

COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-fifth session

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION**

**Concluding Observations of the Committee on the
Rights of the Child: Slovakia**

1. The Committee considered the second periodic report of Slovakia (CRC/C/SVK/2) at its 1231st and 1232nd meetings (see CRC/C/SR. 1231 and 1232), held on 22 May 2007, and adopted, at the 1255th meeting, held on 8 June 2007, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the second periodic report, though delayed, as well as the detailed comprehensive written replies (CRC/C/SVK/Q/2/Add.1) and the participation of a high level multisectoral delegation.

B. Follow-up measures and progress achieved by the State party

3. The Committee welcomes the adoption of a number of acts relating to children's rights, including, inter alia, the Family Act, the Act on Social and Legal Protection of Children, the Criminal Procedure Code and the amendment to the Civil Procedure Code. The Committee also welcomes the adoption of legislation providing protection for the rights of unaccompanied minors seeking asylum.
4. The Committee also welcomes the initiation of the Children's Rights Monitoring Project of the Slovak National Centre for Human Rights.
5. The Committee notes with appreciation that since consideration of its initial report in 2000, the State party has ratified, inter alia:
 - (a) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 7 July 2006;
 - (b) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child pornography and child prostitution on 25 June 2004;

- (c) The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption;
- (d) The Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect to Parental Responsibility and Measures for the Protection of Children on 21 September 2001; and
- (e) The Council of Europe Convention on Action against Trafficking in Human Beings on 27 March 2007.

C. Principal areas of concern and recommendations

1. General measures of implementation (arts. 4, 42 and 44, paragraph 6 of the Convention)

Committee's Previous Recommendations

- 6. The Committee welcomes efforts by the State party to implement the Committee's concluding observations on the State party's initial report (CRC/C/15/Add.140). Nevertheless, the Committee notes with regret that these concluding observations, including on such issues as rights of minorities, juvenile justice and police brutality, have not been significantly addressed.
- 7. **The Committee urges the State party to take all necessary measures to address those recommendations from the concluding observations of the initial report that have not yet been implemented or sufficiently implemented. In this context, the Committee draws the attention of the State party to General Comment No.5 on general measures of implementation.**

Legislation

- 8. The Committee appreciates the State party's efforts to harmonize its national legislation with the Convention and the inclusion of the right of the child to be heard and the best interests of the child, in some of the legislation. However, the Committee remains concerned that the principles of the Convention are not duly taken into account in all laws, including the Criminal Code.
- 9. **The Committee recommends that the State party take measures to ensure that all legislation is in conformity with the letter and spirit of the Convention.**
- 10. **The Committee also recommends that the State party ensure, through adequate legal provisions and regulations, that all children victims and or witnesses of crimes, e.g. children victims of abuse, domestic violence, sexual and economic exploitation, abduction, and trafficking and witnesses of such crimes, are provided with the protection required by the Convention and that it take fully into account the United Nations Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime (annexed to Economic and Social Council resolution 2005/20 of 22 July 2005).**

Coordination

11. The Committee notes that the Ministry of Education is the umbrella organisation for implementing the state policy relating to children and adolescents until 2007 under the Children and Youth Policy Action Plan. The Committee also notes the efforts of the State party to set up a Ministerial Committee for Children, which will serve as the coordinating mechanism for activities, programmes and policies on the protection of child rights.
- 12. The Committee recommends that the State party take measures to ensure the establishment of the Ministerial Committee for Children and Youth as a matter of priority. The State party should also ensure that this new body has sufficient human and financial resources to effectively fulfil its mandate.**

National Plan of Action

13. The Committee notes the approval in August 2002 of the National Plan of Action for Children (2002-2004). The Committee is concerned, nevertheless, at the absence of assessment and evaluation of implemented plans as well as lack of further plans for the ensuing period.
- 14. The Committee recommends that the State party adopt a new time-bound National Plan of Action for Children, covering at least a five-year period, and that this Plan of Action be based on a solid assessment of the implementation of the 2002-2004 Plan and cover in a comprehensive manner the rights of the child enshrined in the Convention, and take into account the outcome document of the 2002 Special Session of the General Assembly of the United Nations “A World Fit for Children”. The Committee also recommends that the State party ensure a specific and adequate budget allocation as well as follow-up and evaluation mechanisms for the full implementation of the Plan of Action to regularly assess progress achieved and identify possible deficiencies.**

Independent monitoring

15. While welcoming efforts of the Office of the Public Defender of Rights in the area of protection of children’s rights, the Committee is nevertheless concerned that monitoring of all areas of concern covered under the Convention on the Rights of the Child is not adequate and coordinated.
- 16. The Committee recommends that the State party expedite the establishment of an independent mechanism for monitoring implementation of the Convention on the Rights of the Child, in accordance with the Paris Principles, mandated to receive and investigate complaints from or on behalf of children on violations of their rights and that works in coordination with other relevant bodies. Such a mechanism should be provided with the necessary human and financial resources. In this regard, the Committee draws the attention of the State party to its general comment No. 2 (CRC/C/2002/2) on the role of independent national human rights institutions in the promotion and protection of the rights of the child.**

Allocation of Resources

17. The Committee welcomes the information that families with children that are unable to obtain or increase the resources necessary to satisfy their basic needs through their own efforts are provided social assistance by the State. Nevertheless, the Committee is concerned that allocated resources still fall short of meeting the needs of marginalized children.
- 18. In view of the positive economic performance of the State party and in light of paragraph 2 of article 4 of the Convention, the Committee recommends that the State party prioritize and increase budgetary allocations for children at both national and local levels to ensure at all levels the implementation of the rights of the child, with a special emphasis on the most vulnerable groups, including Roma children.**

Data collection

19. The Committee, while noting the State party's policy regarding the collection of data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs and other personal data, remains concerned at deficiencies in the collection and analysis of disaggregated data. The Committee is concerned that the lack of such data will negatively impact the ability of the State Party to accurately assess the situation of marginalized populations vis-à-vis health, education and employment sectors. The Committee observes, nevertheless, that such data has been collected in certain situations, such as criminal proceedings. The Committee is, moreover, concerned that the State Party's policy concerning the collection of data based on ethnicity hampers the adequate collection and analysis of reliable disaggregated data on vulnerable groups, inter alia, the Roma community.
- 20. The Committee calls upon the State party to strengthen its data collection system as a basis for assessing progress achieved in the realization of children's rights and to help design policies to implement the Convention. The State party should ensure that data collected is disaggregated and contains information on a wide-range of vulnerable groups including, inter alia, children belonging to minority groups such as the Roma, children living in poverty, and children living or working in the street. Data should be gathered using methods that are compatible with principles of data collection and should guide policies that ensure the full implementation of the rights of all children, with special emphasis on marginalized children. In this context, the Committee calls the attention of the State party to paragraph 8 of the General Guidelines (CERD/C/70/Rev.5) regarding the form and content of reports to be submitted by State parties to the Committee on the Elimination of Racial Discrimination. The Committee also encourages the State party to further cooperate with UNICEF in this regard.**

Dissemination, training and awareness-raising

21. The Committee notes with interest the State party's efforts to raise awareness on the principles and provisions of international human rights instruments, including

the Convention on the Rights of the Child, through tasks and activities contained in the Action Plans for the Prevention of All Forms of Discrimination, Racism, Xenophobia, anti-Semitism and Other Expressions of Intolerance. The Committee expresses its concern, however, that awareness-raising on the Convention on the Rights of the Child linked to the Action Plans does not cover all areas of the Convention, only those related to the prevention of discrimination, racism, etc.

- 22. The Committee recommends that the State party strengthen its efforts, in collaboration with NGOs and UNICEF, to ensure that all of the provisions of the Convention are widely known and understood by adults and children. It also recommends the reinforcement of adequate and systematic training of all professional groups working for and with children, in particular law enforcement officials, teachers, health personnel, social workers and personnel of childcare institutions.**

Cooperation with civil society

23. The Committee welcomes the cooperation between the State party and civil society when policies, strategies, action plans, and legal acts are being drafted and implemented in the fields of alternative family care, social and legal protection of children, and social guardianship.
- 24. The Committee recommends that the State party continue and further strengthen its collaboration with civil society and widen the scope of cooperation so as to cover all areas related to the promotion and protection of the rights of the child. The Committee also recommends that the State party encourage and empower the active participation of civil society, including NGOs, in the follow-up to the concluding observations of the Committee.**

2. Definition of the child (art. 1 of the Convention)

25. The Committee notes with concern that, according to the State party's report, the Family Act allows a parent who is a minor to act before the court in cases of paternity determination only upon consent of the minor's parents.
- 26. The Committee urges the State party to modify the provisions of the Family Act in order to allow a minor parent to bring a motion before the court regarding the determination of paternity, without the necessity for parental consent.**

3. General principles (arts. 2,3,6 and 12 of the Convention)

Non-discrimination

27. The Committee welcomes the reform of legislation, the adoption of action plans and the monitoring and information collection work carried out on the issue of discrimination. Nevertheless, the Committee expresses its concern that the Anti-Discrimination Act does not provide protection from discrimination in the areas of social security, healthcare, education and provision of goods and services on the grounds of ethnicity, disability,

religion or belief, and sexual orientation. The Committee also notes that the action plans are the only comprehensive and systematic tools of the State Party's Government in the area of preventing discrimination and intolerance. The Committee remains concerned that in practice certain groups continue to experience discrimination. The Committee is also concerned that, parents do not want their children to have any contact with Roma children from residential homes and that in some cases, citizens have rejected by referendum the existence of a children's home in the municipality and have caused the home to be re-located.

28. The Committee urges the State party to ensure full protection under the "Anti-Discrimination Act" against discrimination on the grounds of, ethnicity, disability, religion or belief, or sexual orientation. The Committee also urges the State party to strengthen its awareness-raising and other preventive activities against discrimination, and, if necessary, to take affirmative actions for the benefit of certain vulnerable groups of children, especially the Roma. The State party should ensure that its action plans to prevent discrimination and intolerance are comprehensive, addressing all forms of discrimination against individuals or groups. The Committee also urges the State party to take all necessary measures to ensure that cases of discrimination against children in all sectors of society are addressed effectively.

29. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account general comment No.1 (CRC/GC/2001/1) on the aims of education.

Best Interests of the Child

30. The Committee welcomes the fact that under the Family Act, the court shall consider the child's interests when deciding on divorce, the exercise of parental rights and duties, or when approving parental agreements governing the exercise of parental rights and duties. The Committee also notes the State party's declaration that parents have the duty to exercise their parental rights and duties in such a way as to protect the minor's rights. Nevertheless, the Committee remains concerned that the general principle of the best interests of the child (article 3) is not explicitly included in all legislative and administrative measures and programmes relevant to children.

31. The Committee recommends that the State party take all appropriate measures to ensure that the best interests of the child, in accordance with article 3 of the Convention, are adequately integrated in all legal provisions as well as in judicial and administrative decisions and in projects, programmes, and services which have an impact on children.

Respect for the views of the child

32. The Committee notes with appreciation the State party's indication that the right of the child to express his/her views has been reflected in several newly adopted provisions including regarding adoption. The Committee also notes that in the educational process, students have the possibility to form their own views and express them to teachers and school management through student school councils. Nevertheless, the Committee remains concerned that the weight given in practice to the views of the child is limited owing to traditional societal attitudes towards children, especially within the family.
33. **The Committee recommends that, in accordance with article 12 of the Convention, the State party promote, facilitate and implement, in practice, within the family, schools, and the community as well as in institutions and in administrative and judicial proceedings, the principle of respect for the views of the child and that such views are adequately taken into account in all matters affecting the child. Furthermore, the Committee draws the attention of the State Party to the recommendations adopted on the Committee's day of general discussion on the right of the child to be heard in September 2006. The Committee encourages the State party to further cooperate with UNICEF in this regard.**

4. Civil rights and freedoms (arts. 7, 8, 13-17, 19 and 37(a) of the Convention)

Torture and inhuman or degrading treatment or punishment

34. The Committee welcomes the creation of the Commission for Coordinating Action in the Elimination of Racially Motivated Crime and notes that since 2001, stricter sanctions have been imposed for racially motivated crime. The Committee also welcomes the State party's efforts to improve cooperation between the police and Roma communities. Nevertheless, the Committee remains concerned about the continuing incidents of excessive use of force by police personnel, including police brutality against the Roma community and other vulnerable groups.
35. **The Committee reiterates its previous recommendations (CRC/C/15/Add.140, paragraph 26) that the State party expand state preventive programmes to curb racially motivated violence. It urges the State party to continue and further strengthen cooperation between the police and the Roma community and to ensure that clear guidelines are available for police and prosecuting authorities on how to handle such crimes.**

Corporal punishment

36. The Committee notes with appreciation that corporal punishment in schools, alternative care contexts, and the penal system is unlawful and notes that the new Penal Code protects children from physical and psychological violence, insults, abuse, neglect and mistreatment without referring explicitly to corporal punishment. While the Committee welcomes the Government's stated intention to

prohibit corporal punishment in the home, it nevertheless expresses its concern that, to date, corporal punishment within the home remains lawful.

- 37. The Committee recommends that the State party, taking into account the Committee's general comment No. 8 on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment (CRC/C/GC/8, 2006), take steps to ensure that corporal punishment is explicitly prohibited by law in all settings, including the home and that the State party intensify its awareness-raising campaigns in order to promote the use of alternative non-violent forms of discipline in a manner consistent with article 28 paragraph 2 of the Convention.**

Child abuse and violence

- 38.** The Committee notes with appreciation the expansion of the 'Child Security' telephone hotline, and the State party's policy papers and legislative proposals, the systematic attention given to the protection of the rights of the child. The Committee notes, however, that the helpline operates only four hours per day and is not operational on a national scale. The Committee regrets that no information has been provided as to whether or not reporting child abuse or other forms of violence against children is mandatory and as to whether or not steps have been taken to ensure that child victims of violent acts such as trafficking or prostitution, are not criminalised. The Committee further notes that, while the Code of Criminal Procedure contains special provisions relating to the interrogation of witnesses under 15 years of age, juvenile witnesses between the age of 15 and 18 do not seem to have such protection. Finally, the Committee notes with concern that while the law prohibits violence against women and children, it is not effectively enforced. The Committee is concerned that domestic violence is often underreported and that statistics do not adequately reflect the extent of the problem or the lack of services for victims of domestic violence.
- 39.** The Committee recommends that the State party take all appropriate measures to ensure that the hotline uses a three digit number, is toll-free and provides 24-hour service. The Committee further recommends that the State party introduce mandatory reporting of abuse, including sexual abuse, of children and that it take the necessary measures to ensure that child victims of abuse and other forms of violence are not victimized once again during legal proceedings.
- 40.** With reference to the UN Study on Violence against Children, the Committee recommends that the State party:
- (a) Take all necessary measures for the implementation of the overarching and setting-specific recommendations contained in the Report of the independent expert of the UN Study on Violence against Children, while taking into account the outcome and recommendations of the Regional Consultations for Europe (held in Slovenia from 5 to 7 July 2005);**
 - (b) Use these recommendations as a tool for action in partnership with civil society and in particular with the involvement of children to ensure that every child is protected from all forms of physical, sexual and mental**

- violence and to gain momentum for concrete and, where appropriate, time-bound actions to prevent and respond to such violence; and
- (c) In this regard, seek further cooperation with OHCHR, UNICEF and WHO.

5. Family environment and alternative care
(arts. 5, 18(paras.1-2), 9-11, 19-21, 25, 27 (para.4) and 39 of the Convention)

Parental responsibilities

41. The Committee expresses its concern over the existence of the “incubator programme” which gives parents the possibility to abandon their new born children in incubators outside hospitals and that these children are usually adopted shortly after their birth without any effort being made to identify the parents and try to maintain familial links.
- 42. The Committee urges the State party to reform the “incubator programme” in order to provide families with psychosocial and economic support to avoid the separation of children from their families. The Committee recommends that the State party take measures to ensure that material poverty alone is not used as a justification for the separation of a child from his/her family.**

Children without parental care

43. The Committee notes with appreciation the State party’s indication that alternative care or foster care is preferred over institutional care and the adoption of a new Act on allowances promoting alternate custody. The Committee is, however, concerned that the already large number of children in institutional care, has increased and that the Roma constitute the majority of this population, and that the number of children in foster care has decreased. The Committee also notes with concern that in facilities such as youth diagnostic centres, youth re-education homes and children’s re-education homes, relaxation or protection rooms are often misused as a form of punishment and that guidelines in this regard are missing. The Committee is also concerned that most government residential homes are long-term rather than short-term facilities and that children from such homes have difficulty integrating into society at age 18 and are at increased risk of falling victim to trafficking.
- 44. The Committee recommends that the State party, taking into account the Committee’s recommendations issued at the General Discussion day on Children without parental care (2005), take steps to ensure the protection of children’s rights in alternative care facilities, inter alia, by:**
- a) **Taking steps to monitor the situation of child rights within facilities;**
 - b) **Developing guidelines to be used by such facilities in elaborating their internal regulations on issues such as the employment of education and protective measures and the placement of children in relaxation/protection rooms;**
 - c) **Carrying out awareness-raising and educational activities in order to eliminate negative stereotypes in society about**

- Roma children and increase their chances of being adopted by families within the country;**
- d) Taking steps to end the practice of municipalities of refusing by referendum the presence of children's homes just because of their high population of Roma children;**
 - e) Providing a child accessible complaint mechanism; and**
 - f) Providing training and education programs to prepare children for adult life.**

Adoption

45. The Committee notes with appreciation that the new Family Act provides for the adopted child to have access to information on his/her biological parents. The Committee welcomes the ratification by the State party of the Hague Convention on the Protection of Children and Cooperation in Respect of Country Adoption (1993). However, the Committee notes with concern the difficulties in finding foster or adoptive families for children of Roma origin within the State party.
46. **The Committee urges the State party to ensure that its legislation on adoption is in full conformity with article 21 of the Convention and also that children of Roma origin are not discriminated against in the adoption process. It also urges the State party to ensure that the child's best interests are being met in all areas. Finally, the Committee recommends that the State party establish programmes to reduce misconceptions related to the adoption of Roma children.**

6. Basic health and welfare

(arts. 6, 18 (para.3), 23, 24, 26, 27 (paras.1-3) of the Convention)

Children with disabilities

47. The Committee welcomes the adoption by the State party of the National Programme for the Development of Living Conditions for Citizens with Disabilities in All Areas of Life. The Committee also notes with appreciation the existence of Social Service homes that provide basic care for children with disabilities. Nevertheless, the Committee expresses its concern that such services are still not adequate, particularly access to buildings and transportation, and that the majority of primary and secondary schools lack sufficient financial, material and human resources for the inclusive education of children with disabilities. The Committee is also concerned that Roma children with disabilities experience double discrimination.
48. **In light of the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's General Comment No.9 on the rights of children with disabilities, the Committee recommends that the State party:**
- (a) Take all necessary measures to ensure legislation providing protection for persons with disabilities, as well as programmes and services for children with disabilities, are effectively implemented;**

- (b) **Develop early identification programmes to prevent disabilities;**
- (c) **Undertake awareness campaigns to sensitise the public about the rights and special needs of children with disabilities, encourage their inclusion in society and prevent discrimination and institutionalization;**
- (d) **Provide training for professional staff working with children with disabilities, such as medical, paramedical and related personnel, teachers and social workers; and**
- (e) **Consider signing and ratifying the International Convention on the Rights of Persons with Disabilities and its Optional Protocol.**

Right to health and access to health services

49. The Committee welcomes reform undertaken in the healthcare sector and recognises that there is a good level of healthcare services for children in the area of physical health. The Committee also welcomes the implementation by the Ministry of Health of the PHARE project “Improved Roma Minority Access to Health Care in the Slovak Republic” and training events for Roma health assistants as well as the allocation of money for educational projects to increase the knowledge of the Roma community on reproductive health issues. However, the Committee is concerned at the inadequate infrastructure of community-based and family focused child mental health services and psychological services in the State party. The Committee is also concerned that the health condition of the Roma population remains worse than that of the majority of the population and that segregation of Romani patients in hospital facilities remains a common practice. Additionally, the Committee expresses its concern that newly adopted regulations regarding immunizations which transfer the responsibility for storing vaccines and keeping track of vaccination dates onto parents, could be particularly disadvantageous for families living in poverty.

50. The Committee recommends that the State party increase considerably both human and financial resources to develop an effective infrastructure of community-based and family-focused mental health services for children and families at risk. The Committee also recommends that the State party take all necessary measures, including the continued training of health workers, particularly those working in the Roma communities, to improve access to health services by the Roma population. The State party should also take the necessary steps to end segregation in hospital facilities. The Committee further recommends that the State party implement activities to educate and raise awareness of the population, particularly those in disadvantaged communities as to the necessity and benefits of immunization of children. The Committee encourages the State party to consider further cooperation with UNICEF and WHO, among others.

Adolescent health

51. The Committee regrets the absence of data from the State party in the areas of adolescent health.

52. The Committee recommends that the State party, taking into account the Committee's general comment No.4 (CRC/GC/2003/4) on adolescent health and development in the context of the Convention on the Rights of the Child, gather sufficient data on adolescent health. The Committee also recommends that the State party allocate adequate resources to the area of adolescent health. A special emphasis should be placed on the area of mental health of adolescents.

HIV/AIDS

53. The Committee notes that no HIV-positive cases have been recorded in the 14 and under age group and that no cases of transmission of HIV infection from mother to child have been recorded. The Committee welcomes the National Programme of HIV/AIDS Prevention for the Period of 2004 – 2007.

54. The Committee urges the State party, taking into account the Committee's general comment No. 3 (CRC/GC/2003/3) on HIV/AIDS and the rights of the child and the international Guidelines on HIV/AIDS and Human Rights, to take measures to decrease the overall rate of HIV/AIDS infection in its territory and, in particular, to ensure protection with regard to children and young people from the virus.

Right to an adequate standard of living

55. The Committee notes with appreciation that measures have been adopted to improve the living conditions of Roma children living in segregated Roma settlements and that funds have been given to municipalities with such settlements in their territory to build centres of personal hygiene and laundry rooms. The Committee remains concerned, however, that some Roma communities do not have equal access to adequate housing, have limited or no access to basic public services, live in substandard, racially segregated slum settlements exposed to environmental hazards and do not have access to clean drinking water. The Committee also expresses concern at reports of local vigilante action, sometimes carried out with the active or passive complicity of local authorities, to block persons belonging to the Roma community trying to rent or purchase property outside segregated settlements.

56. The Committee recommends that the State party take all necessary measures to ensure that all communities, including Roma communities, are given equal access to adequate housing, sanitation and infrastructure, are protected from environmental hazards and are given access to clean air, land and water. The Committee also urges the State party to continue and strengthen programmes that ensure the inclusion of Roma communities, including Roma children, in all aspects of society life.

7. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)

57. The Committee notes with appreciation the educational reform underway emphasizing the active participation of the child and supporting disadvantaged

groups including Roma children. The Committee also welcomes the establishment of “zero classes”. Nevertheless, the Committee remains concerned that:

- (a) Not all children from socially marginalized groups regularly attend school and regrets the lack of data on these children;
- (b) Efforts to adapt instruction and schools to the learning conditions of children living far from schools, particularly Roma children, have not been completed;
- (c) Strategies of awareness-raising and information dissemination among parents on the importance of education are not effectively used;
- (d) Adolescents have problems finding an occupation upon completion of school education as they may not be adequately qualified to meet the requirements of the labour market;
- (e) Participation of children in schools and classrooms remains limited; and
- (f) Human rights curricula aiming at the elimination of intolerance, xenophobia and racism have not contributed so far to ease the tense relations between ethnic groups.

58. The Committee recommends that the State party, taking into account its general comment No. 1 (2001) on the aims of education:

- (a) Take all necessary measures to ensure that children have equal opportunities for access to schools, including the possibility to have an education in their mother tongue;**
- (b) Ensure that measures and policies adopted to enhance access to the education of children, particularly children belonging to the Roma, are given adequate human and financial resources to allow their effective implementation;**
- (c) Take steps to ensure that the educational curriculum and teaching material take into account the culture and history of children belonging to different minority groups, particularly the Roma, while at the same time ensuring that this does not lead to the creation of separate curricula or separate classes;**
- (d) Carry out awareness-raising and information dissemination activities targeted at making parents aware of the importance of education.**
- (e) Expand vocational training programmes for young people in order to facilitate their access to the labour market; and**
- (f) Include human rights education, including the rights of the child, in the official curriculum at all levels of education.**

8. Special protection measures

(arts. 22, 38, 39, 40, 37(b) and (d), 30, 32-36 of the Convention)

Children belonging to minority groups

59. The Committee notes with appreciation the improvement in the status of the Hungarian minority and that there is an attempt to improve attitudes towards the Roma. In this regard, the Committee notes with appreciation the number of strategies, policies and action plans adopted over the past years, aimed at addressing the Roma ethnic minority challenges in the areas of education, housing, health and human rights. Nevertheless, the Committee notes that there is

no general legal act protecting the rights of persons belonging to minority groups. The Committee is concerned that persons, including children, belonging to minority groups, particularly the Roma population, are subjected to discrimination in, inter alia, education, health, and public services. The Committee also notes that despite legislation prohibiting, in principle, the processing of personal data revealing racial or ethnic origin and religious or philosophical beliefs, legislation also authorizes the police force to collect such data and non-voluntary collection of ethnicity data could have been carried out in other areas, including governmental employment offices and the military forces. (See also paragraph 19 above.) Finally, the Committee notes with concern the continued negative stereotypes of, and attitudes towards, the Roma minority, including their children, in all aspects of society, and which have additionally been manifested in some of the State party's references to the Roma community in its report to the Committee.

- 60. The Committee urges the State party to recognise the rights of persons, including children, belonging to minority groups and to consider adopting a comprehensive legal act providing protection of the rights of such persons. In particular, the Committee urges the State party to ensure that children belonging minority groups have equal access to education, health and other services as other children. Finally, the Committee encourages the State party to undertake education, awareness-raising and other activities to improve intercultural dialogue and tolerance and to overcome negative stereotypes of and attitudes towards minority groups, including Roma communities.**

Economic exploitation, including child labour

61. The Committee notes that the law prohibits forced or compulsory labour, including by children, and also notes the Government's efforts to implement and enforce the labour code and policies to protect children from exploitation in the workplace. However, the Committee is concerned about reports indicating that such practices still occur and that child labour, primarily in the form of begging, is a problem in some communities.

- 62. The Committee urges the State party to intensify its efforts to implement and enforce laws and policies protecting children from economic exploitation, including child labour and begging. The Committee also urges the State party to monitor the situation of children involved in all forms of economic exploitation, including child labour.**

Sexual exploitation and abuse

63. The Committee welcomes the various measures taken by the State party to strengthen protection against sexual exploitation and abuse. The Committee is concerned, however, at the high level of rape of children between the ages of 7 and 18, especial girls, even in protective environments such as families and schools. The Committee is also concerned at the fact that the Slovak judicial legislation and practice do not explicitly penalize sexual exploitation of children. The Committee is further concerned that despite its legal prohibition, child prostitution remains a problem in Romani settlements with the worst living conditions.

64. The Committee recommends that the State party:

- (a) Take adequate legislative measures to ensure the explicit prohibition of sexual exploitation and abuse of children under criminal law;**
- (b) Ensure that child victims of sexual exploitation and abuse are not criminalized or penalized;**
- (c) Implement appropriate policies and programmes for the prevention, recovery and social reintegration of child victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children; and**
- (d) Carry out gender awareness campaigns to combat sexual exploitation.**

Drug abuse

65. The Committee notes the information that drug abuse is an increasing problem in the State party. The Committee also notes that the offender who commits a criminal offence relating to narcotics against a protected person, - including a child – is liable to a prison sentence of up to 15 years. The Committee notes with appreciation the State party's commentary that special attention is devoted to the prevention of drug addiction, in particular prevention that targets school populations and welcomes the fact that primary and secondary schools have coordinators for the prevention of drug addiction and other sociopathic phenomena.

66. The Committee recommends that the State party take measures to prevent and reduce drug abuse among children and to support recovery programmes for child victims of drug abuse. The Committee further recommends that the State party seek technical cooperation from, inter alia, WHO, UNICEF and the United Nations Office on Drugs and Crime (UNODC).

Juvenile justice

67. The Committee notes with appreciation that an advisory board is set up within each correctional institution for juveniles with a view to enhancing the educational impact of detention and that special emphasis is placed upon the treatment of sentenced juveniles in order to minimize negative consequences of their isolation from society. The Committee reiterates, however, its previous concern (CRC/C/15/Add.140, paragraphs 51 and 52) that insufficient information is available on prevailing conditions in detention facilities for juveniles and with respect to complaints mechanisms.

68. The Committee urges the State party to ensure that juvenile justice standards are fully implemented, in particular articles 37 (b), 40 and 39 of the Convention, as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations

Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules) and in the light of the Committee's General Comment No.10 on children's rights in juvenile justice. In particular the Committee recommends that the State party:

- a) **Take all necessary measures to ensure that children are held in detention only as a last resort and for as short a time as possible and that when such detention is carried out it is in compliance with the law and respects the rights of the child as set out under the Convention;**
- b) **Ensure regular review of detention;**
- c) **Set up a programme to train specialized judges for children;**
- d) **Take all necessary measures to ensure that children are not ill-treated in detention and their rights are not violated and that cases involving juveniles are promptly brought to trial;**
- e) **Seek technical assistance and other cooperation from the United Nations Interagency Panel on Juvenile Justice, which includes UNODC, UNICEF, OHCHR and NGOs.**

9. Optional Protocols to the Convention on the Rights of the Child

69. The Committee welcomes the ratification by the State party of the Optional Protocols to the Convention on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.
70. **The Committee invites the State party to submit as soon as possible its initial report on the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography that was due in 2006, and looks forward to the timely submission of the initial report of the Optional Protocol to the Convention on the involvement of children in armed conflict, due in 2008.**

10. Follow-up and dissemination

Follow-up

71. **The Committee recommends that the State party take all appropriate measures to ensure that the present recommendations are fully implemented, inter alia by transmitting them to the members of the Parliament, and to regional and territorial Governments and Parliaments, when applicable, for appropriate consideration and further action.**

Dissemination

72. **The Committee further recommends that the second periodic report and written replies submitted by the State party and the related recommendations (concluding observations) it adopted be made widely**

available in the languages of the country, including (but not exclusively) through the Internet to the public at large, civil society organizations, youth groups, professional groups and children, in order to generate debate and awareness of the Convention, its implementation and monitoring.

11. Next report

- 73. The Committee invites the State party to submit its third periodic report by 6 October 2012. This report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report every five years thereafter, as foreseen by the Committee.**

- 74. The Committee invites the State party to submit an updated core document in accordance with the requirements of the Common Core Document in the Harmonised Guidelines on Reporting, approved by the 5th Inter-Committee meeting of the human rights treaty bodies in June 2006 (HRI/MC/2006/3).**