



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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Committee on the Elimination of Racial Discrimination

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**Reports submitted by States parties under the article 9 of the
Convention**

Addendum

**Information received from the Government of Slovakia on the
implementation of the concluding observations of the Committee on the
Elimination of Racial Discrimination (CERD/C/SVK/CO/6-8)***

[14 March 2011]

**Response to the recommendation contained in paragraph 12
of the concluding observations**

1. The Police Force have intensified their activities to prevent violence against Roma, Jews and migrants from non-EU countries, including through the consistent monitoring of public rallies convened by individuals from “nationalist” circles. For each public rally, a police coordination team was summoned, including relevant municipal officials who received instructions on when and under what legal conditions the public rally would be held.
2. Such public rallies were mostly organised with the aim of addressing a “Roma problem” in connection with pre-election campaigning of the rightist non-parliamentary party Ľudová strana Naše Slovensko (People’s Party Our Slovakia).
3. In response to the recommendation that the racial motive of a criminal activity be classified as aggravated circumstances, Act No. 300/2005 Coll., the Penal Code, as amended, was recast with effect from 1 September 2009 to include definitions of such terms as extremist group (§129(2)), extremist material (§130(8)) and add a racial motive

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

among special motives of crime in §140(d) and (f). Also, crimes of extremism were introduced under §140a.

4. Actions to be taken in order to combat extremism and spectator violence are specified in decree of the Minister of the Interior No. 64/2008 as amended.

5. All crimes of extremism and racially motivated crimes were properly documented and investigated. In order to ensure that such crimes are properly documented and investigated, police officers each year participate in instruction and methodology trainings where they receive information about new trends in committing this types of criminal activity and their investigation.

6. With a view to preventing infringements of human rights and freedoms by Police Force officers and Railway Police officers when acting in the line of duty and when restricting personal liberty, order of the Minister of the Interior of the Slovak Republic No. 21/2009 was issued.

7. In order to combat extremism and racially motivated crimes more effectively, departments of extremism and juvenile crime were established at all Regional Police Force Directorates in 2010.

8. In connection with the Police Force reform, they were renamed, as of 1 January 2011, to a department of extremism and spectator violence at the criminal police office of the Police Force Presidium and sub-departments of extremism and spectator violence at the criminal police department of regional directorates of the Police Force. In order to combat extremism and racially motivated crime more effectively, the number of staff at the department and sub-departments of extremism and spectator violence was increased.

9. The Control and Inspection Service Section (hereinafter referred to as the "Section") at the Ministry of the Interior of the Slovak Republic is a department competent in the area of control and inspection services of the Police Force. The Section's inspection service department is competent to investigate crimes committed by police officers.

10. The Section also pays thorough attention to complaints against Police Force members, especially in cases when a police officer deals, when acting in the line of duty, with individuals of different national or ethnic origin, etc. Such complaints are consistently examined and investigated to identify any possible racial motive; a decision is issued on each complaint in a manner prescribed by the law.

11. Supervision over compliance with law prior to the prosecution and in pre-trial proceedings is exercised by prosecutors. All decisions on the merits of the case issued by a police investigator and/or authorised officer are reviewed by a competent prosecutor's office.

12. In 2009, a total of 132 racially motivated crimes were registered in the Slovak Republic. Out of the total incidence of this type of crime, 68 cases, i.e. 51.52%, were clarified. A total of 79 offenders were identified; out of them, four persons were minor and 15 persons were juvenile.

13. The structure of registered racially motivated crimes is as follows:

(a) Seven cases of racially motivated violence (defamation of a nation, race or conviction under §423 of the Penal Code);

(b) Nine cases of racially motivated violence (incitement to national, racial or ethnic hatred pursuant to §424 of the Penal Code);

(c) 112 cases of crime against humanity (supporting and promoting groups leading to the suppression of fundamental rights and freedoms pursuant to §421 and 424, production of extremist materials pursuant to §422a, dissemination of extremist materials

pursuant to §422b and possession of extremist materials pursuant to §422c of the Penal Code).

14. Compared to 2008, the number of racially motivated crimes fell by 81 cases, or 38.02%, in 2009. No racially motivated murder was registered.

15. In 2010, a total of 79 racially motivated crimes were registered in the Slovak Republic. Out of the total incidence of this type of crime, 48 cases, i.e. 60.76%, were clarified. A total of 53 offenders were identified; out of them, one person was minor and 10 persons were juvenile.

16. In addition, 77 crimes of extremism were registered in 2010. Out of the total incidence of this type of crime, 47 cases, i.e. 61.04%, were clarified. A total of 51 offenders were identified; out of them one person was minor and 10 persons were juvenile.

17. The structure of registered racially motivated crimes is as follows:

(a) 71 cases of crime of supporting and promoting groups leading to the suppression of fundamental rights and freedoms pursuant to §421, 422/1, 422b, 422c, 423/1(a), 423/1(b) of the Penal Code;

(b) Two cases of incitement to national, racial or ethnic hatred pursuant to §424/1 of the Penal Code;

(c) One case of crime of incitement, defamation and making threats to persons on the grounds of their race, nationality, skin colour, ethnic origin or family origin pursuant to §424a/1 of the Penal Code.

18. Compared to 2009, the number of racially motivated crimes increased by 24, or 15.04%, in 2010. No racially motivated murder was registered.

Response to the recommendation contained in paragraph 20 of the concluding observations

19. By a letter of 12 March 2009 the Mayor of Dobšiná informed that the Municipal Council had approved, on 1 March 2007, the Dobšiná Zoning Plan in which a site was designated for the construction of a social housing zone. By resolution No. 53-7/V-2007, the Municipal Council approved the Plan of Main Tasks of the Dobšiná Municipality for the period of 2007-2010, which included a task to prepare a long-term social housing development plan until 2010 which was supposed to be financed both from structural funds and the town's own resources. The objective of this plan was to address the housing needs of socially deprived groups of population. In April 2008, the Dobšiná municipality organised a training course for Municipal Council employees concerning the construction of lower-standard flats, with the participation of representatives of the Regional Branch of the Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities. A possibility to build lower-standards flats was discussed by the Building Committee of the Dobšiná Municipal Council. A paper was to be drafted on the possibilities and manner of their construction and submitted to the Municipal Board and the Municipal Council.

20. The situation in Dobšiná is also continuously monitored by the Regional Branch of the Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities. The Regional Branch has held several working meetings with the municipality officials, employees, field social workers and the local Roma community in this respect. The local authorities have been repeatedly informed about conditions and possibilities to build lower-standard rental flats.

21. Under its Economic and Social Development Plan of May 2008, the municipality plans to carry out the construction of lower-standard rental flats. The construction activities were incorporated in the medium-term plans to be carried out until 2010. Despite several meetings with the representatives of the Office of the Plenipotentiary of the Government of the Slovak Republic for Roma Communities, the construction works have to this date not been started by the competent municipal authorities. The last consultations on this issue were held on 16 February 2011. A municipal official said at the meeting that the Dobšiná municipality had in the recent years implemented several investment projects (basic school and kindergarten reconstruction) which had required its financial involvement; therefore they could not apply for the construction of lower-standard rental flats.

22. The Dobšiná Mayor has included the lower-standard rental flat construction among his priority plans. The former Municipal Council, which had not favoured such construction activities, was replaced after the municipal election in 2010, and might assumingly be more inclined towards the construction of lower-standard rental flats. Construction works should be carried out in the 2011-2014 period. The 2006 zoning plan, which specifies the site for social housing development, remains still valid.
