

Coronavirus pandemic in the EU – Fundamental Rights Implications

Country: Slovakia

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1 Measures taken by government/public authorities

1.1 Emergency laws/states of emergency

The state of emergency that was declared by the government for state hospitals from 16 March 2020 and was extended to all healthcare-related segments, and from 18 April also to operators of general and specialized doctor's offices, continues. According to Art. 5 of the Constitutional Act No. 227/2002 Coll. on State Security in Time of War, State of War, State of Emergency¹, these segments were imposed a work duty to ensure the provision of health care and a ban on the right to strike.² The Central Crisis Staff has not yet decided when the state of emergency might end and require an in-depth analysis, said Prime Minister Matovic. They are considering leaving the state of emergency "preventively on call", so that measures can be taken quickly if a second wave comes. The state of emergency is declared for 90 days, ending in mid-June.³

The "Heart at Home" initiative is an association of citizens of the Slovak Republic, mostly working abroad, who are interested in what is happening in Slovakia and want to use their skills and knowledge acquired abroad for the benefit of positive change in the Slovak Republic. They encourage citizens abroad to participate in elections and public affairs in Slovakia. For example, they are pushing for change in electoral legislation.⁴ The "Heart at Home" published a call addressed to the Government of the Slovak Republic, the Central Crisis Staff, the Public Health Authority of the Slovak Republic, the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Health, the President of the Slovak Republic, based on an analysis⁵, whether the declaration of state quarantine by the Public Health Authority, as well as the state of emergency by the Government of the Slovak Republic is not in conflict with the Constitution of the Slovak Republic and calls for their review by the Constitutional Court of the Slovak Republic.⁶

¹ Slovakia, Act No. 227/2002 Coll. On the State Security in Times of War and State of Emergency. Available at <https://www.zakonypreludi.sk/zz/2002-227>; Slovakia, Government of the Slovak Republic (2020), "Government Resolution No 114/2020 on the Proposal to Declare State of Emergency Pursuant to the Act No. 227/2002 Coll.", 15 March 2020, available at <https://rokovania.gov.sk/RVL/Resolution/18252/1>

² Slovakia, The Ministry of Interior (*Ministerstvo vnútra*) (2020), 'Koronavírus - aplikácia eKaranténa spustená, možnosť vycestovať, uvoľňovanie opatrení, ďalšie otvorené prevádzky, núdzový stav v zdravotníctve a sociálnej sfére, kontroly a obmedzenia na hraniciach', press release, 29 May 2020, available at <http://www.minv.sk/?tlacove-spravy&sprava=koronavirus-aplikacia-ekarantena-spustena-moznost-vycestovat-uvolnovanie-opatreni-dalsie-otvorene-prevadzky-nudzovy-stav-v-zdravotnictve-a-socialnej-sfere-kontroly-a-obmedzenia-na-hraniciach>

³ Denník N (2020), 'Minúta po minúte', 28 May 2020, available at <https://dennikn.sk/minuta/1910982/>

⁴ Information published on the website of the "Heart at Home" initiative, available at: <https://volby.srdcomdoma.sk/srdcom-doma-obcianske-zdruzenie.html>

⁵ Henčeková, S. (2020), 'Analýza právnej povahy opatrení Úradu verejného zdravotníctva SR na zamedzenie šírenia COVID-19', *FB post*, 30 April 2020, available at <https://www.facebook.com/notes/sl%C3%A1vka-hen%C4%8Dekov%C3%A1/anal%C3%BDza-pr%C3%A1vnej-povahy-opatren%C3%AD-%C3%BARadu-verejn%C3%A9ho-zdravotn%C3%ADctva-sr-na-zamedzenie-%C5%A1/10222705778495168/>

⁶ Volby.srdcomdoma.sk (2020), 'Výzva Srdcom doma o.z. na preverenie ústavnosti krokov Vlády SR a ÚVZ', 2 May 2020, available at <https://volby.srdcomdoma.sk/srdcom-doma-vyzva-na-preskumanie-ustavnosti-karantena-2020.html>

1.2 Measures affecting the general population

1.2.1 Social distancing

Slovakia launched the fourth, i.e. the final, phase of lifting the measures on 20 May 2020. As of this day, wearing of masks in public is only compulsory within a 5m distance of another person. Otherwise it is voluntary. Masks still must be worn indoors (shops, offices etc.).⁷ This measure replaced the measure on mask wearing of 20 April 2020 (reported in the previous report). None of these measures mentioned sanctions for not wearing a mask in public. However, in May reports on police fining people for not wearing masks in public appeared. It was reported that the police may impose a maximum fine of 1000 EUR.⁸ In some places the fine amounted to 200 EUR⁹, in other places it was of 20 EUR on average.¹⁰

As of 6 May 2020, masses can be held again provided that worshippers wear face masks, keep 2m distance and disinfect their hands when entering the place of worship. Specific rules apply to Christian rituals of communion (received only in hand) and drinking from the chalice (limited to only the priest). Masses for persons above the age of 65 are to be held separately on Sundays.¹¹

As of 20 May 2020, events with less than 100 participants can be organised again provided they keep at least 2m distance. Hand disinfectants must be provided by the organizers and regular disinfection of premises must be ensured.¹²

1.2.2 Education

The Ministry of Education published the Decision Nr. 2020/12033:1-A2110¹³, which came into force on 1 June 2020. According to the decision of the Ministry of Education, several types of school facilities are opened again after almost three months of closure: kindergartens, kindergartens for children with special educational needs, primary schools (grade 0 – 5), special primary schools for children with special educational needs (grades 0-9). The establishers of schools in cooperation with the directors of schools may decide whether they will open the schools (considering the personal, space, hygiene conditions they can secure in school facilities). Attendance of children is voluntary based on the

⁷ Slovakia, Public Health Authority (Úrad verejného zdravotníctva) (2020), 'Opatrenie Úradu verejného zdravotníctva pri ohrození verejného zdravia č. OLP/4084/2020', 19 May 2020, available at https://korona.gov.sk/wp-content/uploads/2020/05/19_05_2020_aktualizacia_opatrenia_ruska.pdf

⁸ HN Online (2020), 'Polícia rozdávala pokuty za nenosenie rúšok, jeden muž sa vyhrážal lekáre', 10 May 2020, available at <https://slovensko.hnonline.sk/2144798-policia-rozdava-pokuty-za-nenosenie-rusok-jeden-muz-sa-vyhrazal-lekarke>

⁹ Sabo, K. (2020), 'Košíčania dostávajú za nenosenie rúšok vysoké pokuty', *SME Košice Korzár*, 16 May 2020, available at <https://kosice.korzar.sme.sk/c/22405177/kosicania-dostavaju-za-nenosenie-ruska-vysoke-pokuty.html>

¹⁰ Denník N (2020), 'Minúta po minúte', 5 May 2020, available at <https://dennikn.sk/minuta/1882561/>

¹¹ Slovakia, Public Health Authority (Úrad verejného zdravotníctva) (2020), 'Opatrenie Úradu verejného zdravotníctva pri ohrození verejného zdravia č. OLP/3796/2020', 5 May 2020, available at https://korona.gov.sk/wp-content/uploads/2020/05/opatrenia_hromadne_podujatia_bohosluzby.pdf

¹² Korona.gov.sk (2020), 'Opatrenia prijaté v reakcii na koronavírus sa budú postupne uvoľňovať', updated on 21 May 2020, available at <https://korona.gov.sk/ako-sa-budu-uvolnovat-opatrenia-uvodne-informacie/>

¹³ Slovakia, Ministerstvo školstva SR (Ministry of education) (2020) 'Decision of Ministry of education Nr. 2020/12033:1-A2, 22 May 2020, available at: <https://www.ucimenadialku.sk/usmernenia/otvaranie-skol/rozhodnutie%20ministra%2022.5.pdf>

decision of parents. The Ministry of education expected that around 60-70% of pupils will return to schools.¹⁴

In Primary schools – grades 6-9 and secondary schools, distance education will continue in June and schools will remain close (but final exams, reception exams for higher education will be organised in schools). Third level education facilities remain closed as well. University lectures take place online, however final exams are taking place physically in most of the Universities.

The above-mentioned school facilities may also provide extra-curricular activities (after school clubs) and provide meals for children (which is important especially for children from socially disadvantaged background). For the time being, there is no official information on how many schools will provide such services to pupils. No official support to children from socially disadvantaged environment was provided by the state (like laptops or other technical equipment). However, there were several non-governmental or private initiatives helping children from socially disadvantaged environment with such equipment.

There are several rules for organising the education:

- a) Maximum number of pupils in one class of kindergarten is 15, maximum number of pupils in primary school is 20.
- b) Distance education of children not attending school continues in June 2020.

Ministry of education in cooperation with Public health authority published also set of recommendations for establishers and directors of schools regarding health and hygiene¹⁵:

- a) the groups of children will be the same all the time and children will not come into contact with other groups of children;
- b) the establisher of school will instruct the director of schools to ensure thorough cleaning of the premises, before opening and after school;
- c) the establisher will secure the operation of the school facility a maximum of 9 hours a day (school and extra-curricular activities);
- d) the establisher in cooperation with directors must secure all protective equipment, disinfection for staff and pupils, and thermometers;
- e) children will be guided to and from schools only by a person with whom they live in common household;
- f) the director will secure the morning health check and measuring the temperature of each child at the entrance of the school;
- g) parents must secure the two face masks and tissues for their children.

¹⁴Slovakia, Ministerstvo školstva SR (Ministry of education) (2020) `Grohling: Do škôl sa vráti odhadom 60-70% detí, press release, 25 May 2020, available at: <https://www.minedu.sk/groehling-do-skol-sa-vrati-odhadom-60-az-70-percent-ziakov/>

¹⁵ Slovakia, Ministerstvo školstva SR (Ministry of education SR) (2020) `Organizácia a podmienky prevádzky základných škôl do konca školského roka 2019/2020`, 22 May 2020, available at: <https://www.ucimenadialku.sk/usmernenia/otvaranie-skol/organizacia%20zš.pdf>

h) In case of suspicion on coronavirus infection, parents must cooperate with school and with the regional health authorities and follow their directions. If the child is quarantined, the parent must immediately inform the school.

1.2.3 Work

As of 6 May 2020, opening of retail and businesses were furthered. On 20 May 2020 another phase of lifting the measures was launched opening practically all shops (including shopping malls), businesses (including interiors of hospitality services) and cultural institutions (cinemas, theatres) provided they follow the rules set out by the Public Health Authority. Entry is only allowed to persons wearing face masks. Retailers are obliged to place a hand disinfectant at the entrance and all customers/clients are obliged to use it before entering the premises. Safe 2m distance is to be kept and one customer per 15m² is allowed (previously it was one customer per 25m²).¹⁶

The Public Health Authority published guidelines for industry (engineering, electronics, automobile, chemical, metal production, furniture production) on how to prevent spreading of coronavirus after reopening. The document contains detailed guidance on protective measures to be adopted. For instance, it is advised to reduce gatherings of larger groups of employees, to use protective equipment at all times, to control and record who enters the workplace (including customers and suppliers), to visualise rules of hygiene (e.g. on posters), to train employees on rules of hygiene and correct wearing of face masks on their day of return, to disinfect meeting rooms after each meeting. Increased hygiene is to be kept in canteens. One position is to be used by only one operator and reduce interactions between operators on assembly lines.¹⁷

Opening of large factories (e.g. automobile industry) was not subject to a Government's decision. Some have not suspended production at all, some re-opened in April and in May and launched limited operation (two shifts instead of three)¹⁸, some applied *kurzarbeit* (short-term work when employer and employee agree on a temporary reduction of working hours and salary; the state provides a contribution to salary of an employee on *kurzarbeit*¹⁹).²⁰ However, apart from general rules of physical distancing and hygiene, they apply additional rule of measuring body temperature of all employees before entering the premises (rule applied since 30 March 2020).

The Public Health Authority published advice for employers on how to prepare the workplace for the return of employees. Employers should encourage their employees, suppliers and customers to wash their hands properly and regularly. All surfaces should be disinfected regularly and respiratory hygiene should be promoted. If possible, meetings in person should be replaced by video conferences. If it is not possible, the number of participants should be limited to a necessary minimum, 2m distance

¹⁶ Korona.gov.sk (2020), 'Opatrenia prijaté v reakcii na koronavírus sa budú postupne uvoľňovať,' updated on 21 May 2020, available at <https://korona.gov.sk/ako-sa-budu-uvolnovat-opatrenia-uvodne-informacie/>

¹⁷ Slovakia, Public Health Authority (Úrad verejného zdravotníctva) (2020), 'Návrh usmernenia pre priemyselné podniky v súvislosti s pandémiou COVID-19', 22 May 2020, available at http://www.uvzsr.sk/docs/info/covid19/Usmernenie_pripravenosti_podnikov_na_COVID_vlna_2.pdf

¹⁸ Denník N (2020), 'Minúta po minúte', 15 May 2020, available at <https://e.dennikn.sk/minuta/1894528>

¹⁹ For more information please see the website of the Ministry of Labour, Social Affairs and Family dedicated to relief measures in the labour market <https://www.pomahameludom.sk/>

²⁰ Hakl, R. (2020), 'U.S.Steelu pomáha v týchto časoch kurzarbeit, žiadne prevádzky nepredáva,' *Pravda Daily*, 21 May 2020, available at <https://ekonomika.pravda.sk/firmy-a-trhy/clanok/552092-u-s-steel-pomaha-v-tychto-casoch-kurzarbait-ziadne-prevadzky-nepredava/>

should be ensured and hand disinfectants should be provided and used. List of participants with their contact details should be kept in case infection is confirmed in one or several of them.²¹

The Ministry of Labour, Social Affairs and Family still provides aid to employers and employees that were affected by the pandemic (as reported in previous reports). Measure No. 5 is aimed at mitigating negative impact also on people in precarious work, mainly people working under a so-called “agreement on a job performance” (*dohoda o vykonaní práce*) which is not a regular labour contract. Agreement on a job performance allows performance of temporary jobs or jobs of limited range (it allows only 350 hours a year to be worked for one employer). A subsidy of 210 EUR a month is provided under Measure No. 5 to all persons who cannot perform their job due to pandemic and have no other source of income. Other precarious work situations are addressed in remaining four measures depending on the type of labour contract, e.g. so-called agency employees that are “leased” to factories (e.g. in automobile industry) are considered regular employees and their employers can request a subsidy to their wages depending on the loss of revenue (maximum of 80% of the employee's average salary).²²

1.2.4 Access to justice

Measures taken by the courts (as described in the previous report) have been extended to 31 May 2020. During this time, courts only conducted proceedings in custody and imprisonment matters, in matters of care of minors, and proceedings whose deferral would cause irreversible and irreparable damage. Court staff were required to wear face masks and disinfect their hands regularly. It was advised to use video conferences as much as possible when interrogating convicts.²³

As of 1 June 2020, all courts return to their usual (pre-crisis) mode of operation while following epidemiological measures (wearing of face masks, regular hand disinfecting, regular disinfection of premises). All court proceedings are again open for public.²⁴ No special measures to address the backlog in cases prompted by the lockdown restrictions are in place. The Ministry of Justice is aware of the possible delays in proceedings and is working towards setting the maximum time in which court proceedings must take place.²⁵

The Ministry of Justice issued guidelines for mediation and probation officers. As of 5 May 2020, they were obliged to be in office at least two days a week. They were required to follow general safety rules (wearing a face mask and regular disinfection). It was advised to defer probation supervisions. However, cases of domestic violence in which restrictions and duties were imposed were not to be

²¹ For more information please see

http://www.uvzsr.sk/index.php?option=com_content&view=article&id=4311:pripravte-pracovisko-na-navrat-zamestnancov&catid=250:koronavirus-2019-ncov&Itemid=153

²² Information provided by the representative of the Ministry of Labour, Social Affairs and Family upon request via telephone on 8 June 2020. For more information on measures please see <https://www.pomahameludom.sk/>

²³ Slovakia, Ministry of Justice of the Slovak Republic (*Ministerstvo spravodlivosti SR*) (2020), ‘Opatrenia rezortu v rámci ochrany pred COVID-19’, available at <http://www.justice.gov.sk/Stranky/Ministerstvo/Opatrenia-COVID-19.aspx>

²⁴ SME Daily (2020), ‘Súdy budú od júna fungovať ako pred korona krízou’, *SME Daily*, 28 May 2020, available at <https://domov.sme.sk/c/22414330/sudy-budu-od-juna-fungovat-ako-pred-koronakrizou.html>

²⁵ Information provided by the spokesperson of the Ministry of Justice via telephone on 8 June 2020.

deferred. Compliance with imposed restrictions and fulfilment of duties was to be monitored even via meetings in person with the victim.²⁶

1.2.5 Freedom of movement

On 7 May 2020, the Government approved another extension of border controls – until 27 May 2020.²⁷ Further extension of border control until 26 June 2020 was approved by the Government on 20 May 2020.²⁸

In May 2020, introduction of border controls and restriction of entry for foreigners without a valid residence permit was criticised by a group of lawyers associated with the initiative Heart at home (*Srdcom doma*²⁹) and by the Ombudsperson who jointly pointed out that border controls had no legal basis. They reported they could not find any directive or a regulation that would sanction border controls and restriction of entry for foreigners without a valid residence permit. Neither Ministry of Foreign Affairs nor the Ministry of Interior were able to provide such document. As a response to an information request of the said group of lawyers the Ministry of Interior provided hyperlinks to two press releases where border controls and closure of border for foreigners without a valid residence permit were introduced.³⁰ The said measures were introduced by the previous administration (the new Government took office on 21 March 2020) on 12 March 2020. Former Minister of Interior said the then Government notified European Commissioner for Home Affairs of temporary closure of the borders in accordance with Article 28 of the Schengen Border Code.³¹ However, first national directive regulating border controls and closure of borders for foreigners without a valid residence permit was adopted on 6 April 2020 (by the new government) and sanctioned border controls and closure of borders for foreigners without a valid residence permit for a period of 10 days (between 8 April and 17 April).³² Next directive was adopted on 14 April 2020 sanctioning border controls for another 20

²⁶ Slovakia, Ministry of Justice of the Slovak Republic (*Ministerstvo spravodlivosti SR*) (2020), 'Opatrenia rezortu v rámci ochrany pred COVID-19', available at <http://www.justice.gov.sk/Stranky/Ministerstvo/Opatrenia-COVID-19.aspx>

²⁷ Pravda Daily (2020), 'Vláda schválila predĺženie kontrol na hraniciach. Termín sa môže zmeniť', 7 May 2020, available at <https://spravy.pravda.sk/domace/clanok/550806-schvalili-predlzienie-kontrol-na-hraniciach/>

²⁸ Slovakia, The Government Office of the Slovak Republic (*Úrad vlády SR*) (2020), 'Vláda: Predĺžila kontroly na hraniciach do 26. júna', press release, 20 May 2020, available at <https://www.vlada.gov.sk/vlada-predlzila-kontroly-na-hraniciach-do-26-juna/>

²⁹ For more information on the initiative please see <https://volby.srdcomdoma.sk/>

³⁰ Gehrerová, R. (2020), 'Nariadenie, ktorým polícia uzavrela Hranice, zrejme neexistuje, povinná štátna karanténa môže byť protiústavná', *Denník N Daily*, 5 May 2020, available at <https://dennikn.sk/1882207/nariadenie-ktorom-policia-uzavrela-hranice-zrejme-neexistuje-povinna-statna-karantena-moze-byt-protiustavna/>

³¹ Številová, Z (2020), 'Prekračovanie hraníc a parvo na vstup počas pandémie', A note published by Ms. Številová on her Facebook profile on 7 May 2020, available at <https://www.facebook.com/notes/zuzana-stevulova/prekra%C4%8Dovanie-hran%C3%ADc-sr-a-pr%C3%A1vo-na-vstup-po%C4%8Das-pand%C3%A9mie/10158822855769883/>

³² Slovakia, Government of the Slovak Republic (*Vláda SR*) (2020), 'Nariadenie vlády SR zo 6. apríla 2020, ktorým sa dočasne obnovuje kontrola hraníc Slovenskej republiky na vnútorných hraniciach', available at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2020/71/?fbclid=IwAR1rTC1cz8jEgLPvZvcAbCY-JDLF-vn0q8kiLnbx-fRX3Y2euv1sbBhPDvc>

days (from 18 April until 7 May).³³ That means that between 12 March and 6 April border controls closure of borders for foreigners without a valid residence permit had no legal basis. To this day the Ministry of Interior was not able to explain the situation.

At the moment all persons entering the territory of Slovakia must still undergo a 14-day quarantine or present a negative COVID-19 test with the exception of various categories of transport industry staff, medical staff transporting a patient across the borders, funeral homes' staff transporting remains of a deceased person, persons with diplomatic immunity, MEPs and their family members, persons entering the territory of the Slovak Republic due to the implementation of a valid court decision in the matter of performing alternate care of parents for a minor child, or the right of contact with a minor child.³⁴

The quarantine does not apply to cross-border commuters working in health care, social care, research, education or as seasonal workers in agriculture and food industry. They must have a permanent or a temporary residence in Slovakia and must work in border regions (not further than 30km from the border). These groups, however, must present a negative COVID-19 test not older than 96 hours when entering the territory of Slovakia.³⁵

As of 21 May 2020, travelling for a duration of 24 hours was allowed to the Czech Republic, Poland, Hungary, Slovenia, Croatia, Switzerland, Germany and Austria. This period was extended to 48 hours on 27 May 2020.³⁶ Return to Slovakia will not be conditioned by a negative COVID-19 test nor will the returnees have to undergo a 14-day quarantine.³⁷ However, Slovaks wishing to visit Slovakia for 48 hours must produce a proof of their temporary or permanent residence permit in one of the eight countries listed above. This poses a problem for many Slovak citizens living abroad. For instance, Slovaks in the Czech Republic often do not register their residence there and therefore would have to undergo a 14-day quarantine when coming to Slovakia. The Prime Minister said this was to ensure that people crossing borders to Slovakia do in fact come from one of the eight approved countries and not from an "unsafe" country. The Permanent Crisis Staff should debate and resolve this problem in the upcoming days.³⁸

State quarantine was heavily criticised for instance by the Ombudsperson who reported suspected violations of fundamental rights. As reported by the Ombudsperson, people were being held at border crossings for an inadequate period of time with no provision of water and food or hygienic facilities. Furthermore, people were being placed in state quarantine facilities regardless of their place of

³³ Slovakia, Government of the Slovak Republic (*Vláda SR*) (2020), 'Nariadenie vlády SR zo 14. apríla 2020, ktorým sa predlžuje dočasné obnovenie kontroly hraníc Slovenskej republiky na vnútorných hraniciach', available at https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2020/80/20200418?fbclid=IwAR07tVzVHvLvRlx8DppAhbOClwcyG_EU2HjGKT4KG97tFdNtmMVeKHtM

³⁴ For more information please see <https://korona.gov.sk/karantenne-opatrenia/>

³⁵ Slovakia, Public Health Authority (*Úrad verejného zdravotníctva*) (2020), 'Opatrenie Úradu verejného zdravotníctva pri ohrození verejného zdravia č. OLP/3992/2020', 15 May 2020, available at https://korona.gov.sk/wp-content/uploads/2020/05/statna_karantena_15_05.pdf

³⁶ For more information please see <http://www.mzv.sk/cestovanie/covid19/obmedzenia-na-hraniciach>

³⁷ Korona.gov.sk (2020), 'Opatrenia prijaté v reakcii na koronavírus sa budú postupne uvoľňovať', updated on 21 May 2020, available at <https://korona.gov.sk/ako-sa-budu-uvolnovat-opatrenia-uvodne-informacie/>

³⁸ Osvaldová, L. (2020), 'Slovákov, čo sa chcú konečne vrátiť z Česka, obracajú na hraniciach policajti. Chcú doklad o pobyte v Česku', *Denník N*, 29 May 2020, available at <https://dennikn.sk/1912062/slovakov-co-sa-chcu-konecne-vratit-z-ceska-obracaju-na-hraniciach-policajti-chcu-doklad-o-pobyte-v-cesku/?ref=list>

residence. During the transport isolation was not secured, i.e. people were put on buses in groups that have not previously met without knowing who might be infected with COVID-19 thus potentially and unnecessarily spreading the virus. Isolation was not duly secured in state facilities either - people who have not previously met were placed in rooms together. The Ombudsperson received complaints from 6800 persons which means that roughly one third of all people undergoing quarantine in state facilities complained. The Ombudsperson thus considers filing a motion with the Constitutional Court.³⁹ The Ombudsperson further suggested to use state quarantine only in cases when there is reasonable suspicion of infection by COVID-19. It was further suggested to introduce a system of early identification of risk cases and of identification of low and high risk groups. According to the Ombudsperson the state quarantine should be made voluntary and an alternative of domestic quarantine should be in place.⁴⁰

State quarantine was also subject to criticism due to its questionable legality as pointed out by another lawyer associated with the Heart at Home initiative, Slávka Henčeková. She reported that directive sanctioning compulsory state quarantine was issued by the Public Health Authority who, however, does not have the authority to do so.⁴¹ As reported by Ms. Henčeková, the Public Health Authority did not provide any proof they had the authority to issue measures that are then applied as generally binding regulations even without being published in the Codex.⁴² The spokesperson for the Public Health Authority merely reiterated that state quarantine was lawful and was executed in accordance with the Act on Protection of Public Health.⁴³

The Government planned to launch a smart quarantine on 22 May 2020 for those coming to Slovakia from abroad.⁴⁴ It was created as an alternative to the quarantine in state facilities, i.e. persons coming to Slovakia can undergo a so called domestic quarantine provided they install the application and agree to all terms and conditions. On Friday 22 May 2020, the smart quarantine was still not working due to pending approval by Google and Apple. This prompted a group of returnees to block the border crossing Jarovce in protest against the obligation to undergo quarantine in state facilities.⁴⁵ The Prime Minister reacted that all returnees should go to state facilities and as soon as the application is

³⁹ Katuška, M. (2020), 'Nad štátnou karanténou sa zmráka, Ústavný súd má prvú sťažnosť', *SME Daily*, 21 May 2020, available at <https://domov.sme.sk/c/22408174/koronavirus-slovensko-statna-karantena.html>

⁴⁰ Slovakia, The Office of Public Defender of Rights (*Kancelária verejného ochrancu práv*) (2020), 'Ombudsmanka odporúča zmeniť system povinnej štátnej karantény', press release, 28 April 2020, available at https://www.vop.gov.sk/files/2020_23_TS_VOP_odporuca_zmenit_system_povinnej_statnej_karanteny.pdf

⁴¹ Henčeková, S. (2020), 'Analýza právnej povahy opatrení Úradu verejného zdravotníctva SR na zamedzenie šírenia COVID-19', A note published by Ms. Henčeková on her Facebook profile on 30 April 2020, available at <https://www.facebook.com/notes/sl%C3%A1vka-hen%C4%8Dekov%C3%A1/anal%C3%BDza-pr%C3%A1vnej-povahy-opatren%C3%AD-%C3%BARadu-verejn%C3%A9ho-zdravotn%C3%ADctva-sr-na-zamedzenie-%C5%A1/10222705778495168/>

⁴² Information provided by Ms. Henčeková via telephone call on 21 May 2020.

⁴³ Katuška, M. (2020), 'Nad štátnou karanténou sa zmráka, Ústavný súd má prvú sťažnosť', *SME Daily*, 21 May 2020, available at <https://domov.sme.sk/c/22408174/koronavirus-slovensko-statna-karantena.html>

⁴⁴ Slovakia, The Government Office of the Slovak Republic (*Úrad vlády SR*) (2020), 'Štát by mal spustiť smart karanténu v piatok, bude dobrovoľná', press release, 19 May 2020, available at <https://www.vlada.gov.sk/stat-by-mal-spustit-smart-karantenu-v-piatok-bude-dobrovolna/>

⁴⁵ Aktuality.sk (2020), 'Repatrianti blokujú v Jarovciach diaľnicu D4', 22 May 2020, available at <https://www.aktuality.sk/clanok/792876/repatrianti-blokuju-v-jarovciach-dialnicu-d4/>

approved they will be transferred to domestic quarantine.⁴⁶ On 29 May 2020, smart quarantine application was available for both Android OS and iOS. As of 31 May 2020, more than 5400 persons entered domestic quarantine using the application.⁴⁷ Violations of the terms and conditions of the domestic quarantine may be sanctioned by a fine in the amount of 1659 EUR.⁴⁸ The Police can also fine anyone violating the domestic quarantine by a fine up to 1000 EUR.⁴⁹

As far as asylum procedures are concerned interviews with asylum applicants were suspended during the pandemic and first instance decisions were made in limited mode of operation. Furthermore, transfers between asylum centres were suspended leading to asylum applicants being in the reception centre in Humenné longer than the usual 3 weeks. Applicants in both the reception centre and in the asylum centre were not permitted to leave the facility. All these measures have been lifted and pre-crisis mode of operation has been resumed.⁵⁰

1.3 Impact of measures on particular groups

- *persons with disabilities*

According to the information provided by the Ombudsperson for people with disabilities, there have been several negative impacts of the covid-19 pandemic and the measures taken by the government. Many people with disabilities are losing their jobs or their salaries have been cut to 60%. The unemployment rate among this category of people is rising.⁵¹

There also have been many limitations in providing personal assistance to people with disabilities. Personal assistants could not provide services in institutional care homes and in some cases also in households due to the quarantine measures. However, there have been some measures taken by the government to help with this situation. Thanks to changes in legislation⁵² – the personal assistance can be provided by family members and is funded by state. Personal assistance can be provided by the spouse, parents, grandparents, children, etc. The maximum amount of time for providing such assistance is 10 hours per day. The persons providing such service shall sign the contract with the

⁴⁶ Topky.sk (2020), 'Kritická situácia na priechode v Jarovciach: Repatrianti blokujú hranice, Matovič reaguje', 22 May 2020, available at <https://www.topky.sk/cl/10/1907675/Kriticka-situacia-na-priechode-v-Jarovciach--Repatrianti-blokuju-hranice--Matovic-reaguje>

⁴⁷ Slovakia, Ministry of Interior of the Slovak Republic (*Ministerstvo vnútra SR*) (2020), 'Počas soboty 30. mája bol rekordný záujem o aplikáciu eKaranténa', press release, 31 May 2020, available at <http://www.minv.sk/?tlacove-spravy&sprava=pocas-soboty-30-maja-bol-rekordny-zaujem-o-aplikaciju-ekarantena>

⁴⁸ Slovakia, Act No. 355/2007 Coll. on Protection, Support and Development of Public Health as amended (*Zákon č. 355/2007 Z.z. o ochrane, podpore a rozvoji verejného zdravia a o zmene a doplnení niektorých zákonov*), Para 56(2), 21 June 2007, available at <https://www.zakonypreludi.sk/zz/2007-355>

⁴⁹ Slovakia, Public Health Authority (*Úrad verejného zdravotníctva*) (2020), 'Opatrenie Úradu verejného zdravotníctva pri ohrození verejného zdravia č. OLP/4361/2020', 25 May 2020, available at https://korona.gov.sk/wp-content/uploads/2020/05/opatrenie_chytra_karantena_statne_zariadenia2.pdf

⁵⁰ Information provided by the director of Slovak Humanitarian Council via telephone on 8 June 2020.

⁵¹ Information provided by the ombudsperson for people with disabilities upon request on 28 May 2020.

⁵² Slovakia, *Zákon č.63/2020 o sociálnom poistení* (Act Nr. 63/2020) on social insurance, 20 March 2020, available at <https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2020/63/> and *Zákon č.447/2008 o finančných prostriedkoch na kompenzáciu ťažkého zdravotného postihnutia* (Act nr. 447/2008 on financial aids for compensation of severe physical disabilities), 20 May 2020, available at: <https://www.zakonypreludi.sk/zz/2008-447>

person with disability for a limited period of time (beginning earliest from 27 March 2020). No information about the amount of funding from the state is available.

According to the information provided by the ombudsperson, not only personal assistance, but all social and health care services usually provided to people with disabilities have been cancelled without any compensation, which influenced the health conditions and their social and financial situation. Many people with disabilities complained about the lack of information provided by the state.

Ombudsperson have currently also limited possibilities of monitoring human rights violation in care homes for people with disabilities. Thus, the office of ombudsperson requested the care homes to provide information on how they secure the rights of people, how they secure the protection of people and staff and how they follow the rules and guidelines of public health authorities. The results should be available in the upcoming weeks⁵³.

- *homeless people*

Based on the Resolution of the Government of the Slovak Republic No. 220 of 14 April 2020 on Plan to address and reduce the risk of the onset and spread of COVID-19 among homeless people and on the admission of persons to selected public or non-public facilities of social services and to child and family centers⁵⁴, quarantine facilities for the homeless continued to be operated and set up throughout May in cities with a population of over 20,000. The testing of the homeless people has continued as well. In May, a comprehensive screening of the health condition of homeless people and testing for COVID-19 took place in the city of Košice where 170 homeless people were tested. None of them tested positive for COVID-19.⁵⁵

Since homeless people had already been in a difficult situation before the coronavirus crisis, the pandemic exacerbated their problems. The civic association Vagus, which operates in Bratislava with the highest number of most homeless people, have seen an unprecedented increase in requests for help.⁵⁶ The main groups are returnees from abroad who, as a result of the corona crisis, lost their jobs along with their homes and returned to Slovakia. Many people also lost their housing who were able to pay for living in a boarding house thanks to various small jobs. The moratorium on rents which applies from 1 April to 30 June 2020 does not include boarding houses. However, according to Ms. Tordova from Proti príúdu civic association dealing with the homeless people, quarantine and testing are only a small part of the measures. In her opinion, the system lacks more prevention – preventive accommodation for homeless people to protect themselves and not end up in quarantine facilities in

⁵³ Information provided by the ombudsperson for people with disabilities upon request on 28 May 2020.

⁵⁴ Slovakia, The Ministry of Labour, Social Affairs and Family (Ministerstvo práce, sociálnych vecí a rodiny), (2020) `UZNESENIE VLÁDY SLOVENSKEJ REPUBLIKY č. 220, 14 April 2020, available at <https://www.employment.gov.sk/files/slovensky/rodina-socialna-pomoc/socialne-sluzby/uvzsr/uznesenie-vlady-14-4-2020.pdf>

⁵⁵ Organizations working with homeless people (2020), 'Prvý komplexný zdravotný skríning ľudí bez domova na východnom', Press release, 26 May 2020, available at <https://www.notabene.sk/?aktuality&novinka=3692>

⁵⁶ Vatrálová, M. (2020), 'Ohrozená skupina, na ktorú štát zabúda. Chudoba ľudí bez domova sa prehlbuje', Aktuality.sk, 13 May 2020, available at <https://www.aktuality.sk/clanok/789742/ohrozena-skupina-na-ktoru-stat-zabuda-chudoba-ludi-bez-domova-sa-prehlbuje/?fbclid=IwAR1kA35XZQgqfGRaOpRJn-IXV7hKUZi01-ZUdfacybp6RvxKsGFDUoF9nwU>

the first place⁵⁷. Some shelters and dormitories quickly switched to a full-day stay. In general, coronavirus has not spread among the homeless.⁵⁸

- *Detainees (including measures on early release or alternatives to detention)*

There are currently 10,456 convicts in prisons in Slovakia. 94 prisoners were tested for COVID 19, of which only one tested positive. The first video visits took place in prison facilities in May, and this option has already been used by several convicts; as of May 25, 785 video visits have taken place.⁵⁹

The measures related to prisons in Slovakia have been relaxed from 2 June. The convicts can leave the prison for a short time (e.g. for a short visit of their relatives), sport, educational and cultural activities can be organized in the prisons again, external organizations/persons can also participate⁶⁰. Other restrictions (prohibition of visits in the prisons) continue and will be lifted during next weeks according to the decision of Central Crisis Staff session.⁶¹

In the shortened legislative process, the National Council of the Slovak Republic approved Act No. 73/2020 Coll.⁶², which amends certain laws within the competence of the Ministry of the Interior of the Slovak Republic in connection with COVID-19 disease. The Human Rights League reacts to the disputed § 131i Par. 9 in Art. XVI, which regulates Act no. 404/2011 Coll. on Residence of Foreigners⁶³, that states: “the enforcement of the decision on administrative extradition is postponed for the duration of the crisis situation. This postponement is not a reason for release from detention according to § 90 par. 2 (b) (i)” The Human Rights League points out that, throughout the crisis, no measures are being taken to return detainees, which is not only contrary to the right to personal liberty, but also to the public interest in the accelerated, effective and timely return of foreigners who are staying illegally on the territory. Police departments are obliged to perform return operations with due care. However, the provision temporarily relieved the police of the obligations related to the execution of extradition. The Human Rights League calls on the state authorities concerned to seek a functional solution that will ensure not only the public interest in controlling the movement and residence of foreigners on

⁵⁷ Vatrálová, M. (2020), ‘Ohrozená skupina, na ktorú štát zabúda. Chudoba ľudí bez domova sa prehlbuje’, *Aktuality.sk*, 13 May 2020, available at <https://www.aktuality.sk/clanok/789742/ohrozena-skupina-na-ktorostat-zabuda-chudoba-ludi-bez-domova-sa-prehlbuje/?fbclid=IwAR1kA35XZQgqfGRaOpRJn-IXV7hKUZi01-ZUdfacybp6RvxKsGFDUoF9nwU>

⁵⁸ Vatrálová, M. (2020), ‘Ohrozená skupina, na ktorú štát zabúda. Chudoba ľudí bez domova sa prehlbuje’, *Aktuality.sk*, 13 May 2020, available at <https://www.aktuality.sk/clanok/789742/ohrozena-skupina-na-ktorostat-zabuda-chudoba-ludi-bez-domova-sa-prehlbuje/?fbclid=IwAR1kA35XZQgqfGRaOpRJn-IXV7hKUZi01-ZUdfacybp6RvxKsGFDUoF9nwU>

⁵⁹ Information provided by Prison and Guard service, FB post from 29 May 2020, available at:

<https://www.facebook.com/ZVJSSR/photos/a.1068888763305062/1341973245996611/?type=3&theater>

⁶⁰ Slovakia, Ministry of Justice of the Slovak Republic (Ministerstvo spravodlivosti SR), Opatrenia rezortu na ochranu pred Covid-19. Opatrenia pre rezort spravodlivosti platné od 2. júna, available at:

<https://www.justice.gov.sk/Stranky/Ministerstvo/Opatrenia-COVID-19.aspx>

⁶¹ Information provided by Ms. Monika Kacvinská – spokeswoman of Prison and Court Guard Service via telephone call on 8 June 2020

⁶² Slovakia, Act No. 73/2020 Coll. (Zákon č. 355/2007 Z.z. ktorým sa menia a dopĺňajú niektoré zákony v pôsobnosti Ministerstva vnútra Slovenskej republiky v súvislosti s ochorením COVID-19), 9 April 2020, available at https://www.slov-lex.sk/static/pdf/2020/73/ZZ_2020_73_20200409.pdf

⁶³ Slovakia, Act No. 404/2011 Coll. on Residence of Foreigners and Amendment and Supplementation of Certain Acts, as amended (Zákon o pobyte cudzincov a o zmene a doplnení niektorých zákonov), 21 June 2007, available at <https://www.zakonypreludi.sk/zz/2011-404>

the territory of Slovakia, but also their rights in accordance with the Constitution and the European Convention on Human Rights⁶⁴.

In connection with the measures and the state of emergency, the number of detainees in the Police Detention Center for Foreigners in Sečovce increased due to closed borders.⁶⁵

2 Impact on fundamental rights of older people

2.1 Data/statistics

2.1.1 Share of persons 60+ in the total number of persons in the community infected, recovered and died in relation to COVID-19.

The Slovak authorities do not publish detailed information on age structure of people affected by coronavirus, recovered and those died in relation to COVID 19. The only relevant information published by the National Health Information Centre is the overall number of infected people (from the beginning of the pandemic situation in March) and their age structure. Authorities also do not provide information for age structure 60+, but only categories 55-64 and 65+.

As of the end of the May – there were 1521 positively tested people in Slovakia (since March) - 762 women and 759 men. In age category 55-64 the 211 people were infected and in category 65+ it was 214 people. 28 people died and one of them was younger than 60, 7 were of the age category 60-74 and 20 were older than 75 years of age⁶⁶.

1375 people has recovered from the disease (no information for the age structure available).

No such information is available for the period 1 May to 31 May 2020.

2.1.2 Share of persons 60+ in the total number of persons in institutional settings infected, recovered and died in relation to COVID-19.

No such information is available. On 20 May, the Public Health Authority published a more detailed analysis⁶⁷ of situation regarding COVID-19. According to this analysis, since March, **171** people have been infected in residential care homes (staff members included).

However, data are not disaggregated by the type of institutions and the age of the clients. Accordingly, no data are available on the number of people recovered, hospitalised or those who died.

⁶⁴ Olžbutová, B. (2020), 'Je bezúčelné pozbanenie slobody cudzincov v čase Covid-19 v súlade s Ústavou SR?', *Blog.SME.sk*, 24 April 2020, available at <https://ligazaludskeprava.blog.sme.sk/c/534391/je-bezucelne-pozbavenie-slobody-cudzincov-v-case-covid-19-v-sulade-s-ustavou-sr.html>

⁶⁵ Information provided by Ms. Meššová from The Human Rights League via telephone call on 27 May 2020.

⁶⁶ Official statistics provided by the National Health Information Centre, 31 May 2020, available at: <https://covid-19.nczisk.sk/sk>, Slovakia, Public Health Authority (Úrad verejného zdravotníctva SR), Covid-19 na Slovensku, prehľad aktuálnej situácie k 28.5.2020, available at: https://korona.gov.sk/wp-content/uploads/2020/05/analyza_covid_28052020_final.pdf

⁶⁷ Slovakia, Public Health Authority (2020) 'Covid 19 na Slovensku. Prehľad aktuálnej situácie k 20.5.2020', 20 May 2020, available at: https://korona.gov.sk/wp-content/uploads/2020/05/analyza_covid_20052020.pdf

2.1.3 Number and type of institutions affected

According to analysis of the Public Health Authority – **23 institutions**⁶⁸ were affected. All of them were institutions providing health and social care for older people as well as for people with disabilities (most of them provide services for these both categories of clients). Data disaggregated by the age and gender are not available.

2.1.4 Do official statistics on mortality rates from COVID-19 include deaths of older persons in care homes? Has there been any critique of data collection with respect to care homes?

No, such data are not available in Slovakia.

2.1.5 Independent studies published on the situation of older persons with respect to the impact of and responses to COVID-19

The two sociologists Miloslav Bahna and Robert Klobucký published an article in daily Denník N⁶⁹ analysing the demographic situation in Slovakia. According to them, Slovakia has the third “youngest” population in Europe after Ireland and Luxemburg. Only 3,3% of population is older than 80. Older people in Slovakia also maintain lower average contact with other people than older people in other countries and feel the most isolated and lonely from the all countries (based on the International Social Survey from 2017⁷⁰). According to this article, these factors are among those important explanations for the better pandemic situation (including older people) in Slovakia when compared to other countries.

Psychologists from the University of Pavol Jozef Šafárik in Košice (UJPŠ) published a report based on their research on impacts of pandemic situation on older people (from the age of 61 to 93). The main aim was to analyse how the older people perceive their current situation and how do they deal with it. According to the study, around 19% of older people feel some concerns regarding pandemic situation and one third does not feel any concern or just minimal. More than 70% of them declare they can handle the situation by themselves and only 4,2% of respondents cannot “handle the situation at all”. The vast majority (98%) follow the preventive measures (wearing face masks, social distancing, shopping in reserved time). Most of them do not feel any negative emotions, the tension declared 17% of them, sadness only 13% and anxiety around 10% of respondents⁷¹.

⁶⁸ Slovakia, Public Health Authority (2020) `Covid 19 na Slovensku. Prehľad aktuálnej situácie k 20.5.2020`, 20 May 2020, available at: https://korona.gov.sk/wp-content/uploads/2020/05/analyza_covid_20052020.pdf

⁶⁹ Bahna, M. – Klobucký, R. (2020) `Slovensko má počas epidémie dôležitú úlohu. Máme najmenej starých ľudí v únii a často žijú osamelo`, Denník N, 19 March 2020, available at: <https://dennikn.sk/1810036/slovensko-ma-pocas-epidemie-dolezitu-vyhodu-mame-najmenej-starych-ludi-v-unii-a-casto-ziju-osamelo/>

⁷⁰ Gesis (2017) `International Social Survey 2017`, available at: <https://www.gesis.org/issp/modules/issp-modules-by-topic/social-networks/2017>

⁷¹ UJPŠ (2020) `Výskum košických psychológov: Slovenskí seniori emocionálne prežívajú koronakrízu skôr pozitívne, väčšina sa cíti dobre`, press release 20 April 2020, available at: <https://www.upjs.sk/public/media/15147/spm-vyskum-koronavirus-seniori.pdf>

2.2 COVID-19 measures targeting older people

National guidelines/protocols in response to COVID-19 addressing older people

- in residential care homes (including protective equipment, visits etc.)

No specific guidelines or protocols regarding the residential care homes have been published by public authorities in Slovakia. However, some of the general regulations concern also the situation of residential care homes and older people living there.

The Public Health Authority issued the **Regulation of the Public Health Authority when endangering public health from 19 May 2020**⁷² - which means that some of the formerly introduced measures in relation to older persons persist, others start to be applied. Regarding the older persons living in residential care homes, the regulation specifies that the social service providers can continue in providing social services in residential settings, further the regulation specifies detailed conditions for preparing and delivering meal to seniors to avoid the spread of coronavirus in case some of the employees would be tested positive for coronavirus.

The Government approved the **Regulation on changes in the area of social services in the time of corona pandemic**⁷³. This regulation concerns among other forms of social services also the residential care homes for seniors. According to the Regulation, the social contact with family members or other close persons cannot be secured during the coronavirus pandemic, accepting new clients of residential care homes is limited (they can be accepted only in necessary cases and need to prove negative result of testing for coronavirus), clients who were provided with services on weekly basis (during working days) need to stay in the care home also during weekends or must accept the interruption of provided social services⁷⁴.

Other regulations stating rules for the area of social services in residential settings, procedures applied if any of the clients or employees is infected by coronavirus were published before the reporting period and are available for all social services providers at the website www.standardnepostupy.sk. These regulations still apply and have not been relaxed in any way.

- in the community in general

Regulation of the Public Health Authority when endangering public health from 19 May 2020⁷⁵ introduces following measures that have impact on older persons living in the community:

⁷² Slovakia, Public Health Authority (Úrad verejného zdravotníctva) (2020), Opatrenia Úradu verejného zdravotníctva Slovenskej Republiky pri ohrození verejného zdravia, no. OLP/4083/2020, from 19 May 2020, available at:

http://www.uvzsr.sk/docs/info/covid19/19_05_2020_navrh_opatrenie_UVZ_SR_prevadzky_3_faza_01.pdf

⁷³ Slovakia, Government of the Slovak Republic (Vláda SR) (2020), Návrh nariadenia vlády SR o niektorých opatreniach v oblasti sociálnych služieb v čase mimoriadnej situácie, núdzového stavu alebo výnimočného stavu vyhláseného v súvislosti s ochorením COVID-19, approved on 7 May 2020, available at:

<https://rokovania.gov.sk/RVL/Material/24828/1>

⁷⁴ Slovakia, Bratislava Self-governing region, 'Župa opätovne poskytuje sociálnu službu', 22 May 2020, available at: <https://bratislavskykraj.sk/zupa-opatovne-poskytuje-socialnu-sluzbu/>

⁷⁵ Slovakia, Public Health Authority (Úrad verejného zdravotníctva) (2020), Opatrenia Úradu verejného zdravotníctva Slovenskej Republiky pri ohrození verejného zdravia, no. OLP/4083/2020, from 19 May 2020,

- outpatient social services must be closed down – daily centres, outpatient specialised social services, etc.,
- persons older than 65 years of age should be allowed to do shopping between 9 – 11 a.m. (from Monday till Friday), other age categories are not allowed to visit stores during this time.

According to the **Regulation of the Public Health Authority when endangering public health from 15 May 2020** several categories of persons do not have to undergo the quarantine in state facilities including persons older than 75 years of age and persons with serious health problems. However, they need to prove that they have a negative result of the test for coronavirus not older than 96 hours at the border crossing. These persons are obliged to undergo 14-day quarantine at home⁷⁶. In the meantime, public authorities launched so called intelligent quarantine when all persons arriving from abroad are allowed to stay in home isolation for 14 days⁷⁷. However, they are obliged to use the application developed for this purpose⁷⁸.

Recommendation of the Public Health Authority for accompanying, patient visits and priest visits for performing spiritual services to patients during an epidemic COVID-19 disease in healthcare facilities states that the visits of patients in hospitals are limited to a necessary minimum, only specified categories of patients like terminally ill persons, persons with psychosocial disease (including dementia), etc. can be visited, however the visitor must be younger than 65 years of age⁷⁹.

Other regulations issued by the Public Health Authority during May for other areas of life like working conditions, visits of cultural events, sport activities etc. do not limit access of older persons to various types of services in any way.

2.2.1 National guidelines/protocols on patient triage that apply age as the main and decisive criterion

No guidelines/protocols on patient triage that would apply age as the main decisive criterion have been identified. This is probably thanks to the favourable pandemic situation in Slovakia. Small share of persons with Covid-19 needed hospital care so far and only small part of them were provided with intensive care⁸⁰.

available at:

http://www.uvzsr.sk/docs/info/covid19/19_05_2020_navrh_opatrenie_UVZ_SR_prevadzky_3_faza_01.pdf

⁷⁶ Slovakia, Public Health Authority (Úrad verejného zdravotníctva) (2020), Opatrenia Úradu verejného zdravotníctva Slovenskej Republiky pri ohrození verejného zdravia, no. OLP/3992/2020, from 15 May 2020, available at: http://www.uvzsr.sk/docs/info/covid19/final_navrh_statna_karantena_15_05.pdf

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⁷⁸ Slovakia, Public Health Authority (Úrad verejného zdravotníctva) (2020), Opatrenia Úradu verejného zdravotníctva Slovenskej Republiky pri ohrození verejného zdravia, no. OLP/3992/2020, from 15 May 2020, available at: http://www.uvzsr.sk/docs/info/covid19/final_navrh_statna_karantena_15_05.pdf

⁷⁹ Slovakia, Public Health Authority (Úrad verejného zdravotníctva) (2020), Recommendation of the Public Health Authority for accompanying, patient visits and priest visits for performing spiritual services to patients during an epidemic COVID-19 disease in healthcare facilities, no. OE/3976/92429/2020, from 11 May 2020, available at:

http://www.uvzsr.sk/docs/info/covid19/Odporucania_hlavneho_hygienika_SR_navsteva_sprievod_pacienta_v_ZZ.pdf

⁸⁰ Statistics of the National health information centre by 31 May 2020, available at: <https://covid-19.nczisk.sk/sk/>

2.2.2 Targeted testing of residents and staff in residential care homes

At the beginning of May, extensive testing of clients as well as employees of social services was initiated by using the Covid-19 rapid tests. The Ministry of Labour, Social Affairs and Family specified all details in its recommendation from 6 May⁸¹. In case the person is tested positive by using the rapid test, in following 1-2 days he/she is tested again by using the PCR test⁸². The overall results of the testing in residential care homes have not been published so far.

According to the official data, by 28 May 171 (11,5% out of all cases) persons infected by coronavirus were recorded in residential care homes, however, this figure includes also employees and may also include persons younger than 65 years of age. As for the professionals infected by coronavirus, 144 professionals were infected, out of them 43 were employees of social services⁸³.

2.2.3 Restrictions/bans on visits to residential care settings, and any (conditional) lifting of these restrictions

The restrictions on visits to residential care facilities still applied during May, like in previous months. At the end of May, the Ministry of Labour, Social Affairs and Family announced a gradual lifting of measures regarding the residential care homes due to the favourable epidemic situation in Slovakia⁸⁴. The strict measures for social services (including residential care homes) like the prohibition of visits of persons living in residential care homes, ban for the clients to leave the residential care homes even for a short time were adopted at the beginning of March⁸⁵. The gradual opening of the residential care homes is expected to start on 3 June and will take place in four stages⁸⁶. During the first phase, the clients of residential care homes will be allowed to meet with visitors (maximum of two persons) in the outdoor areas and indoor common areas of the residential care homes. The clients will be also

⁸¹ Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (Ministerstvo práce, sociálnych vecí a rodiny SR), 'Plošné testovanie v zariadeniach sociálnych služieb', available at: <https://www.employment.gov.sk/sk/koronavirus-pracovna-socialna-oblast/socialne-sluzby/plosne-testovanie-zariadeniach-socialnych-sluzieb.html>

⁸² Teraz.sk, 'Testovanie všetkých zamestnancov a klientov DSS rýchlotestami oznámil v druhej polovici apríla minister práce, sociálnych vecí a rodiny Milan Krajniak (Sme rodina)', 11 May 2020, available at: <https://www.teraz.sk/slovensko/m-krajci-rychlotesty-podstupilo-vy/466345-clanok.html>

⁸³ Slovakia, Public Health Authority (Úrad verejného zdravotníctva SR) (2020), Covid-19 na Slovensku, prehľad aktuálnej situácie k 28. 5. 2020, available at: https://korona.gov.sk/wp-content/uploads/2020/05/analiza_covid_28052020_final.pdf

⁸⁴ <https://www.employment.gov.sk/sk/informacie-media/aktuality/postupne-zmiernovanie-opatreni-socialnych-sluzbach.html>

⁸⁵ Slovakia, Public Health Authority, 'Informácia zo zasadnutia Ústredného krízového štábu v súvislosti s COVID-19', 6 March 2020, available at:

http://www.uvzsr.sk/index.php?option=com_content&view=article&id=4062:informacia-zo-zasadnutia-ustredneho-krizoveho-tabu-vnsuvislosti-sncovid-19&catid=250:koronavirus-2019-ncov&Itemid=153, Slovakia, Public Health Authority (Úrad verejného zdravotníctva) (2020), Verejná vyhláška, ktorou sa oznamuje vydanie rozhodnutia o nariadení opatrenia na predchádzanie vzniku a šírenia ochorenia podľa §48 odsek 4 písmeno e) zákona č. 355/2007 Z.z. o ochrane podpore a rozvoji verejného zdravia a o zmene a doplnení niektorých zákonov v znení neskorších predpisov, no. OLP/2405/2020, from 6 March 2020, available at: http://www.uvzsr.sk/docs/info/covid19/Rozhodnutie_zakaz_navstev_nemocnice.pdf

⁸⁶ <https://dennikn.sk/1908426/seniorov-v-dss-budu-moct-konecne-navstivit-ich-blizki-uvolnovanie-ma-styri-etapy-a-obmedzenia/?ref=list>

allowed to leave the homes for a short time for necessary health care or in order to arrange official matters⁸⁷.

2.2.4 Restrictive measures for older people living in the community

During May, the stores of all kinds had to provide persons older 65 years of age with reserved shopping hours during working days from 9 a.m. to 11 a.m. Within these hours, only persons older than 65 were allowed to enter the stores (similar to previous months)⁸⁸. However, people older than 65 could also do their shopping within other opening hours, but if they wanted to stay safe, they could visit the stores during the reserved hours. This measure has been changed at the beginning of June when the reserved hours for persons older than 65 stopped to be applied based on the regulation of the Public Health Authority⁸⁹.

Outpatient social services like daily centres, specialized social services, etc. for older people living in the community were closed down during the May as in the previous time period. Daily centres (outpatient social services where clients spend part of the day) are allowed to be opened from 3 June, however, their visitors must be younger than 62 years of age, which practically means that outpatient social services provided in the community are still closed for seniors⁹⁰. Their opening for people older than 62 is scheduled to start from 8 June⁹¹.

The visits to hospitals were extremely limited during May. Visits of patients were allowed only in specific cases and visitors had to be younger than 65 years of age⁹². The rules for the visits of patients with Covid-19 are even stricter, they are allowed only if the hospitalized person is in the termination stage of the disease, persons older than 65 are again excluded from the possibility to visit such a person⁹³.

⁸⁷ Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (Ministerstvo práce, sociálnych vecí a rodiny SR), 'Zmierňovanie opatrení v sociálnych službách sa začína', 2 June 2020, available at: <https://www.employment.gov.sk/sk/informacie-media/aktuality/zmiernovanie-opatreni-socialnych-sluzbach-zacina.html>

⁸⁸ Slovakia, Public Health Authority (Úrad verejného zdravotníctva) (2020), Opatrenia Úradu verejného zdravotníctva Slovenskej Republiky pri ohrození verejného zdravia, no. OLP/4083/2020, from 19 May 2020, available at: http://www.uvzsr.sk/docs/info/covid19/19_05_2020_navrh_opatrenie_UVZ_SR_prevadzky_3_faza_01.pdf

⁸⁹ www.korona.gov.sk, AKo sa budú uvoľňovať opatrenia od 3. júna 2020, available at: <https://korona.gov.sk/ako-sa-budu-uvolnovat-opatrenia-uvodne-informacie/>

⁹⁰ Slovakia, Public Health Authority (Úrad verejného zdravotníctva) (2020), 'ÚZV SR: Pristupujeme k ďalšiemu výraznému uvoľňovaniu opatrení', 1 June 2020, available at: http://www.uvzsr.sk/index.php?option=com_content&view=article&id=4328:uvz-sr-pristupujeme-knaliemu-vyraznemu-uvooovaniu-opatreni&catid=250:koronavirus-2019-ncov&Itemid=153

⁹¹ Slovakia, Ministry of Labour, Social Affairs and Family of the Slovak Republic (Ministerstvo práce, sociálnych vecí a rodiny SR), 'Zmierňovanie opatrení v sociálnych službách sa začína', 2 June 2020, available at: <https://www.employment.gov.sk/sk/informacie-media/aktuality/zmiernovanie-opatreni-socialnych-sluzbach-zacina.html>

⁹² Slovakia, Public Health Authority (Úrad verejného zdravotníctva) (2020), Recommendation of the Public Health Authority for accompanying, patient visits and priest visits for performing spiritual services to patients during an epidemic COVID-19 disease in healthcare facilities, no. OE/3976/92429/2020, from 11 May 2020, available at: http://www.uvzsr.sk/docs/info/covid19/Odporucania_hlavneho_hygienika_SR_navsteva_sprievod_pacienta_v_ZZ.pdf

⁹³ Slovakia, Public Health Authority (Úrad verejného zdravotníctva) (2020), Recommendation of the Public Health Authority for accompanying, patient visits and priest visits for performing spiritual services to patients

No other restrictive measures regarding the access of seniors to various services have been identified.

2.2.5 Access to healthcare for older people for conditions unrelated to COVID-19

The access to health care services have been limited during the coronavirus pandemic, only necessary health care has been provided. Measures limiting the provision of health care were relaxed in the course of May when specialized health care started to be provided as usual, hospitals started to carry out the surgeries as scheduled⁹⁴. According to the regulation issued by the Public Health Authority on 20 May, it is not needed anymore that the patients undergo 14-day quarantine or are tested for coronavirus before the planned surgery (which was required until that time). The measures adopted for the area of health care regarding the coronavirus pandemic have not specified any limitations when providing health care for older persons. On the other side, delays in providing health care were reported since the surgeries, health care checks and other health care procedures were postponed⁹⁵. The impact on older persons or persons with health problems may be more significant than on other age categories of the population.

No specific services were identified regarding the health care services for older people. General rules for the provision of health care apply also for this category of population. According to the guidelines for general practitioners, consultations for patients shall be provided personally, via phone call, electronic communications or by visiting the patients. The way of provision of health care is specified after the first contact via phone call⁹⁶.

2.2.6 Support measures and promising practices targeting older people, including access to goods and services online and offline, social/psychological support, and use of digital tools and technology

The Ministry of Labour, Social Affairs and Family has published on its website Recommended Procedures and Forms of Assistance and Support for the Elderly in Relation to the Increased Risk of

during an epidemic COVID-19 disease in healthcare facilities, no. OE/3976/92429/2020, from 11 May 2020, available at:

http://www.uvzsr.sk/docs/info/covid19/Odporucania_hlavneho_hygienika_SR_navsteva_sprievod_pacienta_v_ZZ.pdf

⁹⁴ Slovakia, Ministry of Health Care of the Slovak Republic (*Ministerstvo zdravotníctva SR*), Zdravotníctvo je opäť v klasickom režime, ponúkame praktické návody, 28 May 2020, available at:

<https://www.health.gov.sk/Clanok?covid-19-28-05-2020-pacienti-tk>

⁹⁵ Teraz.sk, 'Univerzitná nemocnica Bratislava odkladá plánované operácie', 12 March 2020, available at:

<https://www.teraz.sk/najnovsie/univerzitna-nemocnica-bratislava-odklad/451891-clanok.html>, *Dennik N*, 'Gastroenterológ Kluchó: Bude viac pacientov s nádormi, lebo sa odkladali vyšetrenia', 28 May 2020, available at: <https://e.dennikn.sk/1911051/gastroenterolog-klucho-bude-viac-pacientov-s-nadormi-lebo-sa-odkladali-vysetrenia/?ref=list>, *DennikE* (2020), *Pacienti sa niekedy márne dovolávajú vyšetrenia, či prehliadky, minister vyzýval lekárov, aby sa vrátili do práce*, 13 May 2020, available at: <https://e.dennikn.sk/1891489/pacienti-sa-niekedy-marne-domahaju-vysetrenia-ci-prehliadky-minister-vyzyval-lekarov-aby-sa-vratili-do-prace/?ref=list>

⁹⁶ Slovakia, National Crisis Clinical Team (Národný krízový klinický tím) (2020), Štandardný postup pre poskytovanie zdravotnej starostlivosti vo všeobecnej ambulancii pre dospelých počas pandémie Covid-19 (verzia platná od dňa 1.6.2020), available at: https://standardnepostupy.sk/_files/200000529-9134b9134d/%C5%A0tandardn%C3%BD%20postup%20pre%20poskytovanie%20zdravotnej%20starostlivosti%20vo%20v%C5%A1eobecnej%20ambulancii%20pre%20dospel%C3%BDch%20v%C5%A1vislosti%20s%20COVID-19%20v4%201.6.2020.pdf

COVID-19 Virus Spread, recommending an assistance system for non-profit organizations, local authorities, nursing and social services caring for the elderly.⁹⁷ At the same time the Ministry of Labour and Social Affairs published the List and contacts of psychologists, who are available for isolated seniors.⁹⁸ In addition to other cities, the capital city of Bratislava has launched as well a free telephone helpline, which seniors can turn to with questions, but also with a request for help. The line is available every day between 8:00 and 17:00 on the telephone number 0800 242 000.⁹⁹

Since the outbreak of the pandemic, we have recorded numerous initiatives of cities and local governments that help seniors, but also initiatives of various voluntary or non-profit organizations that take care of food delivery, purchase of medicines or assistance to seniors. Many cities have launched their own projects to help the elderly and started coordinating volunteers¹⁰⁰.

Association of social services providers delivered around 550 tablets to residential care homes to enable communication of their clients with their close persons. Several private companies were involved in the project who donated the tablets and association secured their distribution to clients of the residential care homes¹⁰¹.

2.2.7 Consultation of older people's organisations and/or other civil society organisations in the design, implementation and review of COVID-19-related measures

Ministry of Labour, Social Affairs and Family in very close cooperation with organizations representing social service providers (especially the Association of Social Workers, the Association of Social Service Providers and the Socioforum) and representatives of self-governing bodies (SK8 Association, Slovak Association of Towns and Municipalities) prepared a plan for the gradual release of the measures taken.¹⁰²

We have not identified other consultations of organizations representing older people or civil society organizations.

⁹⁷ Slovakia, The Ministry of Labour, Social Affairs and Family (Ministerstvo práce, sociálnych vecí a rodiny), (2020) 'Odporúčané postupy a formy pomoci a podpory seniorom v súvislosti so zvýšeným rizikom šírenia nákazy vírusom COVID-19', available at <https://www.mpsvr.sk/sk/koronavirus-pracovna-socialna-oblast/seniori/>

⁹⁸ Slovakia, The Ministry of Labour, Social Affairs and Family (Ministerstvo práce, sociálnych vecí a rodiny), (2020) 'Pomoc pre seniorov, osoby so zdravotným postihnutím, deti a mládež pri sociálnej izolácii', available at <https://www.employment.gov.sk/sk/koronavirus-pracovna-socialna-oblast/zavolajte-nam-pomozeme-vam/>

⁹⁹ Bratislava.sk (2020), 'Informácie a odporúčania k novému koronavírusu a ochoreniu COVID-19', available at <https://bratislava.sk/sk/informacie-a-odporucania-k-novemu-koronavirusu-a-ochoreniu-covid-19>

¹⁰⁰ Denník N (2020), 'Minúta po minúte', 16 March 2020, available at <https://dennikn.sk/minuta/1803982/>

¹⁰¹ Asociácia poskytovateľov sociálnych služieb, Projekt „tablet zo srdca“, 14 May 2020, available at: <https://apssvsr.sk/aktuality/projekt-tablet-zo-srdca-je-tu/>

¹⁰² Slovakia, The Ministry of Labour, Social Affairs and Family (Ministerstvo práce, sociálnych vecí a rodiny), (2020) 'Postupné zmiernovanie opatrení v sociálnych službách', 29 May 2020, available at <https://www.employment.gov.sk/sk/informacie-media/aktuality/postupne-zmiernovanie-opatreni-socialnych-sluzbach.html>