

## Biodiversity and Human Rights in the Slovak Republic

1. Please provide, in detail, examples of biodiversity-related legislation, policies and programmes that incorporate human rights obligations.

For all people and communities, the human rights are the same, established by the Constitution of the Slovak Republic, where the Section 6 is dedicated to the Right to Protection of the Environment and of Cultural Heritage.

### THE RIGHT TO PROTECTION OF THE ENVIRONMENT AND OF CULTURAL HERITAGE

#### Article 44

- (1) Everyone shall have the right to favourable environment.
- (2) Everyone shall have a duty to protect and improve the environment and to foster cultural heritage.
- (3) No one shall imperil or damage the environment, natural resources and cultural heritage beyond the limits laid down by a law.
- (4) The State shall care for economical exploitation of natural resources, for ecological balance and on effective environmental policy, and shall secure protection of determined sorts of wild plants and wild animals.”
- (5) Details on the rights and duties according to paragraphs 1 to 4 shall be laid down by a law.

#### Article 45

Everyone shall have the right to full and timely information about the environmental situation and about the reasons and consequences thereof.

Main documents related to Convention on Biological Diversity in Slovakia are the Updated National Strategy for Protection of Biodiversity by 2020 and its Action Plan. They cover all the relevant items, targets and goals including human rights obligations. **As Slovakia does not have any indigenous peoples and local communities, Article 8j of the Convention is not relevant for our implementation.**

2. Please provide specific examples of good practices in the implementation of human rights obligations in biodiversity-related matters. For instance, such examples may include practices related to: guaranteeing procedural rights (e.g. right to information, participation and remedy); monitoring human rights affected by biodiversity-related legislation, programmes and projects (e.g. rights to life, food, housing, health, water and sanitation, cultural rights, etc.); protecting the human rights of individuals and groups from adverse impacts related to biodiversity; promoting the enjoyment of human rights (e.g. rights to life, food, housing, health, water and sanitation, cultural rights, etc.); guiding business activities in accordance with the UN Guiding Principles on Business and Human Rights; and seeking remedies for victims.

In relation to human rights and guaranteeing procedural rights, the most important legislation is related to Aarhus Convention, which establishes a number of rights of the public (individuals and their associations) with regard to the environment, including biodiversity and nature

protection. The Parties to the Convention are required to make the necessary provisions so that public authorities (at national, regional or local level) will contribute to these rights to become effective. The Convention provides for **access to environmental information, public participation in environmental decision-making and access to justice**. All three elements of the Convention were transferred into several national legislations and laws.

In relation to monitoring human rights affected by biodiversity-related legislation, programmes and projects, we do not have yet established the monitoring system. Monitoring system, which we is active at present, is rather related to monitoring of species and status of habitats, but in relation to legislation, programmes and projects preparation of this system is under the construction.

Other aspects related to protecting the human rights of individuals and groups from adverse impacts related to biodiversity; promoting the enjoyment of human rights and guiding business activities in accordance with the UN Guiding Principles on Business and Human Rights; and seeking remedies for victims, Slovakia is not implementing them for the moment.

3. Please, specify, where relevant, challenges your Government has experienced in the integration and protection of human rights in biodiversity-related matters.

As Slovakia does not implement the Article 8j, our Government did not have any challenges experienced in the integration and protection of human rights in biodiversity-related matters.

4. How are the rights of those who may be particularly vulnerable to the loss of biodiversity, including but not limited to indigenous peoples, provided with heightened protection?

As it was mentioned above, Slovakia does not implement the Article 8j, there are no close links between the loss of biodiversity and indigenous people's rights. There is a concern of loss of biodiversity in general, especially in relation to loss of traditional plant and animal species, which are a natural and also cultural heritage for all the citizens of Slovakia. Government will have to work more on this topic, as this is valuable heritage not only from the environmental point of view, but also generally from historical, agricultural, etc. Effort of protecting all the relevant species and their habitats will have to be strengthen in the future in the whole of Slovakia.

5. How do you ensure that the rights of environmentalists working on biodiversity issues (environmental human rights defenders) are protected? What efforts has your Government made to create a safe and enabling environment for them to freely exercise their rights without fear?

Question No. 5 is a very valuable question and it is very difficult to reply to it. Environmentalists working on biodiversity issues (including environmental human rights defenders) are protected well, almost in all related fields. As it was mentioned above, there are several legislations and laws related to the Aarhus Convention, which are covering the issue on access to the environmental information. Other elements related to the protection of environmentalists working on biodiversity issues are generally covered by the Constitution of the Slovak Republic, as for example "Section Seven" on Right to Judicial and Other Legal Protection.