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Contact: Zoë Bryanston-Cross  
Tel: 03.90.21.59.62

Date: 31/01/2023

### DH-DD(2023)129

Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1459<sup>th</sup> meeting (March 2023) (DH)

Communication from the authorities (30/01/2023) concerning the case of R.R. and R.D. v. Slovakia (Application No. 20649/18).

Information made available under Rule 8.2a of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion : 1459<sup>e</sup> réunion (mars 2023) (DH)

Communication des autorités (30/01/2023) relative à l'affaire R.R. et R.D. c. Slovaquie (requête n° 20649/18) **[anglais uniquement]**.

Informations mises à disposition en vertu de la Règle 8.2a des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

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DGI

30 JAN. 2023

SERVICE DE L'EXECUTION  
DES ARRETS DE LA CEDH

Ms Dimitrina Lilovska  
Head of Section  
Department for the execution of judgments of the  
European Court of Human Rights  
Council of Europe  
F-67075 Strasbourg Cedex  
France

Your letter Nr. / Dated:

Our Nr.:  
11908/2023/AB

Prepared by:  
Čahojová

Bratislava  
30 January 2023

**Cases R.R. and R.D. v. Slovakia (Application No. 20649/18), judgment of 01/09/2020, final on 01/12/2020**

Dear Madam,

In the context of the execution of the judgment of the European Court of Human Rights (hereinafter the "European Court") in the case of R.R. and R.D. v. Slovakia (application no. 20649/18), the General Prosecutor's Office of the Slovak Republic sent to the Office of the Agent of the Slovak Republic before the European Court of Human Rights a written statement, which included the following:

The applicants did not initiate a reopening of the proceedings, however, on the instruction of the General Prosecutor's Office of the Slovak Republic, the Regional Prosecutor's Office in Prešov repeatedly examined the complete investigation file in January and February 2021 following the judgment of the European Court. They informed the General Prosecutor's Office of the Slovak Republic about the result of the examination of the investigation file by letter No. Kv 13/14-7700-175 of 12 February 2021 and attached a complete file to the report. Among other things, the Regional Prosecutor's Office in Prešov stated in the report that it did not find any grounds that would require reopening of the proceedings. It assessed the findings and conclusions of the European Court as a relevant basis for professional discussion and possible legislative changes.

Thereafter, the General Prosecutor's Office of the Slovak Republic examined the complete file material. They were examining the possibility of reopening of the criminal proceedings in relation to the possibility of conducting further evidence that would lead to the identification of the perpetrators who had caused the applicants' injuries. In doing so, account must be taken of the time that has elapsed since the offence was committed.



On 30 January 2023, the prosecutor of the Criminal Division of the General Prosecutor's Office of the Slovak Republic instructed the Regional Prosecutor's Office in Prešov to ensure that the prosecution was resumed (section 6 § 1 (a) of Act No. 153/2001 Coll. on the Public Prosecution, as amended). The order states that paragraph 4 of the conclusion of the judgment of the European Court shows that the European Court has found in the present criminal case that Article 14 of the Convention, read in conjunction with Article 3 of the Convention, has been violated in the context of the failure to investigate the alleged discrimination in the planning of the 19 June 2013 event in so far as it relates to the applicants. The Committee of Ministers of the Council of Europe invited the Slovak Republic to submit a thorough assessment of the possibility of reopening of the national investigation in the case. Therefore, in view of the Slovak Republic's obligation to comply with the judgments of the European Court, pursuant to Article 6 § 1 (a) of Act No. 153/2001 Coll. on the Public Prosecution, as amended, the instruction to ensure the re-prosecution of the case has been issued. In the course of these proceedings, evidence will be taken, on the basis of which the merits of the case will be decided.

The General Prosecutor's Office of the Slovak Republic will inform the Agent of the Slovak Republic before the European Court of Human Rights of the outcome of the renewed prosecution. Followingly, information will be submitted to the Department for the execution of judgments of the European Court of Human Rights without any delay.

Yours faithfully,

Miroslava Bálintová  
Agent of the Slovak republic  
before the European Court of Human Rights