**INPUT OF THE SLOVAK NATIONAL CENTRE FOR HUMAN RIGHTS TO THE REQUEST OF THE SPECIAL RAPPORTEUR ON THE RIGHTS OF PERSONS WITH DISABILITIES REGARDING THEIR PARTICIPATION IN DECISION-MAKING**

*The Slovak National Centre for Human Rights (the Centre) is a national human rights institution established in the Slovak Republic, accredited with status B by the International Coordinating Committee of National Human Rights Institutions. As an NHRI, the Centre is a member of the European Network of NHRIs (ENNHRI). The Centre was established by the Act of the Slovak National Council No. 308/1993 Coll. on the Establishment of the Slovak National Centre for Human Rights. Pursuant to Act No. 365/2004 Coll. on Equal Treatment in Some Areas and on Protection from Discrimination, and on amendments and supplements of certain acts, as amended (the Anti-discrimination Act) the Centre acts also as the only Slovak equality body. As an NHRI and Equality Body, the Centre performs a wide range of tasks in the area of human rights and fundamental freedoms including the rights of the child and observance of the principle of equal treatment. The Centre among other powers:*

*1) monitors and evaluates the observance of human rights and the observance of the equal treatment principle;*

*2) conducts research and surveys to provide data in the area of human rights; gathers and distributes information in this area;*

*3) prepares educational activities and participating in information campaigns aimed at increasing tolerance of the society;*

*4) provides legal assistance to victims of discrimination a manifestations of intolerance;*

*5) issues expert opinions on matters of the observance of the equal treatment principle;*

*6) performs independent inquiries related to discrimination;*

*7) prepares and publishes reports and recommendations on issues related to discrimination;*

*8) provides library services and services in the area of human rights.*

1. **Please provide information on the legislative and policy framework in place in your country related to the status, establishment, resourcing, and functioning of representative organizations of persons with disabilities at the national, regional and local levels;**

# In the Slovak Republic, most of the representative organizations of persons with disabilities are civic associations. Therefore, their establishment and dissolution is set in the ActNo. 83/1990 Coll. on the Association of Citizens*,* as amended. All civic association are also non-profit organizations under the Act No. 213/1997 Coll. on non-profit organizations providing generally beneficial services (Annex 1).

1. **Please provide information on existing legislation and policies aimed at ensuring that persons with disabilities and their representative organizations, including children with disabilities, are consulted and involved in decision-making processes that directly or indirectly concern them;**
2. Constitution of the Slovak Republic - Article 30 (1) (Annex 2)
3. Statute of the Committee for People with Disabilities of the Governmental Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality (see question 3)
4. The Act No. 176/2015 Coll. on the Commissioner for Children and the Commissioner for Persons with Disabilities (see question 3)
5. The National Plan for Developing Living Conditions for Persons with Disabilities for the Period of 2014-2020
6. **Please provide information on any consultative body or mechanism established to consult and engage with representative organizations of persons with disabilities, including information about their composition, criteria for membership (nomination, appointment, election, etc.) and functioning;**
7. *Committee for People with Disabilities of the Governmental Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality*

The Committee was established as a part of the permanent advisory body of the Government of the Slovak Republic. It is made up of two separate chambers, membership of which is based on the principle of parity; the members of the chamber of the committee for non-governmental organisations represent six disability groups (mental disabilities, chronic illnesses, mental and behavioural disorders, hearing impairment, visual impairment, and physical disability).

The Committee mostly:

a) gives incentives to the Council to increase the level of support, protection and observance of the rights of the people with disability,

b) processes proposals for the Council regarding partial and systematic measures for improvement of the observance of human rights aiming on the rights of persons with disabilities,

c) processes proposals of opinions and resolutions to the draft laws, generally binding legislative measures and internal legislative measures together with governmental, resort and other measures of non-legislative character which may have an impact on protection and observance of the rights of persons with disabilities,

d) cooperates with ministries and other central government authorities, local and public authorities, non-government organizations, scientific centres and academic institutions in the field of the rights of persons with disabilities,

e) encourages research activities, spread and effective exchange of information, creation and widening of statistical information resources in the field of rights of the persons with disabilities,

f) continuously monitors and evaluates fulfilment of the National Plan for Developing Living Conditions for Persons with Disabilities,

g) participates on the preparation of draft reports for international treaties control mechanisms on human rights, mostly the Convention on the Rights of the Persons with Disabilities,

h) fulfils other tasks given by the Council.

1. *Commissioner for Persons with Disabilities*

The Act on the Commissioner for Children and the Commissioner for Persons with Disabilities was adopted by the National Council of the Slovak Republic on 25 June 2015 with a majority of 105 MPs in favour. The Act entered into force on 1 September 2015 and the Speaker of the National Council of the Slovak Republic shall call the first election of the Commissioner at latest by 30 November 2015.

According to Article 10 paragraph 1 of the Act No. 176/2015 Coll. on the Commissioner for Children and the Commissioner for Persons with Disabilities, the Commissioner for Persons with Disabilities:

a) assesses the observance of the rights of persons with disabilities based upon request or from his/her own initiative,

b) monitors the observance of the rights of the person with disabilities mostly by conduction of independent investigations of fulfilment of responsibilities concluding from international treaties binding the Slovak Republic and conduction of researches and surveys on the state and development in the field of the rights of persons with disabilities,

c) promotes the interests of persons with disability in the society, cooperates directly with persons with disabilities or organisations operating in the field of the rights of persons with disabilities, consults with persons with disabilities regarding the issues concerning them, examines the views of people with disabilities and promotes their interest in public issues,

d) supports awareness raising on the rights of person with the disabilities in the society,

e) cooperates with foreign and international subjects which participate on the exercise of the rights of person with disabilities or protection of the rights of person with disabilities.

1. *Focal points for the implementation of CRPD at the Ministry of Labour, Social Affairs and Family of the Slovak Republic*

On 20 February 2013, after numerous preparation meetings, the main focal point for the implementation of CRPD was established at the Ministry of Labour, Social Affairs and Family of the Slovak Republic. This coordination mechanism aims to support realisation of activities leading to full implementation of CRPD in various areas and at various levels. Currently, it comprises of 13 representatives of central bodies of state administration including the Ministry being the main focal point.

The responsibilities for the activities of the main focal point are given to the unit of integration of persons with disabilities of the Ministry. The main focal point coordinates the work of secondary focal points which comprise of nominated persons of individual central bodies of state administration. The Ministry also secures, in line with Article 4 para. 3 CRPD, close cooperation between public bodies and representative organisations of persons with disabilities within institutional support of protection and promotion of human rights of persons with disabilities.

1. **Please provide information on the efforts undertaken at national, regional and/or local levels to strengthen the capacity of representative organizations of persons with disabilities, in order to facilitate their participation in legislative, policy and other decision-making processes;**

A task No. 4.11.3 of the National Plan for Developing Living Conditions for Persons with Disabilities for the Period of 2014-2020 is defined as the following: ***To implement mechanism of systematic financing of roof NGOs which cooperate with the government and other organisation in realisation of relevant policies.*** The stated mean of fulfilment of this task is the introduction of a financial mechanism by 2016. A responsible subject is the Ministry of Labour, Social Affairs and Family of the Slovak Republic, a co-responsible subject is the Plenipotentiary of the Slovak Government for the Developmentof the Civil Society.

1. **Please explain whether and how persons with disabilities participate in monitoring the implementation of the United Nations Convention on the Rights of Persons with Disabilities (art. 33, para. 3), and in the nomination of experts to the Committee on the Rights of Persons with Disabilities (art. 34, para. 3);**

Persons with disabilities may participate on the monitoring activities through the Commissioner for Persons with Disabilities. The Commissioner is mandated to monitor the observance of the rights of persons with disabilities by conduction of independent investigation of fulfilment of obligations concluding from international treaties binding the Slovak Republic and conduction of researches and surveys on the state and development in the area of the rights of persons with disabilities.

The Centre does not have knowledge about whether and how persons with disabilities participate in the nomination of experts to the Committee on the Rights of Persons with Disabilities.

1. **Please identify the main challenges faced by the diversity of persons with disabilities in participating in mainstream and disability-specific decision-making processes at the national, regional and local levels, including challenges faced by persons who experience multiple discrimination (e.g., on the basis of disability, age, gender, ethnic origin, geographical location).**

The Centre is not able to identify these kinds of challenges due to the fact that the diversity of persons with disabilities have their representatives in the above mentioned organizations. For example, in the Committee for People with Disabilities of the Governmental Council of the Slovak Republic for Human Rights, National Minorities and Gender Equality there are representative organizations of people with mental disabilities, chronic illnesses, mental and behavioural disorders, hearing impairment, visual impairment, and physical disability.

The possible challenge may be the establishment of the Commissioner as the establisher will have a difficult task to include people with all kinds of disabilities into this process.