 13n and 14 b and d-f).</p>

	<p><i>Report by Nils Muižnieks – Commissioner of Human Rights of the Council of Europe – following his visit to the Slovak Republic from 15 to 19 June 2015, 2015, para. 16</i></p> <p>In particular, the NHRS recommends the enhancing of the SNCHR’s mandate with quasi-judicial powers, in addition to its competencies to represent individuals before courts and to initiate public interest actions.</p>
<p>Principle 3.7</p>	<p>Member States should ensure that the mandate given to NHRIs to protect and promote human rights is as broad as possible and in full compliance with the Paris Principles and that it allows them, inter alia, to:</p> <p>- encourage the signature, ratification of and accession to international human rights treaties and contribute to the effective implementation of such treaties, as well as related judgments, decisions and recommendations as well as to monitor States’ compliance with them.</p>
<p>Assessment of implementation by the NHRI</p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 13</i></p> <p>The Centre continues to submit its individual reports also to the UN human rights mechanisms, including the Individual submissions on the fulfilment of recommendations from the review cycles of the Universal Periodic Review of the UN Human Rights Council.</p> <p><i>Information Provided by the NHRI in 2023</i></p> <p>The Centre also regularly engages with special procedures of UN and provides inputs and submissions upon requests.</p> <p>Within its reports the Centre recommends ratification and accession to international human rights treaties, including e.g. the Istanbul Convention or OPCAT. The Centre supported prompt ratification</p>

	of OPCAT also within legislative procedure concerning establishment of NPM through comments submitted in the interdepartmental commentary procedure.
Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI	<p><i>SCA Report March 2014, p. 8</i></p> <p>The SCA encourages the SNCHR to advocate for legislative changes to explicitly include power to promote and ensure harmonization of national legislation, regulations and practices with the international human rights instruments to which the State is a party and to encourage ratification or accession to international human rights instruments;</p>
Assessment of implementation by CoE independent bodies	<p><i>ECRI Country Report on Slovakia 2020, p. 9</i></p> <p>The law does not expressly empower the SNCHR to promote the ratification and application of international treaties,</p>
Principle 4	<p>The process of selection and appointment of the leadership of a NHRI should be competence based, transparent and participatory, in order to guarantee the independence and pluralist representation of these institutions. It should also be based on clear, predetermined, objective and publicly accessible criteria.</p> <p>The duration of the appointment should be clearly set out in the founding legislation, so that the leadership posts of the NHRI do not stay vacant for any significant period of time.</p>
Assessment of implementation by the NHRI	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 7</i></p> <p>Independence should be strengthened through changes in the appointment procedure of members of the Administrative Board and the election procedure of Executive Director should be more open.</p>

	<p><i>Information Provided by the NHRI in 2023</i></p> <p>Within the official position of the Slovak Republic on the proposed directives of the European Commission on standards for equality bodies submitted to the inter-resort commentary procedure in January 2023, the Ministry of Justice recognised in relation to guarantees of independence the need to adopt legislative changes and acknowledged that the directives bring about the opportunity to reinstate the efforts to strengthen independence of the institution. It also acknowledged the need to amend the process of creation of the Administrative Board, election of the Executive Director, introduce incompatibility of functions guarantees and the guarantees of pluralism of staff. In relation to internal structure of the Centre as multi-mandated institution, the Ministry of Justice underlined that with respect to the principle of independence, it should be fully decided by the Centre how it will structure itself.</p>
<p>Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI</p>	<p><i>SCA Report March 2014, p. 8-9:</i></p> <p>The SCA understands that the administrative board, the decision making body of the SNCHR, is made up of members selected by nine separate appointing authorities, each of which can define its own selection criteria.</p> <p>The SCA encourages the SNCHR to advocate for the formalization of a selection process and for its subsequent application in practice, including the requirements to: publicize vacancies broadly; maximize the number of potential candidates from a wide range of societal groups; promote broad consultation and participation in the process; assess applicants on the basis of pre-determined, objective and publicly available criteria; and select members to serve in their own individual capacity rather than on behalf of the organization they represent.</p> <p><i>SCA Report March 2014, p. 9:</i></p> <p>The current arrangements for the appointment of members do not ensure pluralism in the composition of the Administrative Board.</p>

	<p>The SCA encourages the SNCHR to ensure that its membership and staff complement is representative of the diverse segments of society.</p>
<p>Assessment of implementation by CoE independent bodies</p>	<p><i>ECRI Country Report on Slovakia 2020, p. 9</i></p> <p>ECRI considers that the provisions of Article 3a of Law no. 308/1993 on the Centre do not satisfy the recommendation in GPR No. 2 (§ 23), as several of the members of its governing board, which has nine members in total, are selected by the government.</p> <p><i>ECRI Country Report on Slovakia 2020, p. 10</i></p> <p>ECRI recommends that the Slovak authorities strengthen the independence of the SNCHR. In particular they should (i) establish a transparent, competency-based and participatory procedure for selecting persons holding leadership positions, in which process the executive authorities should not have any decisive influence.</p>
<p>Principle 5</p>	<p>To ensure independence, the enabling legislation of a NHRI should contain an objective dismissal process for the NHRI leadership, with clearly defined terms in a constitutional or legislative text. The dismissal process should be fair and ensure objectivity and impartiality and should be confined to only those actions which impact adversely on the capacity of the leaders of NHRIs to fulfil their mandate.</p>
<p>Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI</p>	<p><i>SCA Report March 2014, pp. 10-11</i></p> <p>Membership of the Administrative Board can be terminated by recall of the appointing authority. The SCA encourages the SNCHR to advocate for the formalization of a dismissal process that provides for dismissals to be made in strict conformity with all the substantive and procedural requirements prescribed by law; grounds for dismissal to be clearly defined and appropriately confined to only those actions which impact adversely on the capacity of the member to fulfill their</p>

	mandate; and where appropriate, the legislation should specify that the application of a particular ground must be supported by a decision of an independent body with appropriate jurisdiction.
Assessment of implementation by CoE independent bodies	<i>ECRI Country Report on Slovakia 2020, p. 9:</i> The dismissal of governing board members is not subject to any criteria (§ 3a.4.c of that law)
Principle 6	Member States should provide NHRIs with adequate, sufficient and sustainable resources to allow them to carry out their mandate , including to engage with all relevant stakeholders in a fully independent manner and freely determine their priorities and activities.
Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI	<i>SCA Report March 2014, p. 11:</i> The SCA notes the concerns expressed by the Committee on the Elimination of Racial Discrimination (CERD/C/ SVK/CO/9-10), the Committee on Economic, Social and Cultural Rights (E/C.12/SVK/CO/2) and the Human Rights Committee (CCPR/C/SVK/CO/3) regarding the adequacy of the SNCHR's funding. The SCA reiterates that NHRIs must be adequately funded in order to function effectively and independently. It notes that the Paris Principles require the State to provide sufficient funding to allow the SNCHR to undertake the range of functions specified in the law.
Assessment of implementation by CoE independent bodies	<i>ECRI Country Report on Slovakia 2020, p. 9:</i> While the Centre is of the opinion that its budget is too tight, the authorities informed ECRI that it had been increased by 40% in 2019. The Centre now has a staff of 23 working in its head office on substantive issues and five others in the three regional offices.

	<p><i>Report by Nils Muižnieks – Commissioner of Human Rights of the Council of Europe – following his visit to the Slovak Republic from 15 to 19 June 2015, 2015, para. 37</i></p> <p>The authorities are urged to lend their full support to the SNCHR’s and the Ombudsperson’s work and to provide these institutions with adequate human and financial resources enabling them to effectively carry out their mandates.</p> <p><i>Ibid, para. 16</i></p> <p>The NHRS also addresses the insufficiency of the SNCHR’s resources. As of 2012 the SNCHR operates only three regional offices, as opposed to seven in the past.</p> <p><i>ECRI Conclusions on the implementation of the recommendations in respect of the Slovak Republic subject to interim follow-up, 2017, p.6</i></p> <p>The fact that the Centre’s staff and budget have been slightly increased in recent years is not per se sufficient to consider this recommendation fulfilled.</p>
<p>Principle 7</p>	<p>NHRIs should have the authority to determine their staffing profile and recruit their own staff, as well as sufficient resources available, in order to fulfil their mandate, so as to permit the employment and retention of staff and to ensure that they receive adequate training.</p>
<p>Assessment of implementation by the NHRI</p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>The Centre is freely deciding on its staffing and requirements for candidates for positions open. In relation to resources to cover the staffing needs, the Centre annually proposes the Ministry of Finance its needs to increase its funding to be able to hire more expert staff. The Executive Director is</p>

	solely entitled to conclude labour contracts with the employees and the salaries are determined by the Centre within its budgetary capacities.
Principle 8	Member States should ensure that NHRIs enjoy adequate access to information and to policy makers and legislators , including timely consultations on the human rights implications of draft legislation and policy strategies.
Assessment of implementation by the NHRI	<i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 8</i> The NHRI does not have adequate access to information and to policy makers and is it not systematically involved in all stages of legislation and policy making with human rights implications.
Principle 9	Member States should implement the recommendations of NHRIs and are encouraged: <ul style="list-style-type: none"> - to make it a legal obligation for all addressees of NHRI recommendations to provide a reasoned reply within an appropriate time frame, - to develop processes to facilitate effective follow-up of NHRI recommendations, in a timely fashion and - include information thereon in their relevant documents and reports.
Assessment of implementation by the NHRI	<i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 8</i>

	<p>The addressees of the NHRI’s recommendations are not legally obliged to provide a timely and reasoned reply and there are no state measures and no legislative grounds requiring public or private entities to respond to the NHRI’s recommendations.</p> <p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 7</i></p> <p>The legislative and institutional framework should also be strengthened to provide for greater obligations and commitments from the relevant state authorities to address the Centre’s opinions and recommendations. A mechanism ensuring that state authorities consider the Centre’s annual report on human rights and recommendations included should be established.</p> <p><i>Information Provided by the NHRI in 2023</i></p> <p>In its annual reports on the observance of human rights and the principle of equal treatment, the Centre includes targeted recommendations. The report for the year 2022 (to be published by the end of April 2023) includes a chapter dedicated to follow-up on implementation of the recommendations from the 2022 report.</p>
<p>Principle 10</p>	<p>When member States grant NHRIs additional competences to perform functions foreseen by international conventions in the field of human rights, such as the United Nations Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Convention on the Rights of Persons with Disabilities, the NHRI should have access to sufficient resources to develop the capacity to effectively discharge its functions, including having appropriately qualified and trained staff.</p>
<p><i>No information</i></p>	

III. Safe and Enabling Environment

<p>Principle 11</p>	<p>Member States should ensure that NHRIs can operate independently, in an environment which is conducive to them carrying out their mandate in an effective manner and in a climate of impartiality, integrity, transparency and fairness.</p>
<p>Assessment of implementation by the NHRI</p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 7</i></p> <p>The enabling legislation should provide safeguards to financial independence.</p> <p><i>Information Provided by the NHRI in 2023</i></p> <p>Within the official position of the Slovak Republic on the proposed directives of the European Commission on standards for equality bodies submitted to the inter-resort commentary procedure in January 2023, the Ministry of Justice acknowledged the need to amend the legislation in relation to formation of the Administrative Boards, election of the Executive Director, introduction of incompatibility of functions or guarantees of pluralism of staff.</p>
<p>Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI</p>	<p><i>SCA Report March 2014, p. 9</i></p> <p>The SCA encourages the SNCHR to advocate for the necessary changes in its governance structure to ensure that members of parliament do not have voting rights on the Administrative Board.</p>

<p>Principle 12</p>	<p>Member States should foster awareness and the co-operation of all relevant public authorities in relation to the mandate, independence and role of NHRIs, including through training and awareness-raising activities.</p>
<p>Assessment of implementation by the NHRI</p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 8</i></p> <p>The relevant state authorities have good awareness of the NHRIs' mandate, independence and role.</p> <p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p.10</i></p> <p>The SNCHR recommends that the Ministry of Justice of the Slovak Republic enhance the independence and effectiveness of the Centre by placing more emphasis on the general obligation of relevant entities to cooperate with the Centre in all areas of its mandate, including an explicit mandate of the Centre to request response from the relevant state entities to the Centre's opinions and recommendations</p>
<p>Principle 13</p>	<p>Member States should take all measures necessary to protect and support NHRIs against threats and harassment and any other forms of intimidation, including through ensuring functional immunity. Any cases of alleged reprisals or intimidation against NHRIs, their membership and staff, or against those who co-operate or seek to co-operate with them, should be promptly and thoroughly investigated and the perpetrators brought to justice.</p>
<p>Assessment of implementation by the NHRI</p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p.8:</i></p> <p>In Slovakia, there is no individual regime, provisions or immunities for the protection of members of the NHRI for criminal and civil liability for official actions and decisions undertaken in good faith</p>

	<p><i>ENNHRI, State of the Rule of Law in Europe in 2023, p.552</i></p> <p>'[...] the Centre openly criticised the legislative attempts to restrict reproductive rights of women, addressed MPs with a letter recommending them not to support the proposals in the parliament with argumentation why such proposals are contrary to human rights standards, posting blog posts on the topic and reported on the issues to national and international stakeholders. With regards the rights of LGBTI+ people [...]</p> <p>As a result of activities in these areas, the employees of the Centre have received harassing emails, often containing hate speech or hatred narratives from general population. For instance, upon the initial post on the official website of the Centre and its Facebook profile condemning the war in Ukraine and expressing support to the people in Ukraine and the Ukrainian NHRI, harassing and hate emails were received by most of the employees.</p>
<p>Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI</p>	<p><i>SCA Report March 2014, p. 10:</i></p> <p>The SCA encourages the NIHR to advocate for the inclusion in its founding legislation of express provisions that clearly establish the functional immunity of its members.</p>
<p>Assessment of implementation by CoE independent bodies</p>	<p><i>ECRI Country Report on Slovakia 2020, p. 10</i></p> <p>ECRI recommends that the Slovak authorities...should [...] provide that these persons [holding leadership positions] shall benefit from immunity, be protected against threats and coercion and have appropriate safeguards against arbitrary dismissal or arbitrary non-renewal of their appointment.</p>

<p>Principle 14</p>	<p>Member States should ensure that confidential information collected by NHRIs in the context of their mandate is privileged and is not unduly made public.</p>
<p>Assessment of implementation by the NHRI</p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>Within the official position of the Slovak Republic on the proposed directives of the European Commission on standards for equality bodies submitted to the inter-resort commentary procedure in January 2023, the Ministry of Justice stated that in relation to the proposed role and powers in relation to equality data collection, that guarantees would be needed that the right to access information would be in line with the guarantees of personal data protection and copyrights when it comes to obligatory provision of data by private entities.</p>

IV. Co-operation and Support

<p>Principle 15</p>	<p>Member States should take effective measures to enable NHRIs to communicate and co-operate with, in addition to the various levels of administration in the member States, in particular:</p> <ul style="list-style-type: none"> a. counterpart institutions, where appropriate through networking and exchange of information and practices, as well as through regular meetings such as those taking place within the framework of ENNHRI and GANHRI; b. civil society stakeholders, in particular non-governmental organisations and human rights defenders, who should enjoy easy and safe access to NHRIs as part of an enabling environment; c. other human rights structures, including regional, local and/or specialised institutions, notably Ombudsman institutions and equality bodies and their respective networks, where appropriate through jointly organised activities; d. international and regional organisations working in related or similar fields.
<p>Assessment of implementation by the NHRI</p>	<p><i>Information provided by the NHRI in 2023.</i></p> <p>Communication and cooperation with different entities, including human rights structures and civil society, is not regulated by legislation in general. However, certain aspects of cooperation are covered by joint membership in state-established structures (such as government committees, Council for Human Right, Gender Equality and National Minorities etc.).</p>

Assessment of implementation by Sub-Committee on Accreditation (SCA) of GANHRI	<p><i>SCA Report March 2014, p. 11</i></p> <p>The SCA acknowledges that the SNCHR has been working in partnership with the Public Defender of Rights. The SCA encourages the SNCHR maintain and strengthen this relationship.</p> <p>The SCA encourages the NHRI to continue to seek advice from the OHCHR and from the European Network of NHRIs.</p>
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