

# PUBLIC DEFENDER OF RIGHTS

## News Bulletin

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### CONTENT

Speech of the Public Defender of Rights	1
Initiatives of Natural and Legal Persons	2
Protection of Rights and Freedoms	3
Proven Breaches of Fundamental Rights and Freedoms	4-5
Own Initiative	6
Other Activities	7
Contacts	8

## Public Defender of Rights' Eighth Year in Office



*This year, together with my co-workers, I have completed the eighth year in office. I think this period has been both rich in experience and demanding. It is characterized by handling initiatives from both natural and*

*legal persons, and there were many of them. Moreover we mustn't overlook legal guidance provision beyond competence of the Public Defender of Rights. By acting on our own initiative, we exert every effort to increase legal consciousness of public, especially children and elderly people. We have organized numerous meetings with citizens, appearances on TV, radio, and we have also published materials in the press and other publications. We pay special attention to children and their knowledge regarding existence and contents of the Convention on the Rights of the Child, regarding the way how to protect their rights but also the necessity to fulfil their obligations. We are very aware of the fact that children and elderly people belong to those groups of public*

*who find it most difficult to insist on their rights and therefore they are the subject of our special interest. I could also mention cases of success we have achieved in these eight years. However, it is necessary to mention that many people are not aware of what the Public Defender of Rights can do and what cannot. Sometimes, it is because the citizen sees only his/her truth and does not want to accept any other. If there were any doubts in the past regarding the necessity of the Institute of Public Defender of Rights, we have cleared them by our activity. In several cases, a positive solution for citizens was reached just because of our interventions. We have confirmed justification of our existence when, in many cases, we are the only and effective "controller" of implementing the principle of good state administration. We are always aware of and act in the belief that public administration is here for citizens, and its role is to serve them. We will continue acting like this. We will make ongoing efforts to win trust of fellow citizens in order to keep helping them to protect their fundamental rights and freedoms. And we also will remind them of their obligations.*

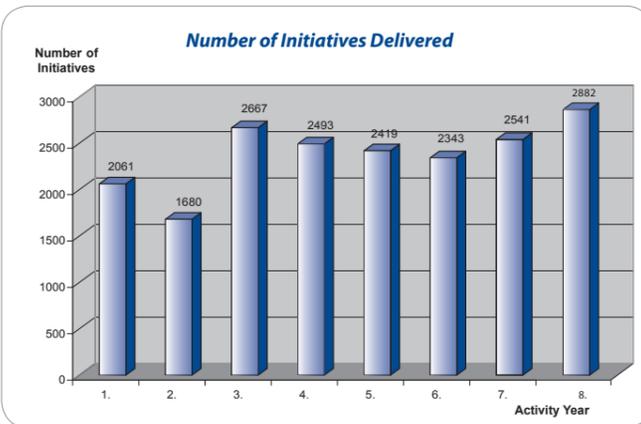
*Pavel Kandrác  
Public Defender of Rights*

Every first quarter of the year, the Public Defender of Rights submits an Annual Report to the National Council of the Slovak Republic, where he states his knowledge regarding the observance of the fundamental rights and freedoms of natural and legal persons by public administration authorities and his proposals and recommendations how to correct the shortcomings found. In the eighth report, the Public Defender of Rights points out breaches of the fundamental rights and freedoms of natural and legal persons and other shortcomings in activities of state administration authorities which he proved for the period from 1st March 2009 to 28th February 2010. It offers legal analysis of the inquiry into selected initiatives of natural and legal persons as well as office's own initiatives and proposals and recommendations how to correct the shortcomings found. Moreover, it engages in coaction of public administration authorities, activities based on own initiative beyond own competence in the area of increasing legal consciousness of the public and initiative in relation to legislation process. Additionally, it informs about international cooperation and activities of the Office of the Public Defender of Rights. Annexes to this Report are devoted to intentions of legal regulation amendments of the activity of the Public Defender of Rights in the area of child's rights protection and recent statistical data.

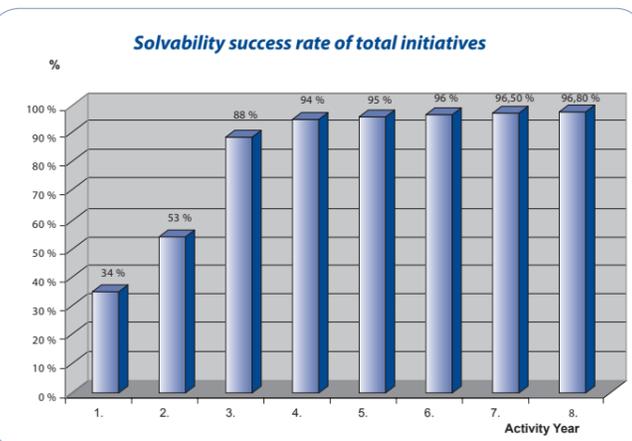
## Initiatives of Natural and Legal Persons

Anybody who thinks that **fundamental rights and freedoms** were violated in actions, decision-making or inactivity of **public administration authorities** contrary to **legal order** or principles of a democratic and legal state can approach the **Public Defender of Rights**.

For the past eight years of his activity, total of **19,086 initiatives** were delivered to the Public Defender of Rights by natural and legal persons, out of which **2,882 initiatives** were filed in the last year of his activity.

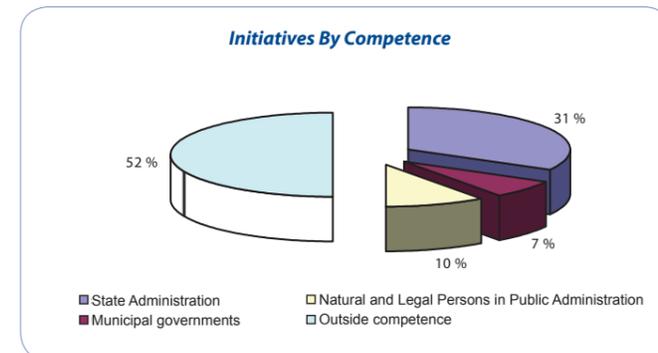


The Public Defender of Rights has dealt with **18,482 initiatives** in total. Actual rate of successfully solved initiatives is **96.8 %** of total number of initiatives.



Citizens' interest in protecting their rights and freedoms by the Public Defender of Rights is high. Experience confirms that public interest in services of the Public Defender of Rights results not only from his role to protect fundamental rights and freedoms but also from his initiative to provide legal guidance beyond the competence of the Public Defender of Rights. The Public Defender of Rights considers the low legal consciousness of public as the one of the most serious reasons for inability to exercise rights and freedoms, since the beginning of his function. Moreover, his activities in regions, provision of his services without charge, informing public about all possibilities how to protect all rights and freedoms and also the name "Public Defender of Rights" (not only fundamental rights), were

additional reasons in the past year why the submitters of initiatives outside his competence were approaching the Public Defender of Rights. This was demonstrated mainly in the times of economic crisis when legal services became more unaffordable for socially weaker groups of citizens along with a parallel rise of legal problems in a life of individuals and their family.



This is the eighth time the Public Defender of Rights recommends in his report to the National Council of the SR to expand his competence to **all rights and freedoms of natural and legal persons**. Repeatedly, he emphasizes that he is ready to expand his competence to all "maladministration", to all cases when the principle of good administration and its principles of action, decision-making and inactivity of public administration authorities are ignored pursuant to the right to good administration as stipulated by the Charter of Fundamental Rights and Freedoms of the European Union and the Treaty of Lisbon.

Following this, he draws attention to the Resolution no. 135 of the Human Rights, Nationalities and Women Committee of the National Council of the Slovak Republic of 30th April 2008, in which the above mentioned committee agreed among other things to expand his competence in a way to protect all rights and freedoms of natural and legal persons.

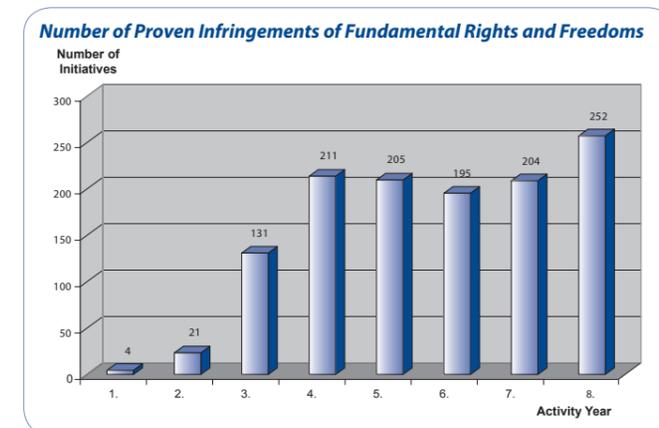
In relation to the role and recommendations of the Resolution of the Government of the SR no. 94/2009 to the proposal of the National Action Plan for Children for 2009 - 2012, final comments of the United Nations Committee on the Rights of the Child to the second periodical report of the SR of 8th June 2007 and upcoming date for preparing the third periodical report for the United Nations Committee on the Rights of the Child, the Public Defender of Rights stresses also readiness of the Office of the Public Defender of Rights **to fulfil the tasks of an independent implementation mechanism of the Convention on the Rights of the Child**.

## Protection of Rights and Freedoms

The Public Defender of Rights reviews initiatives of natural and legal persons. If an initiative does not belong to his competence, he **sets it aside**. If he proves a fundamental right or freedom was violated, he **informs** the public administration authority breaching this fundamental right or freedom **about this together with the proposal on measures**. The same procedure applies also when he proves an obligation enacted by law was breached. The public administration authorities are obliged to inform him about the measure taken within 20 days. In cases stipulated by law, the Public Defender of Rights may **refer the matter to be handled by a relevant prosecuting attorney**. Since 1st April 2006, the Public Defender of Rights may also submit **motion to start proceeding at the Constitutional Court of the Slovak Republic**.

### Proven Infringements of Rights and Freedoms

The Public Defender of Rights has proven infringement of fundamental rights and freedoms provided by the Constitution of the SR and International Conventions in **1,223 cases**. In the past year of his activity, it was in **252 cases**.



For the previous year, the Public Defender of Rights proved that the public administration authorities under his competence infringed the fundamental rights to proceed the matter without undue delays in 223 cases, in 7 cases they infringed the right pursuant to which every person may claim his right at an independent and impartial court under proceeding stipulated by law, and in cases stipulated by law at other authority, and in 1 case the right to education, in 9 cases the right to adequate material provision in old age and incapability to work, as well as in case of loss of breadwinner, in 9 cases the right to information and in 3 cases the right to own property.

### Proven Violation of Law

If when handling the initiative the Public Defender of Rights finds out facts indicating that a crime, offence, other administrative delict or disciplinary misdemeanour or rules enacted by law were infringed in activities of a public administration authority, he will report this to a relevant authority. In the past year, the Public Defender of Rights proved law infringement **in 34 cases** in total, and that in the activity of Social Insurance Company, municipalities and also self-governing regions, then district authorities, cadastre administration, Ministry of Justice of the Slovak Republic and Agricultural Paying Agency and university.

### Referring the Matter to Public Prosecutor's Office

Also, in the past year, pursuant to the provision of S. 14 as well as to the provision of S. 25 of the Public Defender of Rights Act, the collaboration between the Public Defender of Rights and the Public Prosecutor's Office proved to be exceptionally beneficial. In the past year of his function, the Public Defender of Rights referred **90 initiatives** to relevant prosecutor or Attorney General. Mainly reviewing valid decisions of a public administration authority and also initiatives containing serious facts indicating suspicion of commitment of criminal activity were concerned. Also, the Public Defender of Rights referred to the Public Prosecutor's Office an initiative against a police investigator filed by a mother not satisfied with his procedure when investigating the rape of her 7-year-old daughter and also an initiative in the matter of unlawful detention. Competent prosecutor informed the Public Defender of Rights about filing a protest after referring the initiative to review the procedure of Social Insurance Company when deciding the claims to unemployment benefits, lawfully decided on; also about referring an initiative in the matter of reviewing legitimacy of generally binding regulation of a municipality setting a dog tax rate as well as generally binding regulation of a town on keeping and breeding animals, related to prohibiting breeding dogs more than 15 kg of weight in multiple-dwelling unit houses. The protest and warnings of the prosecutor were filed by a relevant prosecutor also after referring the initiatives related to accident annuity.

### Motion to start proceeding at the Constitutional Court of the SR

The Constitutional Court of the Slovak Republic starts a procedure also based on a motion of the Public Defender of Rights, and that in the matters of compliance of legal provisions pursuant to S. 125 par. 1, provided their further application may endanger fundamental rights and freedoms vested in the Constitution of the Slovak Republic and in the international conventions ratified by the Slovak Republic and declared in a way stipulated by law. The Public Defender of Rights delivered his first proposal related to the **right to freedom of association** to the Constitutional Court of the SR on 12th February 2008. However, no decision has been taken on accepting or refusing the proposal of the Public Defender of Rights for further action.

## Proved Breaches of Fundamental Rights and Freedoms

Also almost after eight years of operation, the Public Defender of Rights states the fundamental rights and freedoms are not breached on a mass-scale in the Slovak Republic. However, 1,223 breaches of fundamental rights and freedoms proven by him point out to many shortcomings in the activity of public administration authorities within his competence.

### Right to Proceed Matters Without Undue Delay

More than **92 %** of the breaches of fundamental rights and freedoms proven by the Public Defender of Rights were caused by infringement of the **right to proceed the matters without undue delay**. Out of this number, on more than **60 %** occasions, unnecessary delays in **judicial proceedings** were in question. The Public Defender of Rights proved unnecessary delays in a 14-year judicial proceeding on determining the ownership to an immovable property, in a 12-year execution proceeding, in inheritance proceedings where a notary public did not act from July 2000 to September 2008; in a proceeding where the district court took 11 months to review the competence to decide in the matter; in a proceeding where the court in the matter of adoption decided almost after four months from filing the petition; in a proceeding where the court did not act because the file had been shredded. Also, in a 3-year proceeding of Social Insurance Company in the matter of paying orphan's benefits of the son of the petition submitter, while Social Insurance Company calculated incorrectly the subsequent supplementary payment on orphan's benefits; then in a proceeding of Social Insurance Company on a claim of the applicant for disability allowance where the Social Insurance Company had not been able to make a decision, complying with all statutory requirements so the court could confirm such decision in appeals proceeding, for three years. Then, in a proceeding of the cadastre administration on approving the record in the Immovable Property Cadastre which lasted more than 3 1/2 years until the Public Defender of Rights interfered; in a proceeding of district land registries, where one submitter of petition waited for ownership to the land to be returned for more than 4 years because the file had been in archive by mistake. Also, in a proceeding of different ministries, e.g. in the matter of application for compensation for persons damaged by crime of violence from September 2002, the Ministry of Justice of the SR decided in May 2009 when the sons of the person who had submitted the petition for monetary compensation received this compensation. He also proved undue delays in the activity of the District Headquarters of the Police Force in the matter of sexual abuse of a minor; in a proceeding of Bureau of Work, Social Affairs and Family in the matter of an application to prolong the disability card of a natural person with serious disability, and also in a proceedings of towns and municipalities, mainly with building authorities.

### Right to Claim Your Right At A Court and At Other Authorities of the Slovak Republic In Cases Stipulated by a Law

The Public Defender of Rights proved that Social Insurance Company did not deliver its decision regarding the claim of a deceased husband of the submitter of a petition on disability benefits contrary to the law; then that the Bureau of Employment, Social Affairs and Family interpreted wrongly fulfilment of conditions to

record job applicants in a case of a petitioner, Health Care Surveillance Authority did not start administrative procedure in relation to the petition to issue a decision of payment assessment with which the petitioner applied for his claim to an overpayment from yearly accounting of insurance; District Headquarters of Police Forces placed in their archive a file in the matter of breaching domicile together with a concept by a mistake and this file was not sent to a district office.

### Right to Own Property

The Public Defender of Rights proved that the District Land Registry decided contrary to law on giving immovable property of a seriously disabled petitioner to restituent without fulfilling statutory conditions; also, that a report of a Cadastre made a duplicate entry of an immovable property and owners of this property and with entry of the Registry of renewed records of lands in the Immovable Cadastre, the joint ownership share was entered incorrectly, differently from a joint owner's share stated in the relevant inheritance decision pursuant to which the share should have been entered.

### Right to Education

The Public Defender of Rights proved that a principal of a basic school, in the matter of expelling a student, breached his fundamental rights. In the decision of the school on expelling the student from the school, there was wrong advice, resulting in incompliance of the school decision with the Act on State Administration in School System and Administrative Procedure Code, and thus there was a violation of his right to judicial and other legal protection. Also, the Public Defender of Rights found out that the student complied with the obligation of school attendance, at the time of expulsion, being a part of the fundamental right to education. Subsequently, he came to a conclusion that the student was not supposed to be expelled during fulfilling the obligation of school attendance to Conservatoire in accordance with recent version of generally binding legal regulations, and that the student remained at home from the time of his expulsion in March 2009 until the decision on expulsion was cancelled in April 2009 and his obligatory school attendance was not fulfilled, thus the fundamental right to education was not fulfilled.

### Violation of Right of a Citizen to Suitable Material Security in Old Age and in case of Work Disability As Well As Loss of Breadwinner

The Public Defender of Rights proved breaching of this right by Social Insurance Company by not paying out the orphan's benefits, disability benefits, and also by not paying out the Christmas contributions to a petitioner who left to live with his daughter residing in the Czech Republic, as there was nobody who could look after him in Slovakia. Then, Social Insurance Company denied the claim to widower's pension

without any justification, did not award old-age pension without any justification, did not count the periods of unemployment for the claim to disability benefits, did not count the period of personal care for the purposes of old-age pension of the petitioner who looked after her sister-in-law suffering from Down Syndrome for 20 years and did not establish regular payment of pension and additional payment of disability benefits awarded for several months.

### Right to Information

The Public Defender of Rights proved breaching of fundamental rights to information by the Ministry of Health of the Slovak Republic when reviewing three petitions of a submitter executing sentence of imprisonment related to drugs, by the Ministry of Environment of the Slovak Republic by not publishing the full version of a Contract on Greenhouse Gases Quotas, by the Regional Headquarters of the Police Forces in the matter of information related to training intervention of the fast-deployment group of the District Headquarters of the Police Forces in a Goldsmith Shop. Then, by the Bureau of Employment, Social Affairs and Family by not making documents related to drawing social help allowances available and determining special receiver of allowances, and by municipalities and city by not making information related to rebuilding of the former open ice-skating ring to a parking place available, then by not making available the photocopies of road plans, the contract between the town and business company building a shopping store and also written information on the income of the mayor and representatives of municipality.

### Generalization of Knowledge and Proposals of Measures

In relation to the delays in proceedings, the Public Defender of Rights points out that in many cases the public administration authorities are not able to decide within the time stipulated by law due to objective reasons they state. However, there are also situations when these authorities, without existence of objective circumstances preventing from deciding in the matter, breach statutory provisions regulating the maximal time of proceeding and thus the right to have the matter discussed without undue delays. Experience gained from the activities of the Public Defender of Rights confirms that the authorities on all levels should inevitably pay increased attention to the need of **respecting the principle of fast proceeding and periods** pursuant to which they are obliged to decide, including objective reviewing of the degree of proceeding difficulty in order to prevent the proceeding, in many cases also simple ones, from often taking several years. The representatives of public administration authorities reasoned breaching the fundamental rights to have the matter proceeded without undue delay also in the past year by insufficient ratio of work forces to the number of matters dealt with, and in rare cases by individual lapse of their officials. The Public Defender of Rights points out that the **imperfection in personnel**

**of the state authorities does not relieve them from accountability for breaching constitutional rights of citizens** and accepting system measures within relevant resorts is necessary. The breaches of other fundamental rights and freedoms proven were caused **mainly by individual mistakes of clerks and unawareness of legal regulations** pursuant to which the relevant public administration authority acted, especially in application practice. Therefore, the Public Defender of Rights points out the necessity to insist on quality selection of professional clerks of public administration authorities, as well as the need for their continued further education. The Public Defender of Rights often detects serious breaches, mainly of the procedural regulations by a public administration authority. Among the biggest ones, there is a group of petitions delivered to the Public Defender of Rights within reviewing which he came to a conclusion that there was a **breach of collaboration principles** of the public administration authority with other subjects of the proceeding. It is a very bad picture for the public administration authorities, as well as the state itself, if by activity or inactivity of their clerks, they will limit or will not enable citizens to exercise their rights. One must keep in mind that legislative power as well as executive power are formed on the base of people's willingness and it should always be respected. It is a principle of popular people's sovereignty.

The state power was formed aiming at helping and protecting citizens. It is necessary to point out that if citizens are not able to get rid of responsibility for their actions, the state nor society can rid the citizen of responsibility as a human being. Also, the Constitutional Court of the Slovak Republic stated that in a legal state **the legal order does not protect the state power against citizens**. A legal order in a legal state determines a procedure of the public administration authorities in order not to breach any rights of the citizens. Based on his experience, the Public Defender of Rights must proclaim that the state remains a big debtor to the citizens. On the other hand, he meets persons who feel the state must look after them at any price and their role is to wait for state help passively. It does not work like this anywhere. The goal must be building an **equal partnership bond between the state and the citizen** and other persons. The contents, quality and benefit of this relation can be understood and used only by an educated, active citizen with whom the state machinery does not fight but cooperates. Also therefore, the Public Defender of Rights endeavours to adhere to the **principle of good governance** in order to widen the scope of fundamental rights and freedoms in the Slovak Republic.

For eight years, the Public Defender of Rights has significantly participated in **increasing the public administration transparency and efficiency** as a part of the control system of the state. Smaller formalism and more flexible preventive operation of the Public Defender of Rights against negative effects in operation of the public administration authorities is striking mainly when compared with courts.

## Public Defender of Rights' Own Initiative

On his own initiative, the Public Defender of Rights continued, last year, in **free of charge legal guidance** beyond the scope of his competence and also in signalling the shortcomings of legal order of the Slovak Republic.

### Providing Legal Guidance

For almost 8 years of operation beyond the scope of own competence, the Public Defender of Rights, in writing, and together with the lawyers of the Office of the Public Defender of Rights, personally in the premises of the seat of the Office and its 12 regional offices, provided **legal guidance in 35,819 cases in total, out of which there were 4,055 legal guidance cases last year.** In regional offices, the lawyers of the Office of the Public Defender of Rights met with 767 persons in total. Out of this, 76 persons came with a problem within the competence of the Public Defender of Rights. People approached the lawyers from the Office in the neighbourhood of their domicile with problems concentrated in 4 legal areas, and that civil law, labour law, social law and criminal law.

### Legislative Activity

The Public Defender of Rights does not have any legislative rights. However, from the beginning of his operation, based on the initiatives of natural and legal persons and on his own initiative, he has been advising relevant ministries, committees and representatives of the National Council of the Slovak Republic on shortcomings in the legislative activity and problems it implies in application practice.

Last year, in relation to protecting and applying **children's rights**, his initiative concerned the following:

- to make children's rights protection more effective; repeatedly, he pointed to readiness of the Office of the Public Defender of Rights to fulfil the roles of independent mechanism of applying the Convention on the Rights of the Child and he submitted section wordings of relevant proposals,
- the rights of children to keep their identity in the matters related to newborn baby entry in the Books of Births,
- problems with births of children abroad related to the period stipulated for entering their birth to Special Register,
- obligatory vaccination of children and problems of establishing a fund for compensating persons harmed by such obligatory vaccination,
- alternating child welfare of the parents,
- accredited subjects to perform measures on social protection of children and social guardianship,
- problems of schools and maintaining the rights of children, legal regulations of studies at private and special schools,
- preventing violence on children and other pathological acts; repeatedly, he required compliance with general prohibition of corporal punishments,

- humiliating handling and victimisation of six Romany boys at the police station, and
- he also warned of the fact repression does not solve the problem and that lowering the age of criminal capacity relates to the right to education and providing compulsory school attendance.

The initiative of the Public Defender of Rights in **social area** in the past year related to:

- shortcomings of the Alternative Maintenance Act not covering cases of "children" who are entitled to maintenance from one of their parents; however, these children are not considered to be as dependant, e.g. disabled students with disability allowances awarded,
- providing unemployment benefits in relation to the persons fulfilling their parental obligations,
- withholding family allowances before awarding maternity benefits,
- shortcomings of Social Insurance Act, mainly problems of disabled pensioners of more than 34 years of age; problems with survivor benefits; proceedings in the matter of social insurance; "biased" assessment of health status, amount and systems of remuneration in the third pillar pension saving system,
- shortcomings in the Employment Act in relation to placing job applicants in the list.

Last year, **another initiative** of the Public Defender of Rights related to:

- problems of universities concerning school fees, loss of accreditation, wrongfully awarded academic titles,
- problems with applying the right to vote of the citizens living and working outside the territory of the Slovak Republic,
- the right to participate in administrating public affairs at local board meetings,
- problems of seniors and services provided in the social services facilities,
- verifying the capacity to conclude marriage abroad,
- fees for keeping accounts of the owner of securities,
- environment degradation after natural calamities in Slovak forest areas,
- problems with racism and elimination of racist demonstrations,
- fence in Ostrovany separating Romany and non-Romany inhabitants,
- problems of truck drivers concerning toll system and approach of the Slovak policemen,
- repeatedly, also regulated rent, and
- protecting fundamental rights and freedoms of persons with different sexual orientation or changed gender.

## Other Activities On Own Initiative

Last year, the Public Defender of Rights repeatedly paid attention to increasing legal consciousness of inhabitants and to educating on human rights as well as on the **cooperation with national and international organizations.**

### Activities in the Area of Increasing Legal Consciousness

Every year, within the context of international human right organizations goals, belonging here **approximation of human rights importance to general public as well as supporting education on human rights**, the Office of the Public Defender of Rights aims its promotion and information-educating activities also at educating general public. Enforcing and maintaining the **children's rights** was one of the priority themes also last year. Activities were connected to the previous year when the Office of the Public Defender of Rights started implementing the **Project of children collaborators of the Public Defender of Rights – children ombudsmen.** Within the meetings of children ombudsmen on the occasion of the International Children's Day, the web portal **www.detskyombudsman.sk** was launched. On the occasion of the 20th anniversary of passing the Convention on the Rights of the Child, the Office of the Public Defender of Rights organized a children's conference **"The Rights of the Child through Children Eyes"** where the main speakers were children.



Children's conference held on 20th November 2009 in the historic building of the Slovak National Council in Bratislava

Again, the Public Defender of Rights aimed also at increasing legal consciousness of **members of other marginalized groups of inhabitants**, especially the members of **older generation and pensioners.** During the last year, the Public Defender of Rights participated in many meetings and discussions aimed at increasing legal consciousness and protecting fundamental rights and freedoms.

### International Cooperation

Activities of the Public Defender of Rights abroad are realized within actual goals of international organizations for human rights protection. During the previous year, these activities continued in recent results of wide international cooperation. The Public Defender of Rights continued in cooperation **with the Council of Europe Commissioner for Human Rights**, e.g. by participating in joint project of the Council of Europe and the European Union (Peer to Peer Project)

aimed at cooperation of independent institutions protecting human rights and **with European Ombudsman**, and that mainly by active participation within Liaison officers network.



The European Ombudsman and the Public Defender of Rights welcomed by the President of the Slovak Republic on 14th May 2009

In May 2009, the European Ombudsman, Nikiforos Diamandouros, was a guest of the Public Defender of Rights in the Slovak Republic for the second time. Moreover, the Public Defender of Rights actively cooperated with **partner ombudsman institutions**, especially with countries of the Visegrad Region. Among others, since 2004, there have been **Summits of V4 Countries Ombudsmen** organized on the basis of an initiative of the Public Defender of Rights; the last one took place in Poland in September 2009. He continued in cooperation **with the European Network of Ombudspeople for Children (ENOC)**, he participated in all its activities as an associate member. Additionally, he cooperated **with other participants in the field of human rights and protection of fundamental freedoms and with other multinational organizations.** Also, he acted in roles stemming from partnership in the Swedish **Project CURE**, organized with financial help of the European Commission within program of the European Council for 2007 - 2013 - "Prevention of and Fight against Crime". Within the membership in the **International Ombudsman Institute (IOI)**, the Public Defender of Rights participated in the 9th World Conference of IOI held in Stockholm in connection with celebrating **the 200th anniversary of establishing the Ombudsman Institute in Sweden.** Also, the Public Defender of Rights participated **in activities to support ratification of international documents on protection of human rights** on behalf of the Slovak Republic. Last year, he aimed at the ratification of the Optional Protocol to the UN Convention against Torture (OPCAT). He supports the campaign for passing the Optional Protocol to the Convention on the Rights of the Child aiming at implementation of individual complaint mechanism of the UN Committee on the Rights of the Child.

## Service Provision

The economic crisis and the related approved state budget made the Public Defender of Rights re-evaluate activities he performs on his own initiative. Therefore, he was forced to significantly reduce provision of his services in Slovak regions **from 1st January 2010**.

From this date on, the lawyers of the Office of the Public Defender of Rights continue to provide personal consultations for citizens, but only in three regional offices, and that namely **in Žilina** – in the premises of the Office of Žilina self-governing region, Komenského 48, Žilina, first Thursday of each month; **in Banská Bystrica**, in the premises of Mestský úrad (Municipal Office), ČSA 26, Banská Bystrica, every third Wednesday in each month, and **in Košice**, in the premises of Magistrát mesta Košice (Magistrate of the Košice City), Tr. SNP 48/A, Košice, every Thursday in each month. The office in **Bratislava as the seat of the Public Defender of Rights** remains available to citizens. They can visit this office every working day without making an appointment in advance. Nothing has changed regarding the fact the initiatives objecting actions, decision-making or inactivity of public administration authorities within the competence of the Public Defender of Rights can also be filed **in writing** (by mail, fax, e-mail or via web form). It is also possible to contact the Office of the Public Defender of Rights **by phone** (however, the initiative cannot be filed over a phone).

At the same time, the Public Defender of Rights offered to the local self-governance or to state administration in the regions to **continue in their cooperation**. He will welcome and gladly accept invitations to attend the **citizens' discussions, meetings and other activities** in order to share with them his knowledge and experience related to breaches of fundamental rights and freedoms. **Increasing legal consciousness** remains the priority of the Public Defender of Rights. Experience has expressly proven that a clever, educated and informed citizen is the best rights' protection warranty.

## Public Defender of Rights' Offices



## Contacts

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### IN REGIONS

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