

Contribution to European Commission's Rule of Law report

2025



UNITED NATIONS
HUMAN RIGHTS
Regional Office Europe

RULE OF LAW & HUMAN RIGHTS

The 'rule of law' is a concept at the heart of the United Nations' mission. It refers to a principle of governance which is consistent with international human rights standards ([S/2004/616](#)). There is no rule of law within societies if human rights are not protected and human rights cannot be protected in societies without a strong rule of law. This interlinkage is reiterated by the UN Secretary-General in his [New Vision for the Rule of Law](#): *"Human rights and the rule of law are mutually reinforcing – the advancement of the rule of law is essential for the protection of all human rights, and human rights are central to the rule of law."*

The Office of the UN High Commissioner for Human Rights (OHCHR), also known as UN Human Rights Office, is mandated by the UN General Assembly to promote and protect the enjoyment and full realization, by all people, of all human rights. As part of its mandate, OHCHR works to mainstream human rights to strengthen the rule of law ([Management Plan 2024 - 2027](#)).

Established in 2009, OHCHR Regional Office for Europe (ROE) aims to advance the protection and promotion of human rights in the European Union and its member States. ROE works to mainstream international human rights standards to strengthen the rule of law in the EU by engaging in and contributing to the European Commission's Rule of Law Report. ROE furthermore promotes the UN human rights mechanisms and processes by giving their work visibility at the regional level.

OHCHR ROE'S CONTRIBUTION

The contribution by OHCHR Regional Office for Europe (ROE) is grounded in the Universal Declaration of Human Rights and nine international human rights treaties:

- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention on the Rights of the Child (CAT)
- Convention on the Rights of Persons with Disabilities (CERD)
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW)
- International Convention for the Protection of All Persons from Enforced Disappearance (CPED)

The current submission consists of a compilation of findings and recommendations contained in reports of UN international human rights mechanisms including human rights treaty bodies, special procedures and the Universal Periodic Review of the UN Human Rights Council. It also includes statements and reports by the UN High Commissioner for Human Rights and his Office.

UN HUMAN RIGHTS MECHANISM

Each of the nine international human rights treaties creates a **human rights treaty body or committee of independent experts** to monitor the implementation of the provisions of the treaty. With the support from OHCHR, the treaty bodies:

- consider reports submitted by State parties detailing how they are implementing the treaty;
- adopt general comments interpreting the treaty provisions, and organize discussions on themes related to the treaties; and
- consider complaints (communications) from individuals alleging that their rights have been violated by a State party, provided that the State has accepted the complaints procedure.

The **UN Human Rights Council (HRC)** is a subsidiary body of the UN General Assembly and the main intergovernmental body within the UN responsible for human rights. It meets at the UN Office at Geneva in three regular sessions each year, and may convene special sessions to respond to urgent human rights situations. The HRC benefits from substantive, technical, and secretariat support from OHCHR.

The **special procedures of the UN Human Rights Council** are independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective. As of November 2024, there are 46 thematic and 14 country mandates. With the support of OHCHR, special procedures undertake country visits, act on individual cases of alleged violations and concerns of a broader nature by sending communications (letters of allegation) to States and other entities; contribute to the development of international human rights standards; and engage in advocacy.

The **Universal Periodic Review (UPR) of the UN Human Rights Council** is a State-led mechanism that conducts a peer review of the human rights situation of each UN Member State once every 4.5 years. It is carried out by the UPR Working Group of the Human Rights Council. In each review, the State under review reports on the actions it has taken to improve its human rights situation and overcome challenges to the enjoyment of human rights. It also receives recommendations from UN Member States for improvement. In addition to the national reports of States under review, the UPR is informed by compilations of stakeholder information and UN system reports.

In recent years, States have established **National Mechanisms for Implementation, Reporting and Follow-up (NMIRF)**, some of whom with the technical assistance of UN Office of the High Commissioner for Human Rights (OHCHR). This mechanism, which is often based within the ministry of foreign affairs, has a mandate which includes following-up on all treaty body obligations, UPR recommendations, as well as recommendations from other international and regional human rights mechanisms, and generally works closely with government ministries, national human rights institutions and civil society organizations. (See: [National Mechanisms for Reporting and Follow-up: A Study of State engagement with International Human Rights Mechanisms](#); [A Practical Guide to Effective State Engagement with International Human Rights Mechanisms](#))

The **Office of the UN High Commissioner for Human Rights (OHCHR)** also known as **UN Human Rights Office** is the main human rights entity of the UN to protect and promote all human rights for everyone everywhere. The High Commissioner for Human Rights leads OHCHR. He is the principal human rights official of the United Nations.

INSIDE THE CONTRIBUTION

SLOVAKIA

- Period of contribution: January - December 2024
- Contents of contribution:
 - The UPR of Slovakia was held at its 46th session (29 April - 10 May 2024) and the outcome report was adopted ([A/HRC/57/13](#)) at the 57th session of the UN Human Rights Council 9 September - 9 October 2024). See [matrix of recommendations](#).
- Forthcoming relevant information (January - May 2025):
 - The Committee on the Rights of the Child (CRC) will review Slovakia at its 98th session (13 - 31 January 2025).
- Resources:
 - [Rule of Law in Europe | OHCHR](#)
 - OHCHR country page - [Slovakia](#)
 - Universal Periodic Review - [Slovakia](#)
 - [Universal Human Rights Index \(UHRI\)](#) allows you to explore over 230.000 observations and recommendations made by the international human rights protection system (treaty bodies, special procedures and the Universal Periodic Review)

Pillar I: JUSTICE SYSTEM

There is no true respect for the rule of law without a judicial power guaranteeing compliance therewith. Judges guarantee compliance with laws and with it the reality of democratic coexistence. The duty to promote equality among all persons, especially to ensure that everyone has the right to access justice on an equal basis with others, rests with the judiciary. Guaranteeing access to justice is indispensable to democratic governance and the rule of law, as well as to combating inequality and exclusion.

Respecting the rule of law through fostering the separation of powers and the independence of justice ensures protection of human rights. The judiciary is the ultimate guarantors of human rights. However, at the same time, judges, prosecutors and lawyers are subject to attacks and violations of their rights, including threats, intimidation, external interference in conducting their professional activities, arbitrary detention, prosecution, and killings. These attacks threaten the impartiality and independence of the judiciary and the legal profession and in turn, deter their role as guarantors of human rights and the rule of law.

For more info:

- [Basic Principles on the Independence of the Judiciary](#)
- [Human rights in the administration of justice: a manual on human rights for judges, prosecutors and lawyers](#)
- [International principles and guidelines on access to justice for persons with disabilities](#)
- [General Recommendation No. 33 on women's access to justice \(CEDAW/C/GC/33\)](#)
- [Special Rapporteur on the independence of judges and lawyers](#)

Accessibility of courts

- During the Fourth Universal Periodic Review, Slovakia supported recommendations relating to access to justice ([A/HRC/57/13](#)):
 - Improve access to justice and equal rights for members of marginalized groups and actively prosecute hate-based crimes against Roma and LGBTQI+ persons

Pillar II: ANTI-CORRUPTION

Corruption has a destructive effect on State institutions and it undermines the functioning and legitimacy of institutions and processes, the rule of law and ultimately the State itself. In particular, corruption effects on the capacity of States to respect, protect and fulfil human rights particularly of those persons and groups in situation of vulnerability and marginalization.

Corruption pose a major challenge to many societies as they divert public revenues and cripple public budgets that should provide healthcare, housing, education, and other essential services, they undermine States' ability to meet their minimum core obligations and their pre-existing legal obligations to maximize all available resources to respect, protect and fulfil human rights.

For more info:

- [Corruption and human rights | OHCHR](#)
- [OHCHR Key messages on the negative impact of corruption in the enjoyment of human rights](#)

The institutional framework capacity to fight against corruption

- During the Fourth Universal Periodic Review, Slovakia supported recommendations relating to good governance and corruption ([A/HRC/57/13](#)):
 - Strengthen anti-corruption laws and uphold State protections for journalists and whistle-blowers
 - Enhance efforts to combat corruption
 - Uphold and enhance the independence of law enforcement and the prosecution service and ensure a robust legal framework to combat corruption is in place
 - Continue to increase investigations, prosecutions and convictions for corruption, particularly in cases of serious corruption committed by senior officials
 - Consider modernizing the organization of the Prosecutor's Office and strengthening the national system to combat corruption, economic and financial delinquency and other criminal offences
 - Oversee penal reform that reduces penalties for corruption crimes, as well as the reform of the proposed reform of the law regulating the activities of NGOs, which could affect the full effectiveness of their work in the country

Pillar III: MEDIA FREEDOM

Free, independent, plural and diverse media are a core component of the right to freedom of expression, a cornerstone of democratic societies and plays an essential role in strengthening the rule of law. Journalists and the media are crucial to ensure transparency and accountability for public and governmental authorities.

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For more info:

- [OHCHR and the safety of journalists and the issue of impunity](#)
- [Special Rapporteur on freedom of opinion and expression](#)
- [General comment No.34 on Article 19: Freedoms of opinion and expression \(CCPR/C/GC/34\)](#)

Framework for journalists' protection

- During the Fourth Universal Periodic Review, Slovakia supported recommendations relating to safety of journalists ([A/HRC/57/13](#)):
 - Adopt legislative measures aimed at increasing the safety of journalists and media freedom and abolish the offence of defamation
 - Fulfil existing obligations and strengthen legislation to ensure media freedom, freedom of expression, and the protection of journalists against all forms of intimidation and verbal assaults
 - Adopt legislative measures aiming at increasing safety of journalists and ensuring media freedom
 - Ensure the efficient protection of journalists, focusing on the prevention of harassment, intimidation, threats and violence against them, as well as the investigations of such acts in order to combat impunity
 - Take measures aimed at protecting journalists and human rights defenders from all forms of threats and violence
 - Fulfil all obligations to effectively protect media freedom, and the safety of journalists and media workers
 - Adopt legislation aimed at increasing the safety of journalists and media freedom, including abolishment of the crime of defamation and guaranteeing safe conditions for journalists to carry out their activities
 - Redouble its efforts to promote press freedom and protection of journalists
 - Guarantee a safe and secure environment for journalists and promote media freedom
 - Strengthen the public broadcaster by ensuring adequate funding and guaranteeing editorial independence and independent governance
 - Continue efforts to protect journalists and other media workers
 - Strengthen measures to promote freedom of expression while discouraging and addressing hate speech and harassment that threatens journalists, human rights defenders, members of civil society organizations, and other public figures
 - Adopt legislation to protect freedom of the press and the rights of journalists, and ensure effective protection of journalists against harassment, intimidation, threats and other restrictions on their rights
 - Ensure efficient protection of journalists and human rights defenders by taking further concrete steps to prevent and effectively investigate harassment, intimidation, threats and violence
 - Take concrete measures to ensure the safety and protection of journalists, as well as to preserve the independence of the media, including those under public law

- Adopt legislative measures aimed at protecting the safety of journalists and increasing media freedom, including repeal of defamation as a criminal offence
- Investigate promptly acts of violence, harassment, and intimidation against journalists; ensure that the public broadcaster can operate independently and without government pressure; and strengthen the Platform for the Promotion of Press Freedom and Safety of Journalists
- Continue legislative efforts aimed at increasing the safety of journalists and media freedom

Pillar IV: CHECKS AND BALANCES

Civic space is the environment that enables civil society to play a role in the political, economic and social life of our societies. In particular, civic space allows individuals and groups to contribute to policy-making that affects their lives, including by: (1) accessing information; (2) engaging in dialogue; (3) expressing dissent or disagreement, and (4) joining together to express their views. An open and pluralistic civic space that guarantees freedom of expression and opinion as well as freedom of assembly and association, is a prerequisite for making development and peace sustainable.

For more info:

- [OHCHR and protecting and expanding civic space](#)
- [Special Rapporteur on human rights defenders](#)
- [The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms](#)

Independent authorities

- During the Fourth Universal Periodic Review, Slovakia supported recommendations relating to the national human rights institutions ([A/HRC/57/13](#)):
 - Complete legislative procedures to ensure the National Centre for Human Rights is compliant with the Paris Principles
 - Take further measures to strengthen the capacity of the National Centre for Human Rights in order to obtain reaccreditation with “A” status according to the Paris Principles
 - Take additional measures to strengthen the national human rights institution in accordance with the Paris Principles
 - Adopt measures to strengthen the mandate of its national human rights institution so that it is fully compliant with the Paris Principles
 - Bring the legislation governing the functioning of the national human rights institution, the Slovak National Centre for Human Rights, into full compliance with the Paris Principles within the ongoing review cycle
 - Strengthen its legislation governing the functioning of the national human rights institution in compliance with the Paris Principles
 - Adopt legislative measures to strengthen the mandate and independence of the Slovak National Centre for Human Rights, in full compliance with the Paris Principles
 - Step up measures further strengthening the legislation governing the functioning of the national human rights institution
 - Provide the National Human Rights Centre with greater resources and institutional guarantees to enable it to carry out its mandate effectively and independently
 - Continue allocating adequate technical, human and financial resources for the Slovak National Centre for Human Rights

- Increase the technical, human and financial resources of the National Centre for Human Rights to improve its work and classification
- Strengthen further the national human rights institutions for ensuring better protection of the rights of children, women and persons with disabilities
- Consider establishing its national human rights institution to further support the significant progress achieved in the promotion and protection of minority rights
- Strengthen the office of the Public Defender of Rights to enable it to exercise its functions effectively and independently, as well as within the framework of its constitutional mandate

The enabling framework for civil society

- During the Fourth Universal Periodic Review, Slovakia supported recommendations relating to the civil society organization and human rights defenders ([A/HRC/57/13](#)):
 - Support civil society organizations institutionally and financially
 - Ensure safe and fair conditions for the work of human rights defenders and civil society organizations, including systematic and sustainable institutional and financial support
 - Take steps to protect journalists and human rights defenders from violence, harassment and intimidation, including from politicians, and to investigate all such incidents to enable such actors to carry out their activities in safe conditions