



Recommendation 1419 (1999)¹

Honouring of obligations and commitments by Slovakia

Parliamentary Assembly

1. The Assembly refers to its [Resolution 1196 \(1999\)](#) on the honouring of obligations and commitments by the Slovak Republic, in which it:

1.1. underlines that:

- a. the Slovak Republic has become party to many Council of Europe conventions, notably the European Convention on Human Rights and its protocols, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the Framework Convention for the Protection of National Minorities and the European Social Charter;
- b. changes of government since the elections in 1994 and 1998 have shown the stability of the democratic process; the parliamentary elections of September 1998 were conducted in a proper and lawful manner; the subsequent constitutional reform which allowed the election of the President of the Slovak Republic by direct universal suffrage and the holding of such an election, in May 1999, in conformity with domestic law and international standards, has further consolidated democracy;

1.2. notes that following the parliamentary elections of September 1998:

- a. regarding democracy: the opposition is sufficiently represented in the parliamentary control committees
- b. regarding the justice system: amendments to the Slovak Constitution and legislation are being prepared in order to strengthen the independence of the judiciary, increase the powers of the Constitutional Court and clarify its relation with the general courts, reduce the excessive case-load of courts, repeal the possibility to grant an amnesty while a criminal investigation is imminent or pending, and possibly create the institution of ombudsman;
- c. regarding local and regional self-government: legislation on the restructuring of the administration is being prepared with the aim of increasing the powers of local self-government authorities and introducing regional self-government; following the adoption of the law, regional councils should be elected by the end of 2000 or the beginning of 2001 and the European Charter of Local Self-Government (signed in February 1999) should be ratified;
- d. regarding freedom of the media: amendments to the electoral law have been passed to allow electoral campaigning also in the private electronic media; the objectivity of public television has been positively assessed during the recent presidential election campaign; the status and composition of the radio and television broadcasting council should, however, be reconsidered since they do not guarantee its independence;
- e. regarding minorities: the post of a deputy prime minister responsible for human rights, minorities and regional development, and a parliamentary committee for human rights and minorities have been created; bilingual certificates are used in schools with instruction in a minority language; a law was adopted on 10 July 1999 to regulate, in conjunction with other specific laws, the use of

1. Assembly debate on 21 September 1999 (26th Sitting)(see [Doc. 8496](#), report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe, rapporteurs: MM. Magnusson and Sinka). Text adopted by the Assembly on 21 September 1999 (26th Sitting).



minority languages in official communications: the law, which restores previous practice – interrupted by the adoption of a law on the state language – and satisfies a constitutional requirement, was adopted following consultations with the OSCE High Commissioner for National Minorities, the European Union and the Council of Europe and is welcomed; other problems, however, resulting from the state language law, with regard to freedom of expression, as well as the use of minority languages in other settings, notably education, still need to be regulated, in conformity with recommendations by the three international organisations; the ratification of the European Charter for Regional or Minority Languages is also strongly recommended;

- f. regarding the Roma minority in particular: programmes have been put into place, partly through co-operation with non-governmental organisations, to promote the education of Roma pupils (for example, text books in the Roma language) and motivate school attendance and thus further integration; measures have been taken to better monitor and prevent racially motivated attacks; the post of a government commissioner and an advisory parliamentary committee to deal with the problems of the Roma population have been created; the situation of the Roma minority is closely followed, inter alia, by the European Commission against Racism and Intolerance which will assess existing measures and make further proposals in its second stage report on Slovakia, to be prepared by the end of 1999;

1.3. welcomes the progress which has thus been made by the Slovak Republic, in particular since the parliamentary elections of September 1998, to consolidate democracy and the rule of law, to promote respect for human rights and to bring both law and policy into line with the principles of the Council of Europe, and encourages the Slovak Government to further pursue its policy towards European integration;

1.4. considers the current monitoring procedure, opened under Order No. 508 (1995), closed and decides to pursue its dialogue with the Slovak authorities for the issues referred to in sub-paragraph ii above, or those arising from any other obligations of the Slovak Republic as a member state of the Council of Europe, with a view to reopening the procedure in accordance with [Resolution 1115 \(1997\)](#), if further clarification or enhanced co-operation should seem desirable.

2. Therefore, the Assembly recommends that the Committee of Ministers:

2.1. help the Slovak Republic complete the reforms undertaken regarding the justice system, local and regional self-government, freedom of the media and protection of minorities through its Programme of Activities for the Development and Consolidation of Democratic Stability (Adacs);

2.2. verify progress made in the implementation of these reforms in the framework of its own monitoring procedure when dealing with the relevant themes;

2.3. address the minority issues mentioned above in paragraph 1.ii, indents e and f, when monitoring the implementation of the Framework Convention for the Protection of National Minorities by the Slovak Republic.