

adoption of a new law on citizenship, which protects all children born in Slovakia from being stateless.

In terms of areas of continuing concern, the Committee noted: the absence or inadequacy of laws relative to implementation of article 4 of the Covenant (states of emergency and derogation), article 14 (appointment of members of the judiciary), article 18 (conscientious objection to military service) and article 25 (right to vote and stand for election, access to public service); lack of clarity regarding the relationship between the Slovak Constitution and measures to ensure compliance by central or local governments with the Constitution and international treaties such as the ICCPR; substantiated reports of discrimination, particularly against women; lack of independent complaint mechanisms for victims of all forms of discrimination; reports that Roma people are often victims of racist attacks and do not receive adequate protection from law enforcement officers; cases of excessive use of force by law enforcement officials as well as mistreatment of detainees during police custody; restriction on the right to free legal assistance only to cases for which the maximum penalty is over five years' imprisonment; failure of police to respect the law providing for the assistance of a lawyer immediately after arrest; and, provisions allowing civilians to be tried by military courts in certain cases, including betrayal of state secrets, espionage or state security.

The Committee also expressed concern that the legislation on freedom of religion, the status of churches and religious societies, and the association of citizens require that churches, religious societies, associations and non-governmental organisations be registered in order to function freely and/or to receive subsidies from the state. The Committee noted that the prerequisites to this registration are very restrictive and have led to some churches and religious or other associations being excluded from legal recognition. With respect to freedom of expression, the Committee noted that provisions in the Penal Code make it an offence to disseminate false information abroad which harms the interest of Slovakia. In the Committee's view, the broad phrasing and lack of clarity in this provision carry the risk of restricting freedom of expression beyond the limits allowable under article 19 of the ICCPR. Concern was similarly expressed over government interference with the direction of its State-owned television and lawsuits for defamation resulting from expressed criticism of the government. The Committee also noted with concern the absence of judicial guarantees related to telephone-tapping during the pre-trial investigation of crime.

Additional concerns specifically raised by the Committee included the lack of legislation to implement the provisions of the Constitution on minority languages, which has meant that the use of minority languages in official communications is not secured, and insufficient provision of resources in the field of educational and cultural rights for the benefit of the Hungarian minority.

The Committee recommended that the government:

- ▶ give priority to establishing measures to address discrimination, in particular through training and education campaigns;

- ▶ establish on an urgent basis mechanisms to monitor non-discrimination laws and to receive and investigate complaints from victims;
- ▶ establish appropriate training programmes intended for law-enforcement and custodial personnel in the field of human rights, as well as for professional groups such as judges, lawyers and public servants;
- ▶ provide human rights education in schools at all levels, in order to develop a culture of human rights within society;
- ▶ undertake a comprehensive analysis on compliance of legislation and practice related to administrative detention;
- ▶ adopt, as a matter of priority, laws regulating the appointment, remuneration, tenure, dismissal and disciplining of members of the judiciary in order to guarantee the independence of the judiciary and protect judges from any form of political influence;
- ▶ review legislation regulating the provision of free legal assistance to ensure that it conforms with the Covenant;
- ▶ monitor closely implementation of laws and regulations governing the presence and assistance of lawyers;
- ▶ amend the Criminal Code to prohibit the trial of civilians by military tribunals in any circumstances;
- ▶ take all necessary measures in order to amend the relevant legislation on freedom of religion and association so as to bring it into conformity with articles 18 and 22 of the Covenant;
- ▶ review the three concerns related to freedom of expression noted above and adopt necessary legislation to eliminate any inconsistencies with the Covenant;
- ▶ ensure control, by an independent judicial authority, of the interception of confidential communications-related to, for example, wire-tapping and protection of the right to privacy; and,
- ▶ adopt legislation rapidly to secure language rights for minorities.

The Committee requested that the government, in its next report, include additional information on: Constitutional provisions related to human rights and institutions designed to protect human rights; the right to free legal assistance; measures related to all forms of detention, including detention of asylum-seekers; and, actions taken to ensure that school textbooks do not contain material tending to promote anti-Semitic and other racist views.

Racial Discrimination

Succeeded: 28 May 1993.

Slovakia's initial report was due 28 May 1994; the second periodic report was due 28 May 1996.

Reservations and Declarations: Articles 17 and 22.

Discrimination against Women

Succeeded: 28 May 1993.

Slovakia's initial report (CEDAW/C/SVK/1) has been submitted; the second periodic report is due 27 June 1998.

Torture

Succeeded: 28 May 1993

Slovakia's initial report was due 27 May 1994.

Reservations and Declarations: Declaration under articles 21 and 22.