

## Universal Periodic Review

(46<sup>th</sup> working group session)

### Contribution of UNESCO to Compilation of UN information

#### Slovakia

#### I. BACKGROUND AND FRAMEWORK

<i>Title</i>	<i>Date of ratification, accession, acceptance, approval or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education 1960	Ratified in 1993	Reservation to this Convention shall not be permitted		Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	Succession on 31 March 1993			The right to freely participate in the cultural life of the community
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	Ratification on 24 March 2006			The right to freely participate in the cultural life of the community
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	Ratification on 18 December 2006			The right to freely participate in the cultural life of the community

#### II. REVIEW OF LEGISLATIVE, REGULATORY AND POLICY FRAMEWORKS AND IMPLEMENTATION

##### A. RIGHT TO EDUCATION

Discrimination in Education (UNESCO consultations)

1. Slovakia submitted a report to the 9<sup>th</sup> and 10<sup>th</sup> consultation on the Convention against Discrimination in Education<sup>1</sup>. Slovakia also participated in the 5<sup>th</sup> edition of the Global Report on Adult Learning and Education survey (which includes the monitoring of the Recommendation on Adult Learning and Education of 2015)<sup>2</sup>.

### Constitution and main education law

2. The Constitution of the Slovak Republic<sup>3</sup> enshrines the right to education for all (article 42) and contains a provision on equality and non-discrimination (article 12).
3. The main education law (school act) guarantees compulsory education for 10 years until the age of 16. In addition, it also guarantees one year of free and compulsory pre-primary education since the school year 2022/2023 (articles 28 6a and 28a).

### **Review**

#### Enrollment rates and attendance

4. According to UIS data, the gross enrolment rates (GER)<sup>4</sup> in 2020 were:
  - In pre-primary education: 102% in total, 101% for girls and 103% for boys.
  - In primary education: 102% in total and 102 % for both female and male.
  - In secondary education: 91% in total, 91% for girls and 90% for boys.
  - In tertiary education: 48% in total, 57% for girls and 39% for boys.

#### Investment in education

5. Slovakia investment in education represented 4.4% of GDP and 9.35% of its government expenditure in 2021 (UIS).

#### Inclusive education

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<sup>1</sup> <https://unesdoc.unesco.org/ark:/48223/pf0000380609/PDF/380609eng.pdf.multi>

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[https://unesdoc.unesco.org/in/documentViewer.xhtml?v=2.1.196&id=p::usmarcdef\\_0000381666&file=/in/rest/annotationSVC/DownloadWatermarkedAttachment/attach\\_import\\_ec2a3559-c3fe-46dc-b9ca-acbcbf97daa1%3F\\_%3D381666eng.pdf&updateUrl=updateUrl1568&ark=/ark:/48223/pf0000381666/PDF/381666eng.pdf.multi&fullScreen=true&locale=en#%5B%7B%22num%22%3A94%2C%22gen%22%3A0%7D%2C%7B%22name%22%3A%22XYZ%22%7D%2C-166%2C842%2C0%5D](https://unesdoc.unesco.org/in/documentViewer.xhtml?v=2.1.196&id=p::usmarcdef_0000381666&file=/in/rest/annotationSVC/DownloadWatermarkedAttachment/attach_import_ec2a3559-c3fe-46dc-b9ca-acbcbf97daa1%3F_%3D381666eng.pdf&updateUrl=updateUrl1568&ark=/ark:/48223/pf0000381666/PDF/381666eng.pdf.multi&fullScreen=true&locale=en#%5B%7B%22num%22%3A94%2C%22gen%22%3A0%7D%2C%7B%22name%22%3A%22XYZ%22%7D%2C-166%2C842%2C0%5D)

<sup>3</sup> <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/1992/460/20230701>

<sup>4</sup> UNESCO UIS data

6. Most of the recommendations made during the previous UPR cycle were about continuing efforts to ensure non-discrimination, inclusive education, especially for children with disabilities and minorities (Recommendations 131.125; 121.126; 121.127; 121.128; 121.129; 121.132; 121.130; 121.131; 121.133). According to the State report submitted for the 10<sup>th</sup> consultation on the implementation of the Convention against Discrimination in Education, while, before the introduction of compulsory preschool education, the attendance rate in kindergarten one year before primary school was of 93%, the lowest rate was noticed among the Roma community.
  
7. The State also reported that, “in accordance with the intention of the National Program for the Development of Education approved by the Resolution of the Government of the Slovak Republic no. 320/2018 and the Implementation Plan of the National Program for the Development of Education and Training, (...) the goal is to provide teaching aimed at effective and targeted prevention of racism, xenophobia, anti-Semitism, extremism and other forms of intolerance: providing calls for development projects "Health and safety in schools" and "Drug prevention", with priorities such as prevention of risky behavior (violence, bullying, truancy, aggression, delinquency, crime, drug addiction, abuse, manifestations of extremism, terrorism, HIV / AIDS, trafficking in human beings, prevention of drug and psychotropic substance use). The issue of anti-discrimination is regularly updated and incorporated into materials and activities”.
  
8. In addition, the report stated that “the National Program for the Development of Education for the period 2018-2027 with its Implementation Plan (...) reflects on the recommendations of the UN Human Rights Council in Geneva resulting from its periodic evaluation. One of the cross-cutting priorities is the integration and inclusion of marginalized communities and students from socially disadvantaged backgrounds. (...) The State School Inspection (...) also deals with discrimination and respect for human rights and regularly publishes a Report on the state and level of education in schools and school facilities in the Slovak Republic for each school year. It also annually draws up an inspection plan for the relevant school year, where it conducts thematic inspections to identify factors that affect the status and level of inclusive education of vulnerable groups and intact pupils, identifies factors that affect the level of education for democratic citizenship and human rights, and the level of school integration and the state of education of foreigners.” Furthermore, “the Minister of Education signed on 11 October 2018, after approval by the Accreditation Commission, a decision to open a study program for the training of Romani language teachers in combination with another subject at the University of Prešov from the academic year 2019/2020”.

## **B. RIGHT TO FREEDOM OF OPINION AND EXPRESSION AND RIGHT TO INFORMATION**

## Constitutional and Legislative Framework:

9. The Constitution of the Slovak Republic ensures and safeguards freedom of expression and freedom of the press. Article 26<sup>5</sup> explicitly guarantees the right to freedom of speech and access to information. According to this provision, every individual has the right to express their opinions through various mediums, including verbal communication, written content, print media, visual representations, or any other appropriate means.
10. The Act on Free Access to Information adopted in 2000<sup>6</sup> provides guarantees for the right to information.
11. Defamation, as outlined in Article 373<sup>7</sup> of the Criminal Code, involves the dissemination of false information about an individual that can significantly harm their reputation. The penalty for this offense is a maximum imprisonment of up to two years. In cases where defamation results in significant harm, the maximum prison sentence is extended to five years. If the act causes extensive damage, such as substantial financial loss, termination of employment, or marital dissolution, the offender may face a prison term ranging from three to eight years.
12. In 2022, the Press Act and the Compulsory Copies Act were replaced by the Act on Media<sup>8</sup> and the Act on Publications<sup>9</sup>. These new legislations extended source protection to online media and enhanced transparency in terms of media ownership and funding.

## Implementation of the law:

13. The Council for Broadcasting and Retransmission (RVR)<sup>10</sup>, established by the Act on Broadcasting and Retransmission<sup>11</sup>, is a regulatory body, which executes state regulation in the field of radio and TV broadcasting, retransmission and on-demand audiovisual media services. The Council consist of nine members, who are elected by the national legislator.
14. The Act on Free Access to Information provides for oversight by the Commission for Protection of the Right to Free Access to Information of Public Character. However, its independence is not fully guaranteed by the law.

## Safety of journalists:

15. As at 15 June 2023, UNESCO has recorded one killing of a journalist in Slovakia since systematic reporting began in 2006. According to information provided by the government, two individuals directly involved in the killing have been prosecuted and the investigation into the

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<sup>5</sup> <https://www.prezident.sk/upload-files/46422.pdf>

<sup>6</sup> [https://www.ustavnysud.sk/en/zakon-o-slobode-informacii#:~:text=\(1\)%20The%20entities%20obliged%20to,legal%20entities%20in%20the%20area](https://www.ustavnysud.sk/en/zakon-o-slobode-informacii#:~:text=(1)%20The%20entities%20obliged%20to,legal%20entities%20in%20the%20area)

<sup>7</sup> <https://www.zakonypreludi.sk/zz/2005-300>

<sup>8</sup> <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2022/264/20220801.html>

<sup>9</sup> <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2022/265/>

<sup>10</sup> <http://www.rvr.sk/en/documents/index.php?aktualitaid=3178>

<sup>11</sup> [http://archiv.rvr.sk/cms/data/modules/download/1462523380\\_act\\_on\\_broadcasting\\_and\\_retransmission.pdf](http://archiv.rvr.sk/cms/data/modules/download/1462523380_act_on_broadcasting_and_retransmission.pdf)

instigators of the crime is still ongoing.

### **C. THE RIGHT TO SHARE IN SCIENTIFIC ADVANCEMENT AND ITS BENEFITS**

16. In its report on the implementation of the UNESCO Recommendation on Science and Scientific Researchers in 2021, Slovakia indicated the adoption of measures to collect data on the conditions of scientific researchers, to promote the target 9.5 of Agenda 2030 for Sustainable Development (on enhancing scientific research, upgrading the technological capabilities of industrial sectors in all countries), and to address brain drain. Slovakia has also taken action to further the role of science, technology and innovation (STI) in achieving the Sustainable Development Goals (SDGs) and gender equality, foster knowledge society and the use of scientific knowledge and scientific advice for decision-making and policy.
17. Finally, Slovakia has taken measures to implement the norms and standards of the Recommendations pertaining to human capital for research (including on careers, learning, international travel, and appraisal) and the creation of an enabling environment for science and research (including on infrastructure, public funding and publication).
18. Slovakia reported no measures relating to the right to share in scientific advancement and its benefits, nor regarding scientific freedom and responsibility and ethics, while also indicating no implementation challenges in any of the abovementioned fields.
19. The reporting country noted the rigidity and complexity of the system and stakeholder compliance as major obstacles to be overcome and underscored the urgent need for a broader involvement of national stakeholders. Specifically, as regards the attainment of SDGs relating to STI systems, Slovakia mentioned the lack of appropriate national STI strategies as well as of absence of analytical structures and the systemic fragmentation of competencies across central state administration bodies.

## **III. RECOMMENDATIONS**

### **A. RIGHT TO EDUCATION**

20. Slovakia should be encouraged to:
  - i. Strengthen efforts to increase enrollment in tertiary education, according to the needs of individuals and society.
  - ii. Pursue efforts to ensure non-discrimination in education and to improve inclusive education, especially for minorities and children with disabilities.
  - iii. Continue to regularly submit comprehensive national reports for the periodic consultations on UNESCO's education-related standard-setting instruments, and notably on the Convention against Discrimination in Education and the Recommendation on adult learning and education (2015).

- iv. Share with UNESCO any relevant information to update its country profile on UNESCO's Observatory on the Right to Education<sup>12</sup> and UNESCO's Monitoring tool on the right to education for girls and women: *HerAtlas*<sup>13</sup>.

## **B. RIGHT TO FREEDOM OF OPINION AND EXPRESSION AND RIGHT TO INFORMATION**

21. The Government is encouraged to decriminalize defamation and subsequently incorporate it into the civil code in accordance with international standards.
22. The Government is encouraged to continue the voluntary reporting on the status of judicial follow-up to UNESCO. The Government may wish to consider taking advantage of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity as a means to strengthen protection of journalists and freedom of expression.
23. It is recommended that the Government strengthen the independence of the oversight body created by the freedom of information law, in accordance with international standards.

## **C. CULTURAL RIGHTS**

24. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005), Slovakia is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Slovakia is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and civil society organizations as well as groups in vulnerable situations (minorities, indigenous peoples, migrants, refugees, young people and persons with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

## **D. THE RIGHT TO SHARE IN SCIENTIFIC ADVANCEMENT AND ITS BENEFITS**

25. Slovakia did submit its National Report on the implementation of the Recommendation on Science and Scientific Researchers (2017) for the consultation period from 2017 to 2020. Therefore, Slovakia is encouraged to continue reporting to UNESCO on its implementation actions, especially noting legislative or other measures adopted by it with the aim to ensure application of these norms and standards in national law, policy and practice and any challenges encountered. Particular attention should be paid to the legal provisions and regulatory frameworks which ensure the implementation of human rights of scientific researchers

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<sup>12</sup> <http://www.unesco.org/education/edurights/index.php?action=countries&lng=en>

<sup>13</sup> <https://en.unesco.org/education/girls-women-rights>

themselves (rights of association, freedom of research, expression and publication, equal opportunities and treatment, including for girls and women pursuing a scientific career, etc.) and human rights obligations related to the practice of science generally: the human rights related to access to and uses of scientific knowledge through education; the sharing of benefits of scientific progress and its applications with emphasis on non-discrimination and inclusion; protection for the rights of human subjects of research; and promotion of the science society interface. Furthermore, Slovakia is invited to provide information on any action taken to elaborate national STI strategies towards the achievement of SDGs with emphasis on integrated approaches and broader stakeholder participation. UNESCO's Executive Board also adopted 216 EX/Decision 45, which calls on all Member States to redouble their efforts to ensure the full and comprehensive implementation and monitoring of the Recommendation on Science and Scientific Researchers along the lines established in this decision. UNESCO stands ready to support Slovakia develop and nurture its science ecosystem, and the protection of their science and scientific researchers, in line with the abovementioned Recommendation. Slovakia is invited to reach out to the UNESCO Secretariat for that purpose.

26. Furthermore, Slovakia is encouraged to expand input on issues covered by the Recommendation in its national report to the UPR to allow further discussions thereon at the Human Rights Council and the formulation of specific recommendations. Within this framework, Slovakia is urged to consider expanding the scope of application of freedom of expression to include scientists and scientific researchers and also to address the relevant dimensions of the right to science in its reporting on the impact of the COVID-19 pandemic and the assessment of responses thereto.