

THE LEGAL STATUS OF THE PUBLIC DEFENDER OF RIGHTS AND PRACTICE FINDING FROM PROTECTION AND OBSERVANCE OF THE FUNDAMENTAL RIGHTS AND FREEDOMS IN THE SLOVAK REPUBLIC

1. THE LEGAL STATUS OF THE PUBLIC DEFENDER OF RIGHTS IN THE LEGAL ORDER OF THE SLOVAK REPUBLIC

In 2001, the Slovak Republic joined the family of countries that have established the institute of ombudsman - Public Defender of Rights in their legal order. Public Defender of Rights is a constitutional authority, the position and competence of which is regulated by article 151a of the Constitution of the Slovak Republic. Extent and means by which a Public Defender of Rights, as an independent authority, participates in the protection of fundamental rights and freedoms of natural and legal entities, details and conditions of executing its office are provided for by Act Nr. 564/2001 Coll., on Public Defender of Rights, as amended.

Despite the fact that today the Public Defender of Rights in the Slovak Republic is de iure not a body classified among the obligatorily commenting subjects, and does not even have the right to legislative initiative, it gets involved in the commenting proceedings connected with the protection of fundamental rights and freedoms. The same happened for example in case of the recent re-codification of criminal law regulations, or in connection with the matter of legal regulations concerning the issuance of identity cards. Related to the performance of function, the Public Defender of Rights drew some conclusions, which were also included in the subject of the bill of act amendment on Public Defender of Rights. The Public Defender of Rights performs the initiating of legislative changes via the committees of the National Council of the Slovak Republic, mainly via the gestor Committee of the National Council of the Slovak Republic for Human Rights, Nationality and the Status of Women. The bill of act amendment on Public Defender of Rights was submitted to the National Council of the Slovak Republic in 2005.

The National Council of the SR adopted on the **3rd February 2006** the proposals of the Committee of Human Rights, Nationalities and Role of the Women for the publication of the constitutional law, according to which the **Constitution of the Slovak Republic No. 460/1992 Coll.** in latter amendments is changing and complementing and for the publication of law, according to which the **Law No. 564/2001 Coll. on the Public Defender of Rights** in latter amendments is changing and complementing and about the modification and replenishment of some further acts which are amending the legal status of the Public Defender of Rights in the Slovak Republic.

The recommendation to elaborate a proposal for the updating of the Public Defender of Rights' legal status was a part of the midyear report which has been submitted by the Public Defender of Rights' own initiative to the Committee of the National Council of the Slovak republic for Human Rights, Nationalities and Role of the Women even in 2004. **The Committee for Human Rights, Nationalities and Role of the Women** became the submitter of the updating proposal of the Constitution of the SR and the Act on the Public Defender of Rights. The mentioned initiative of the Committee can be clearly considered as **the climax of a very good co-operation of the Committee and the Public Defender of Rights by the defending of rights and freedoms of the natural and legal entities in the Slovak republic.**

By the elaboration of the amendment proposal of the Constitution of the Slovak republic and of the Act on the Public Defender of Rights has been preceded with the special professional attention **with the main aim to ensure a more operative and effective protection of rights and freedoms of natural and legal entities.** The basis for the mentioned facts created particularly the **practical application** of the legal modification, examination of the complaints of the natural and legal entities, acting from ones own initiative, and last but not least **experiences and conclusions from the ombudsman meetings, in particular ombudsmen of the V4 countries, the International charter of the ombudsmen effectiveness, Constitution of the European Union, international contracts and agreements** modifying the protection of human rights and basic freedoms, which have been put to the analysis with the simultaneous respect of the **valid legal modification philosophy preservation.**

To the **changes approved** by the National Council of the Slovak republic belongs in particular the replenishment of the Public Defender of Rights among the **persons entitled to submit a proposal for the beginning of the pursuance to the constitutional court** in the case of the detection of facts indicating that the enforcing of legal rules can threaten the human rights and basic freedoms, the possibility of the Public Defender of Rights to participate on the **assertion of the responsibility of the persons working in public force authorities,** if these persons violated the basic rights or freedom of the natural or legal entities, **the duty of all public force authorities** to provide the needed **cooperation** to the Public Defender of Rights, **the term of 20 days** for the fulfilment of the duties of the Public Administration Authorities to provide information, explanations and standpoints to the factual and legal questions for the Public Defender of Rights and to fulfil further legal duties, because just from the promptness of the provision of the needed documents depends one of the preferred aims, and that is the service for citizen without due delays (the Public Defender of Rights has the experience when the Ministry send his standpoint only after a year and a half and that after several demands), the duty of the Public Administration Authorities to provide the needed files and documents, as well as explanation to the matter **also in the case when a special regulation restricts the right to look into the documents only for a defined authority sphere,** announcing his standpoint **directly to the National Council or to the Authority commissioned by the National Council** in cases, when he considers the measures concerning the case adopted by a superordinate authority or by the government of the Slovak republic as insufficient, because the Public Defender of Rights in the Slovak republic is a type of a parliamentary ombudsman. To the necessities of the complaint we can complement the determination of the Public Administration Authority against which is the complaint directing and in cases when it does not concern the person who submitted this complaint to hand in a written **approval of the aggrieved person or a written full power** in the matter from the reason of the protection and processing of personal data. Further proposals are dealing in particular with the procedural acting.

Among the originally proposed changes, which the National Council of the Slovak republic has not adopted, belong the extension of the Public Defender of Rights' field of activity for **all rights and freedoms** of natural and legal entities and hereby approaching to the protection with the whole **"maladministration", legal education** as a condition for the election of the Public Defender of Rights and **returning of an independent chapter** in the state budget. The adopted changes came into force from the **1st April 2006.**

According to the Act on Public Defender of Rights, the public defender of rights cooperates with the competent public administration and public prosecution authorities when

performing its function. He can also co-operate with other subjects acting in the field of protection of rights and freedoms.

When processing the complaint, the **public administration bodies are obliged**, upon the demand of the Public Defender of Rights, to provide him with the information and explanation, enable to examine the documents or borrow him the documents, submit him with a statement in writing on factual and legal questions, arrange the evidence proposed in the reasoning of the resolution, settle the measures proposed by him, execute the measures proposed by him in case of their idleness, if the execution of such measures results from the law or other public statute with legal binding, enable him to be present at the oral trial, and ask questions from the participants of the proceeding and the persons participating in the discussion of the question.

Upon the present knowledge we can observe that in the majority of cases of complaint reviewing the public administration employees were helpful and the warnings of the employees of the Office of the Public Defender of Rights regarding the discrepancies did not accept as criticism, but as help for the elimination of deficiencies found by the Public Defender of Rights. We consider the co-operation with the state administration of courts, public prosecution office, Prison and Justice Forces and the Social Insurance Company to be very good.

The Public Defender of Rights, as well as the employees of the office prepared a number of presentations connected with the issue of fundamental rights and freedoms, and these presentations and reports were then published in the annual collections and special magazines, they co-operate with some non-governmental organisations to ensure education activities focused on the further education and increase of legal conscience of the population, for example in case of education of long-term unemployed or disabled people, etc. The implementation of co-operation with the non-governmental organisations is based on mutual agreements, or even without this form of legal anchoring. We consider as positive results of this co-operation mainly the common organisation of international conferences, increase of legal conscience in the form of mediating presentations of the specialist employees of the Office of Public Defender of Rights to the broad public at formal and informal events organised by non-governmental organisations.

The Public Defender of Rights and the lawyers of the Office of the Public Defender of Rights regularly co-operate with some medias, in some of them they only inform the viewers, listeners and readers with the legal enactment of selected areas of life, but also with their rights and duties. The Public Defender of Rights grants awards to the co-operating medias for their contribution in the area of increasing the legal conscience in the field of protection of rights and freedoms.

The Office of the Public Defender of Rights implements education activities not only in the framework of meetings of the Public Defender of Rights with the citizens of individual regions, but mainly in the direction to the young generation. The Public Defender of Rights continues in the cycle of meetings with the students of secondary schools and universities under the title of “Public Defender of Rights to the Children and Youth”, as well as by monitoring in foster homes.

Apart from the procession of complaints, one of the highest priorities of the Public Defender of Rights is the effort to increase the legal conscience of the population. In order to

increase knowledgeability, together with the legal conscience, the Office of the Public Defender of Rights is preparing information brochures and publications containing basic information on the activities of the Public Defender of Rights, as well as topic-focused materials, for example on delays in proceedings, on material scarcity, on the forms of maintenance recognition, etc.

2. FINDING OF THE PUBLIC DEFENDER OF RIGHTS ABOUT OBSERVANCE OF THE FUNDAMENTAL RIGHTS AND FREEDOMS

10 097 complaints were submitted to the Public Defender of Rights during four and a half year from the beginning of his activity. During this period the Public Defender of Rights ascertained 446 cases of the violation of basic rights and freedoms of natural and legal entities. To the most often proved violations belong in particular violations of the right on the negotiation of the issue without useless delay. Further he proved the violation of the right on the appropriate creature comforts in the old age and by the disability to work as well as by the loss of the breadwinner, the right on information, freedom of stay, violation of the legality rule or right on health protection, right on the education and free health care.

2.1 PROTECTION AND OBSERVANCE OF FREEDOM OF MOVEMENT AND FREEDOM OF RESIDENCE – FROM THE ACTIVITIES RES. PRACTICAL EXPERIENCE OF THE PUBLIC DEFENDER OF RIGHTS

When performing his activities, the Public Defender of Rights has also met with complaints objecting the breach of freedom of movement and freedom of assembly.

The breach of freedom of movement was the subject for example of the complaint, in which the applicant objected to the acting of the border police during his journey by train. The applicant complained that during the journey the checking was performed in the domestic train line connected with finding out about the place of departure and arrival of the passengers and the inspection of personal luggage. The Public Defender of Rights accepted the complaint for procession and called the General Director of the Customs Authorities of the Slovak Republic to provide information and statement regarding the given matter.

Pursuant to the provisions of Art. 23 section 1 of the Constitution of the Slovak Republic, the freedom of movement and residence is guaranteed. The state is obliged to create all the preconditions in order not to limit this freedom. The freedom of movement and residence is guaranteed for all the people staying in the territory of the Slovak Republic, regardless of their citizenship, including people without citizenship. The freedom of residence means freedom to come and go to any place in the territory of the Slovak Republic, except for the places where for example with respect to state security or in the interest of nature protection, they are partly or fully closed to the public. The limitation of the freedom of movement and residence might be executed only in case of the fulfilment of two conditions, namely if the limitation is performed in the form of an act and at the same time due to an exactly defined reason. Pursuant to the provisions of Art. 23 section 2 of the Constitution of the Slovak Republic, the freedom of movement and residence might be limited by law, if it is inevitable for state security, retaining public order, protection of health or protection of rights and freedoms, and in defined territories also in the interest of nature protection.

Pursuant to the provisions of Art. 12 section 2 of the Constitution of the Slovak Republic the fundamental rights and freedoms are guaranteed in the territory of the Slovak

republic to all people, regardless of sex, race, complexion, language, belief, religion, political or other thinking, national or social origin, nationality or ethnical membership, property, family or other status. Due to these reasons, nobody can be impaired, preferred or handicapped.

When analysing the legal enactment, in the given case the domestic norms were applied – Tariff Act No. 199/2004 Coll. as amended, Act No. 652/2004 Coll. on State Administration Bodies in Customs and on adjustment and completion of some acts as amended, as well as provisions of the Statute of Council (EEC) No. 2913/92, which regulates the Customs Code of the community. Pursuant to the provisions of the above cited norms, the customs office is entitled to execute a customs check in case of each natural or legal person, who has goods subject to customs control, or they suppose that they have goods subject to customs control. Under the checking performed by the customs authorities we understand the execution of physical acts, as for example inspection of goods, checking of vehicles, checking luggage in order to secure that the customs regulations are observed and other public statutes with legal binding related to the goods subject to customs control. The customs officer searching for the goods that escaped from customs control is entitled to perform even customs check of luggage, and, if it is necessary for the accomplishment of tasks of the customs administration, the customs officer is entitled to call the person to prove their identity by presenting their valid identity card. The person who is under customs check, is obliged to tolerate the acts necessary for performing the customs control, and provide the customs authorities with necessary co-operation. Upon an official record on the execution of service regarding the performance of customs check in the express train, written by the leader of the guards, the customs check of the applicant, oh his documents and luggage was done in accordance with the valid legal regulations. The customs officers of the customs office performed the customs check upon the Order for service and record on service execution was written on the drive-out of the customs guards. The examination activity was performed from the end of the train to its front. In this case it was a customs borderline zone, the train was passing the customs territory, where the customs administration performs customs checks at an increased rate.

The complaint of the applicant was arranged by the competent customs office accepted through the Customs Authorities of the Slovak Republic, and it informed the applicant on the results of its arrangement by an announcement on the arrangement of complaint with the conclusion that the competent customs office considers the complaint unfounded.

After complex examination of the complaint, as well as of the written statement of the General Director of the Customs Authorities of the Slovak Republic, the public defender of rights drew the conclusion that regarding the respective matter the customs officers of the customs office did not break the freedom of movement and residence of the applicant, according to the provisions of Art. 23 section 1 of the Constitution of the Slovak Republic.

The Public Defender of Rights proved the breach of freedom of residence according to Art. 23 section 1 of the Constitution of the Slovak Republic in case of the acting of the village mayor, who due to unfounded reasons refused to grant residence. Upon the complaint from the side of the Public Defender of Rights, the incorrect procedures by the granting of residence in the village where eliminated.

2.2 PROTECTION AND OBSERVANCE OF FREEDOM OF ASSEMBLY AND ASSOCIATION – FROM THE ACTIVITIES RES. PRACTICAL EXPERIENCE OF THE PUBLIC DEFENDER OF RIGHTS

For example the representatives of a non-governmental organisation with environmental focus turned to the Public Defender of Rights with this complaint whose subject was the issue of freedom of assembly. According to the statements of the applicants the breach of this fundamental right was committed by the Slovak Environmental Inspection – Nature Protection Inspectorate, which from some of the member of this organisation required explanation of their participation in a protest meeting.

It was found out from the complaint and the following written documentation that the Slovak Environmental Inspection as a state administration organ, through which the Ministry of Environment of the Slovak Republic executes state control of the matters related to the protection of species of protected animals, called some of the members of the given non-governmental organisation to provide explanation of their participation in a protest meeting, but in connection with the question: “What species of protected animals in their own property did they participate”. It was necessary to file together with the explanation a copy of the certificates on the origin of the specimens and the approval of the ministry regarding their relocation.

According to Act No. 237/2002 Coll. on trade with endangered species living freely and freely growing plants and on adjustment and completion of some acts as amended, under state supervision we understand the finding how natural persons, entrepreneurs and legal persons observe this act, public statutes with legal binding issued for its execution and the duties resulting from the permission or other resolution issued according to this act. The employees of the state administration bodies in the section of species protection and the persons authorised by them are entitled to perform state supervision and require necessary statements, information, data and explanations related to the application of the provisions of this act, require from the checked person to present authorised copies, res. copies of the records and other documents necessary for the execution of state supervision. The checked person is entitled to enable the execution of state supervision and provide necessary co-operation during its execution.

After the examination of the complaint, the Public Defender of Rights drew the conclusion, that the Slovak Environmental Inspection – Nature Protection Inspectorate with its acting did not break the freedom of assembly.

The Public Defender of Rights does not have records of endangerment or breach of freedom of association.

2.3 PROTECTION AND APPLICATION OF FREEDOM OF MOVEMENT AND RESIDENCE AS WELL AS FREEDOM OF ASSEMBLY AND ASSOCIATION

We can draw the final conclusion that according to the present finding of the Public Defender of Rights, the Slovak Republic creates sufficient guarantee and protection of freedom of movement and residence, as well of freedom of assembly and association. All the above freedoms are classified among the fundamental rights and freedoms and their observance is guaranteed by the Constitution of the Slovak Republic. The fact that the national enactment of the given area is in accordance with the European standards is also

underlined by the fact that the Slovak Republic fulfilled the conditions of the accession negotiations and is a full member of the European Union.

Legal protection is secured through the possibility of more means for the protection of rights and legalness, which are recognised by legal regulations, starting from the Constitution of the Slovak Republic, through the provisions of public statutes with legal binding regulating the proceedings regarding complaints, administration proceedings, criminal proceedings, up to special legal regulations related to individual sections of the execution of state administration.

The Public Defender of Rights is also included in the system of bodies for the protection of rights, who as an individual organ, participates in the protection of all fundamental rights and freedoms. Apart from the possibility to file a complaint by a natural or legal person, the law also enables the Public Defender of Rights to act upon his own initiative. This way it is possible to implement also the monitoring of observance of individual rights and freedoms. The Public Defender of Rights presents the acquired findings on the observance of fundamental rights and freedoms, the proposals and recommendations to remedy the found deficiencies in the activity reports, which according to the Act on Public Defender of Rights shall be regularly submitted in the first quarter to the National Council of the Slovak Republic. If the Public Defender of Rights finds out facts indicating that the breach of fundamental right of freedom is serious or it relates to more people, he can submit an extraordinary report to the National Council. The extraordinary report might also include a proposal to have it discussed at the next assembly of the National Council.

3. DISCRIMINATION IN THE COMPLAINTS ADDRESSED TO THE PUBLIC DEFENDER OF RIGHTS

Slovak Republic adopted the Act No. 365/2004 Coll. on equal treatment in several fields and on the protection against the discrimination and on the changes and supplements of several acts, where fight combating all of discrimination is in the scope of national specialised body – Slovak National Centre of Human Rights. This Act shall enter into efficiency on July 1st 2004.

The Public Defender of Rights have and already had a lot of complains, where the complainants is convinced about discrimination dealing. From this view didn't occur **any expressive changes** in the numbers of complaints since and past entered into force this law. During the four and a half year of activity 47 complaints dissenting a discriminatory acting were submitted to the Public Defender of Rights. Not in a single case the violation of the Act No. 365/2004 Coll. on the equal treatment in several fields and on the protection against the discrimination and on the changes and supplements of several acts (further only "Anti-discriminatory Act") was observed.

According to the applicants of complaints the discrimination arises particularly in the legislative amendment of the most legal rules in the connection with the selection pursuance on job positions in civil service or by jobs made in the Public interest. The conviction about the discriminatory action appears in many cases by persons to whom the personal freedom is restricted and who are placed in institutes determined for arrest and imprisonment whereby the only reason they see in their nationality. From the whole number of 47 complaints in 35 cases the applicant of the complaint was a man and in 8 cases a woman. Four complaints were

submitted by a legal entity. In general, the women are submitting complaints concerning the family law and social field, e.g. in the matters of maintenance or subsidies in the material needs. Topical in the condition of Slovak republic is also the issue of the compensation for the participation of the husband in a national-liberating battle and for the imprisonment in a Nazi prison camp. Women compared to men submit less complaints in labour-law issues and complaints concerning criminal-law sphere (arrest and imprisonment conditions, etc.).

It is necessary to emphasize that the **subjective feelings of discrimination often did not fulfil the legal preconditions of the discrimination and not a single case of the complaints about the discrimination from the mentioned reasons was proved.**

Such was also the case of an applicant, who complained about the discrimination from the side of the municipality, where he is a pub keeper and the municipality refuses him to extend the opening hours till 01.00 a.m. for the reason that he is a gypsy. The Public Defender of Rights investigated the complaint and ascertained that it has neither come to a discriminatory action nor to the violation of the applicant's rights. More pubs are located in the given municipality and none of the pub keepers was allowed an exception to extend the opening hours after 10.00 p.m. by the local authority. The municipality also modifies the obligation to respect the night calmness in its generally obliged regulation about the protection of the environment and the general order of the municipality.

Further cases of "the alleged discrimination" related for example to the selection pursuance, where the applicant demurred the discrimination from the reason of age, but according to the findings of the Public Defender of Rights he did not fulfil the requested qualifying presupposition, in the case of a university student an obligatory providing of a student card for compensation was considered as a discrimination and for example a group of citizens claimed the elimination of discrimination of persons without a religion so that to the persons without a religion will be allowed to propagate their conviction in the media, hospitals and also in armed units so as it is allowed to the church and at the same time the conditions for the bestowment of a state subsidy will be admitted. A further complaint which dissents the discrimination was for example the replacement of windows for plastic ones in connection with the highway building only on the higher floors of the block of flats. In the affiliation to the national minority and in the expressions of gender discrimination many applicants of complaints see the reason of useless delays in the pursuance.

As a discriminatory measure has felt one of the applicant of complaints the fact that in the municipality in which he is an inhabitant all information broadcasted by the local radio are in a language of national minority. By the investigation of this complaint the violation of the regulation of the Article 26 Par. 5 of the Constitution of Slovak republic – right on information, by the pursuance of the municipal authority according to which the General Power Authorities have the obligation to provide information about their operation in a state language in an appropriate manner was proved. By this action the regulations of the Act No. 270/1995 Coll. on the state language of the Slovak republic as amended by later regulations were violated. After the intervention of the Public Defender of Rights it came to a remedy.

Applicants often turn to the Public Defender of Rights also with cases which do not fall under his field of activity and can relate to the discrimination. In cases, when it relates to a complaint beyond the Public Defender of Rights' field of activity a regulation is provided to the applicant beyond the Act on the Public Defender of Rights how should he proceed in given case and who can he turn to. So has the Public Defender of Rights proceeded also in the case of a complaint with which a group of high school employees has turned to the Public

Defender of Rights. In their complaint they mentioned that the school director deals not with their complaint on one of the managing employees who applied every day a psychic terror on the workplace with his statements degrading the female gender as follows: “a woman does not belong to the society”, “a woman is not a human being”, “why seeks a woman to belong among human beings”. The Public Defender of Rights investigated the complaint and ascertained that the labour-law relationships with the mentioned managing employee of this school were solved within the frame of the given organization on its operative conferences. A warning was given to the managing employee and he was explicitly called to solve the personal relationships with his subordinated employees in an appropriate manner. On the appeal of the Public Defender of Rights the school director announced that the managing employee was dismissed.

The pedagogical employees have also turned to the Public Defender of Rights with a complaint related to the remuneration, since they considered salary-grade adjustments to be discriminatory. In this case, the competence of the Public Defender of Rights does not apply, either. The Public Defender of Rights does not enjoy the right of legislative initiative, nor is he obligatorily called to comment the draft-laws, advised about the matter the National Council of the Slovak Republic Committee on Human Rights, Minorities and the Status of Women.

4. PROCEDURE OF THE PUBLIC DEFENDER OF RIGHTS USED IN DEALING WITH THE COMPLAINTS

The Public Defender of Rights in the intent of the legislation of the Act No. 564/2001 Coll. on the Public Defender of Rights as amended by later regulations will investigate the complaints which belong to his field of activity using the rights given by law, in particular to require the necessary files and documents from the Public Administration Authority as well as the clarification of the issue to which the complaint relates and also to enter into the buildings of Public Administration Authorities and to investigate the content of the complaint on the spot. As was mentioned, the Public Defender of Rights has not proved a discriminatory pursuance in his previous activity. The Act on the Public Defender of Rights in the case, if with the results of the arranged complaint a violation of basic rights and freedoms is not proved, enacts that the Public Defender of Rights informs about that fact the applicant of a complaint and the Public Administration Authority against whose procedure, decision or inactivity is the complaint aimed.

If investigation of complaint results in proved breach of the fundamental rights and freedoms, the Public Defender of Rights shall notify the public administration body, against activity, decision or inactivity of which the complaint has been submitted, of the result along with proposal of measures. The public administration body shall be obliged to inform the Public Defender of Rights of its opinion of the results of investigation of complaint and adopted measures within 20 days from date of delivery of the Public Defender of Rights call for adoption of measures. If the Public Defender of Rights disapproves with the public administration body's opinion or does not consider the measures adopted as sufficient, he shall report the fact to the body that is superior to the body, against which the complaint has been submitted, or to the Government of the Slovak Republic, if such superior body does not exist. The superior public administration body or, if no superior body exists, the Government of the Slovak Republic above shall be obliged to notify the Public Defender of Rights in writing of measures adopted in the matter. The notice shall be provided within 20 days from delivery of the Public Defender of Rights report. If the Public Defender of Rights does not consider **with this** measures adopted as sufficient, he shall report the fact to the National

Council or to a body authorized by the National Council.

By the arrangement of complaints which does not belong to the field of activity of the Public Defender of Rights information is given to the applicant about the reasons of the complaint arrangement manner. At the same time the applicant is informed about the field of activity of the Public Defender of Rights and about the content of given legal rules as well as about the possibility to turn to the Authorities which are competent to solve the problem of the applicant.

The Public Defender of Rights is not competent to submit proposals, applications or remedies in the name of the applicant of complaint or to plead for him in a pursuance before the court.

Help in a form of legal advices and a regulation goes out from the Public Defender of Rights' own initiative not only in the Office of the Public Defender of Rights in Bratislava, but also in eight regional branches in the territory of Slovakia. From the whole amount of more than 17 670 legal advices and regulations provided from the very beginning of the Public Defender of Rights' operation 65 applications concern the discrimination and from that less than half concern labour-law relationships.

Within the frame of cooperation between the Public Defender of Rights and other institutions formal and informal meetings were realized with the representatives of non-government organizations which submit cases to the Public Defender of Rights belonging to his field of activity, but the discrimination issue in particular of the gypsy minority was the subject of several foreign and domestic visits in the Office of the Public Defender of Rights.

With the issue of discrimination was dealt also within the frame of the cooperation between the Office of the Public Defender of Rights and the media, whether it was in connection with the answering of listeners' questions in live radio or TV broadcasts or in a form of an explanation and regulation of help requests with which the citizens turn to the media in writing (e.g. to the issue of not concluding the contract on a loan for the purchase made by trade companies for social status reason). Several complaints arranged by the Public Defender of Rights are printed in papers or advertised on web sites by the Office of the Public Defender of Rights.

The Public Defender of Rights and employees of his Office cooperated by several projects the content of which is the increase of legal knowledge of the population. From the Public Defender of Rights' and the Office employees' experience clearly results that great deal of the population **doesn't have needed knowledge neither about that what kind of rights they have, by what obligations are they bound nor what's the content of the Anti-discriminatory Act.**

The Public Defender of Rights in the interest of the discrimination prevention adopted measures in services provided for the public for the reason of affiliation to the national minority to ensure the accessibility of information about the activities of the Public Defender of Rights' Institute also for national minorities living in Slovakia. The Office of the Public Defender of Rights, in connection with the regulation of the European Charter of Regional and Minority Languages and in the interest of simplification and speeding up of complaint investigation made by the Public Defender of Rights, elaborated a form for the submission of the complaint containing content necessities of the complaint supposed by law. The

mentioned form was later on translated into all national minority languages in Slovak republic towards which ratified regulations of the Charter are applied, that means into Bulgarian, Czech, Croatian, Hungarian, German, Polish, Romany, Russian and Ukrainian language. Besides mentioned languages, the information about activity and operation of the Public Defender of Rights are available also in English, French, Spain, Russian and Arabic. The Office ensures the distribution of application forms for the submission of a complaint within the frame of its own realized activities in the regions of Slovakia and at the same time they are released on the Public Defender of Rights' web site www.vop.gov.sk, where it is possible to send the complaint in an electronic form direct after filling it out. Except of application forms the Office of the Public Defender of Rights elaborated information materials about activities of the Public Defender of Rights, about his province, competences, frequently asked questions and answers and contact addresses including office hours in the regions and how to make an appointment. The mentioned material was also translated into all nine minority languages. The materials are also accessible on the web site of the Public Defender of Rights.

The Office of the Public Defender of Rights intends also in the future to direct its activities at the increase of legal knowledge, meetings with the population from other cities in the territory of Slovakia are prepared, in particular with students and pedagogues who teach human rights, but also educational activities for persistent unemployed. Further we plan to meet with children from orphanage houses who often feel discriminated and excluded from the society after leaving the orphanage house and that's because there are mostly gypsy children placed in this kind of institutions.

From the general view the number of complaints demurring discriminatory action either from the age, sex, social status, race, affiliation to national or ethnic minority, faith and religion or from other point of view a big group of complaints. The Public Defender of Rights and his Office attaches importance to the protection of this rights and freedoms which is obvious also from the number of activities focusing on this issue.