

# SLOVAKIA 2015 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The Slovak Republic is a multiparty parliamentary democracy led by a prime minister and a 150-member parliament (Narodna Rada). Prime Minister Robert Fico headed the Smer-SD (Direction-Social Democracy) party, which secured a majority of seats in the 150-member National Council in the 2012 parliamentary elections. Voters elected Andrej Kiska to a five-year term as president and head of state in March 2014. Civilian authorities maintained effective control over security forces.

Notable human rights problems included official corruption; a judiciary that was inefficient and engendered low public trust; and widespread discrimination against Roma, including excessive use of police force in Romani communities, societal discrimination and violence against Roma, and continued segregation of Romani children in education.

Other human rights problems included: excessive use of police force against migrants, physical mistreatment of detainees, and police use of unauthorized holding areas to detain persons; lack of independent oversight of police; targeting of the press for civil defamation suits by members of the political, judicial, and financial elite; expressions of anti-Semitism by right-wing groups; and demeaning statements and demonstrations against refugees and migrants.

The government investigated reports of abuses by members of the security forces and other government institutions, although some observers questioned the thoroughness of these investigations. Some officials engaged in corrupt practices with impunity. No high-level officials were convicted of corruption during the year.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary or Unlawful Deprivation of Life**

There were no reports that the government or its agents committed arbitrary or unlawful killings.

#### **b. Disappearance**

There were no reports of politically motivated disappearances.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and the law prohibit such practices, and the government mostly respected these provisions.

Nongovernmental organizations (NGOs) and members of the Romani community cited a continuing trend of police officers mistreating Romani suspects during arrest and while in custody. NGOs and the ombudswoman reported excessive use of force, intimidation, and property damage by police during a raid on the Romani community in Vrbnica in April.

On September 3, a police riot control unit was used at the Medvedov Bureau of Border and Alien Police (BBAP) detention center for foreigners to disperse a group of 60 migrants, many from Syria, who staged a sit-in protest in the cafeteria. The group demanded they be released so they could continue their intended journey to Germany. Police initially claimed the intervention resulted in no injuries, but several protesters reported to NGOs and the media that the intervention was violent, multiple detention center inmates sustained physical injuries, and police singled out group leaders for additional beatings. The police president later admitted that police used “holds and grips” on 45 individuals but insisted the intervention was not violent. Before local NGOs were able to visit the Medvedov facility, police unexpectedly released the detainees, who subsequently made their way to Germany.

One local NGO established contact with some of the migrants after their arrival in Germany and received from them photographic evidence of bruising on their bodies consistent with baton strikes. According to testimonies given to the NGO, apart from using force against migrants in the cafeteria, police allegedly raided a separate floor housing mainly Syrians who were not involved in the protest. The NGO also reported that police might not have released one of the inmates who had sustained physical injuries during the raid but instead placed the individual in solitary confinement; police did not allow NGO representatives access to the individual. Afterwards the Ministry of Interior halted cooperation with the NGO and urged the Office of the UN High Commissioner for Refugees (UNHCR) to drop it as its implementing partner in Slovakia, where the NGO monitors refugee returns on UNHCR’s behalf.

A 2014 report by the Council of Europe's Committee for the Prevention of Torture (CPT) found that, while most prisoners and detained individuals in the facilities it visited made no complaints of physical mistreatment, there were a number of credible allegations of physical mistreatment consisting mostly of slaps, punches, and kicks immediately following arrest or before and during police interrogations. There were also reports of verbal abuse, racist remarks, and threats to detained persons. The Control and Inspection Service of the Ministry of Interior dismissed or discontinued most investigations into cases involving injuries allegedly caused by police. The CPT and the Slovak ombudswoman questioned the independence of the Inspection Service, since the service answers to the minister of interior, who also oversees the police force.

Two cases of involuntary sterilization of Romani women remained pending in the national courts. In 2011 and 2012, the European Court of Human Rights ruled against the country in three cases of sterilization of Romani women that were performed between 1999 and 2002. Advocacy groups criticized the government for failing to improve the way doctors communicated with patients from marginalized communities regarding sterilization, pointing out that, while they were a positive development, government initiatives to provide disclaimer forms in minority languages were not sufficient.

### **Prison and Detention Center Conditions**

Prison and detention center conditions generally met international standards.

Physical Conditions: There were reports of small facilities for the temporary placement of arrested persons at police stations, which authorities often used for prolonged or overnight detention. Persons in police custody for 24 hours or more were not offered outdoor exercise opportunities under suitable conditions. In some prison facilities, the CPT found toilets in multi-occupancy cells that were not fully partitioned as well as insufficient access to a doctor. In several facilities juveniles shared cells with adult inmates. Some reports mentioned isolated cases of physical mistreatment, verbal abuse, and racist remarks by prison guards.

In August the ombudswoman released a report based on investigations carried out between September and October 2014 in 19 police units. It found that some units had established unauthorized spaces where police detained individuals under conditions that were not always in line with the law. The report noted police sometimes detained individuals in these spaces for longer periods than authorized

and without appropriate documentation. The unauthorized spaces included cages, rooms separated with bars, and corridors.

Administration: Authorities rarely used alternatives to incarceration--house arrest and community service--that were available for nonviolent offenders. During 2014 courts sentenced 17 individuals to house arrest and imposed a total of 3,351 hours of community service. Authorities often used conditional termination of criminal prosecution. While prisoners were able to file complaints without censorship, and a prosecutor or ombudsperson were available to deal with them, several prisoners claimed they were reluctant to complain about mistreatment due to fear of reprisals or because they believed authorities would not act on their complaints.

Independent Monitoring: The government permitted visits by independent human rights observers and the CPT.

#### **d. Arbitrary Arrest or Detention**

The constitution and the law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

#### **Role of the Police and Security Apparatus**

The national police force has sole responsibility for internal and border security and reports to the Ministry of Interior. The head of the police force reports directly to the minister of interior, who has the authority to expel any member of the police. A special anticorruption police department, a special prosecution unit, and a specialized criminal court address corruption cases. The Bureau of Border and Alien Police, which falls under the authority of the Ministry of Interior, is responsible for border control and preventing illegal migration and people smuggling, including investigations of related criminal activities. It also exercises limited powers in asylum proceedings. In 2014, the most recent year for which data was available, authorities charged 112 police officers with 129 crimes, including abuse of power in 34 cases. In 2014 one case of bribery of a police officer and three cases of indirect bribery were reported.

NGOs and the ombudswoman criticized the Police Inspection Service, which oversees police misconduct cases, for lacking independence, since it is subordinate to the minister of interior, who oversees the police force. Following a June visit to Slovakia, the Council of Europe Commissioner for Human Rights called on the government to establish an independent mechanism to evaluate police misconduct

complaints. An NGO analysis published in July and based on official Ministry of Interior statistics found the service substantiated slightly more than 2 percent of complaints against the police force in 2014. During 2014 the inspection service failed to substantiate a single complaint against police for physical violence or racial intolerance. In 56 percent of the cases in which police officers were found to be liable, the punishment consisted of a verbal reprimand. Only in one case was a police officer dismissed.

According to human rights NGOs, the Police Inspection Service did not appear to be interested in thoroughly investigating most complaints of police brutality. In its report on police oversight during 2014, one NGO found that, of 215 complaints concerning police violence, the Inspection Service deemed 88 percent to be unsubstantiated without initiating a thorough investigation. The NGO claimed that, based on its experience representing individuals in police brutality cases, the Inspection Service appeared to give more credibility to testimonies of police officers than those of aggrieved parties and had a tendency to downplay the importance of medical and psychological reports provided by aggrieved parties.

Human rights training remained in the curriculum at police training facilities.

### **Arrest Procedures and Treatment of Detainees**

The constitution and law stipulate that authorities may take a person into custody only for explicit reasons and must inform a detainee immediately of the reasons for detention. A court must hear a detainee within 48 hours or the detainee must be released. A court must grant a hearing to a person accused of a crime within 48 hours (or a maximum of 72 hours for “serious cases,” defined as violent crimes, treason, or other crimes carrying a sentence of at least eight years) and either release or remand the individual in custody. A bail system functioned effectively. The law gives detainees the right to consult an attorney immediately after authorities submit charges, and authorities must inform them of this right. The government provided free counsel to indigent detainees. The law allows attorneys to visit detainees as frequently as necessary and allows monthly family visits upon request.

In its 2014 report on the country, the CPT found shortcomings in the ways authorities informed detainees of their rights orally and in writing. Authorities did not always provide detainees prompt access to a lawyer after arrest. The CPT found that in very few cases did detained persons have an opportunity to consult an

attorney from the outset of police detention or to request that an attorney be present during the interrogation or initial questioning.

### **e. Denial of Fair Public Trial**

While the law provides for an independent judiciary, problems with alleged corruption, inefficiency, and a lack of integrity, transparency, and accountability undermined judicial independence.

In June 2014 the parliament adopted a constitutional amendment that requires all sitting judges and candidates for judicial positions to receive security clearances from the government that attest to their suitability for public office. Proceedings to review the constitutionality of the law were pending. The measure was widely criticized by judicial associations, NGOs, and legal experts, who asserted the security clearance process was nontransparent, could be abused for political purposes, and would limit judicial independence.

With the exception of the Constitutional Court, courts employed a computerized system for random case assignment to increase fairness and transparency. There were reports, however, that this system was subject to manipulation. The Constitutional Court confirmed that in several cases a former supreme court chairman had arbitrarily changed the composition of judicial panels contrary to fair trial guarantees.

### **Trial Procedures**

Defendants enjoy a presumption of innocence. They are also presumed innocent during the appeals process, and a person found guilty by a court does not serve a sentence or pay any fine until the final decision on appeal has been reached. Persons charged with criminal offenses have the right to be informed of the charges against them and are entitled to fair and public trials. The law does not provide for jury trials. A panel of three judges is obligatory in criminal cases and in civil cases at the regional court and Supreme Court levels. Defendants have the right to adequate time and facilities to prepare a defense, to be present at their trial, consult in a timely manner with an attorney (at government expense if indigent), access government-held evidence, confront prosecution witnesses, and present witnesses and evidence on their behalf. Defendants have the right to refuse self-incrimination and may appeal adverse judgments. The law allows plea bargaining, which reduced the backlog of court cases.

Inefficiency remained a major problem in the country's judiciary, leading to long trials, which in civil cases discouraged individuals from filing suit. EU Commission statistics showed that bankruptcy proceedings took four years on average to complete. The average length of civil and commercial court cases was more than 500 days, while economic competition cases took approximately 800 days. During the first half of the year, the Constitutional Court declared in 125 cases that an individual's right to a hearing within a reasonable time was violated, resulting in 347,110 euros (\$382,000) being awarded as compensation for delays.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

Citizens had unrestricted access to courts to file lawsuits in civil matters, including human rights violations. Courts that hear civil cases, as with criminal courts, were subject to delays. The judiciary suffered from very low public trust and an apparent lack of accountability, and the public often perceived it as corrupt.

Administrative remedies were available in certain cases. The National Center for Human Rights has the authority to provide mediation for cases of discrimination and to represent claimants in court. Human rights organizations criticized the center for lack of activity and ineffectiveness.

The ombudswoman reported denial of the right to a speedy trial remained one of the most frequent violations, recording 143 violations in 2014.

### **Property Restitution**

Rent-control regulations for apartment owners whose property was restituted after the fall of the communist regime remain a problem. The state has regulated rents in these properties at below market rates since 1992. In 2014 the European Court of Human Rights (ECHR) concluded the regulations violated the property owners' rights in 21 cases. In July the ECHR ordered the state to pay 2,170,000 euros (\$2,387,000) in damages to the property owners. Another 13 cases filed by 170 persons remain pending before the ECHR. Although legislative steps were taken to eliminate the discriminatory treatment of the owners, according to the ECHR, specific and clearly regulated compensatory remedies should be provided to the property owners.

## **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The constitution and law prohibit such actions, although there were reports that the government failed to respect these prohibitions in some cases.

Police must present a warrant before conducting a search or within 24 hours afterwards. A report by the ombudswoman on an April 2 police raid on the Romani community in Vrbnica concluded that officers violated residents' right to privacy and property. The raid, which included house-to-house searches conducted without warrants, resulted in physical injuries to 19 residents. An official investigation into the raid remained pending.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The constitution and law provide for freedom of speech and press. While the government generally respected these rights, in some instances it impeded criticism and limited the speech and activities of groups it considered extremist.

Freedom of Speech and Expression: The law prohibits the defamation of nationalities, punishable by up to three years in prison, and denial of the Holocaust and crimes committed by Fascist and Communist regimes, which carry a prison sentence of six months to three years.

Press and Media Freedoms: Independent media were active and expressed a wide variety of views. The majority of media were privately owned or funded from private sources. Radio and Television Slovakia and the TASR news agency received state funding for specific programming. Observers expressed concern, however, about the increasing consolidation of ownership in the media sector, pointing to a potentially long-term threat to press freedom. For example, observers noted most of the country's private media outlets, including television and print outlets, were controlled by relatively few financial conglomerates or wealthy individuals.

Members of the cabinet intermittently refused to communicate with two major daily newspapers, claiming their reporting was biased and that they had refused to apologize for publishing information that government officials claimed was untrue.



In May, Prime Minister Fico canceled the center-right investigative daily newspaper *Dennik N*'s accreditation to cover his foreign travel after the newspaper distributed stickers with an unflattering Fico caricature. Afterwards, Fico allegedly ordered government ministries not to communicate with the daily. According to *Dennik N*, spokespersons from at least three ministries confirmed receiving instructions from Fico's office not to communicate with the newspaper. Fico claimed that by distributing the stickers the daily had become an opposition entity and therefore there was no reason for the government to communicate with them. Some legal experts stated, however, that Fico's action might be illegal, since the country's press law requires the government to provide information to the press and press agencies without discrimination. At least four other print media outlets expressed their disagreement with Fico's action, and the International Press Institute (IPI) Slovakia called on Fico to reverse his decision.

In an op-ed published in the center-left daily newspaper *Pravda* on May 19, Fico stated the "European model" does not consider the freedom of speech and press as an "absolute right and that these freedoms can be legitimately limited when interfering with other rights and freedoms." Fico opined that, while the media should serve as watchdogs, there should be limits on the extent to which they can interfere with the private lives of politicians.

Libel/Slander Laws: While courts rarely imposed criminal penalties for defamation, members of the government, judiciary, and political and financial elites targeted the press in a number of civil defamation lawsuits, which often required the press to pay large sums of money. IPI Slovakia and other observers expressed concern this financial risk could lead to media self-censorship. IPI Slovakia expressed "deep concern" about cases in which, in its words, members of the judiciary acted as though "they were a class of 'untouchables.'"

In April an appeals court upheld a lower court judgment ordering the tabloid *Novy Cas* to apologize to Supreme Court judge Daniel Hudak for publishing pictures and an article suggesting the judge had mimicked a notorious mass shooting. Proceedings remained pending for the judge's claim for 100,000 euros (\$110,000) in damages.

At a public discussion in April, Prime Minister Fico threatened to lodge new libel suits against two newspapers, *Hospodarske Noviny* and *Plus 7 Dni*, for articles detailing his alleged ties to oligarchs and the activities of his wife and son. Fico also criticized *Plus 7 Dni* for rejecting a "peace offering" after he abandoned his previous libel suit against the newspaper a few years before.

In August the financial group Penta, which purchased several prominent media outlets in recent years, filed a libel and defamation suit against *Dennik N* over an op-ed accusing Penta of collaborating with prominent businessman Juraj Siroky in defrauding the health insurer Dovera, partly owned by Penta, out of 400 million euros (\$440 million). Before filing the suit, Penta allegedly pressured *Dennik N* editors to apologize publicly, which they refused to do. *Dennik N* was founded by former daily newspaper *Sme* editors and journalists who departed after Penta purchased a stake in the newspaper's owner.

Earlier in the year, Penta also lodged a libel and defamation suit against newspaper *Hospodarske Noviny* editor Dag Danis for an article accusing Penta of profiting from a military sale as a subcontractor.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority. Police monitored websites containing hate speech and attempted to arrest or fine the authors, however. According to the International Telecommunication Union, approximately 80 percent of the country's population used the internet in 2014.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

## **b. Freedom of Peaceful Assembly and Association**

### **Freedom of Assembly**

Shortly before the start of a far-right antirefugee protest in the town of Trnava in September, police called in one of its main organizers, Marian Kotleba, Banska Bystrica regional governor and leader of the far-right People's Party Our Slovakia, to answer questions about a separate incident. As a result, Kotleba was unable to attend or speak at the protest. Police subsequently prevented protesters from entering the town of Gabcikovo, the site of their planned protest, and participants said police repeatedly subjected the group to checks along the route to the town. The government claimed the protesters were prevented from entering Gabcikovo because another large event was planned there at the same time.

**c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

**d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution and the law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, or other persons of concern.

**Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has an established system for providing some protection to refugees. Some organizations criticized the Migration Office for granting asylum only in a very limited number of cases. While 130 asylum applications were submitted as of August, asylum was granted in only seven cases. In recent years the country rejected nearly 99 percent of all asylum applications.

During the first half of the year, NGOs continued to criticize the BBAP for unnecessarily holding some asylum seekers in detention facilities rather than transferring them to specialized facilities for asylum seekers that allow greater freedom of movement. NGOs accused the BBAP of falsely claiming that asylum applicants were a flight risk or that they had submitted asylum applications in bad faith in order to keep them detained. According to NGOs, the detention facilities lacked services and support the individuals could have received in dedicated facilities for asylum seekers. In the second half of the year, the BBAP reduced the number of detained asylum seekers because the detention facilities were close to full capacity.

NGOs were critical of procedures used to determine the age of undocumented migrants who claimed to be minors. The BBAP allegedly used X-rays of applicants' wrists to decide whether an applicant was below the age of 18 years. Several NGOs asserted this procedure could not confirm with sufficient accuracy an applicant's age.

In July a Ministry of Interior amendment came into force to prevent unaccompanied minors from being transferred to asylum facilities and allow them to stay in child protection and social guardianship during asylum procedures.

Safe Country of Origin/Transit: The country denied asylum to applicants from a safe country of origin or transit. The law requires authorities to ensure the well-being of individual asylum seekers is not threatened if deported to a non-EU “safe country.” Some observers criticized the BBAP for lacking the information necessary to determine whether a country would be safe for persons facing deportation there.

Employment: The law requires aliens with subsidiary protection to renew their status after one year, and then every two years afterwards. Critics asserted the uncertainty created by the relatively short periods of temporary residence granted made it more difficult for aliens with subsidiary protection to find stable employment. As of October, 40 individuals had been granted subsidiary protection during the year.

Access to Basic Services: There were reports of aliens granted subsidiary protection having only limited access to health care. The Ministry of Interior issued health insurance documentation directly to aliens with subsidiary protection, which in some instances created confusion among health-care providers who often did not know which medical procedures the policy would cover.

NGOs reported asylum seekers had only limited access to qualified, independent legal advice. The Migration Office contracted a new NGO to provide legal services for asylum seekers at its initial reception facility in Humenne, but the quality of the legal advice remained uncertain. Migration Office staff allegedly endeavored to provide legal advice to some asylum applicants, even though they were also interviewing the asylum seekers and adjudicating their asylum applications.

Durable Solutions: The Migration Office accommodated refugees who were being processed at the UNHCR Emergency Transit Center in Humenne for resettlement to a permanent host country. The refugees were moved to Slovakia from other countries due to security and humanitarian concerns. The center is permitted to accommodate up to 250 refugees at a time for a period of up to six months. In October the government increased the maximum number of refugees permitted to be accommodated at the center at any given time from 150 to 250.

In July, Minister of Interior Robert Kalinak and Austrian Interior Minister Johanna Mikl-Leitner signed an agreement allowing for a maximum of 500 asylum seekers registered in Austria to be temporarily accommodated at a facility in the Slovak village of Gabčíkovo while their asylum applications were being processed in Austria. The first asylum seekers registered in Austria arrived in Gabčíkovo in September, and by the end of October there were nearly 500 refugees from Austria housed there.

Temporary Protection: The government provided “subsidiary protection,” which is granted if asylum is denied but the individual is not eligible for deportation to his or her country of origin due to administrative problems or fear for the person’s safety.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and the law provide citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage, and citizens exercised that ability.

#### **Elections and Political Participation**

Recent Elections: Observers considered the most recent parliamentary elections in 2012 to be free and fair.

Participation of Women and Minorities: Women were underrepresented in most spheres of public life. In the 2012 parliamentary elections, women made up 26 percent of the candidates and 16 percent of elected members of parliament. In the 2013 regional elections, 16 percent of candidates were women. There were no female members of cabinet, and 64 percent of judges were women.

The 2012 parliamentary elections brought in the first Romani member of parliament since the country gained independence. There were small but increasing numbers of Romani mayors and members of local parliaments, but Roma were still severely underrepresented in communal, provincial, and national elective bodies. NGOs expressed concerns over vote-buying tactics targeting marginalized Romani communities during the 2012 parliamentary elections, as well as anti-Romani rhetoric by extremist and some mainstream political parties.

### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials. The government did not always implement the law effectively, however, and some officials engaged in corrupt practices with impunity. High-level officials were rarely prosecuted for corruption, despite a series of high-profile corruption cases involving government officials. There were also concerns, particularly in the business sector, about private sector influence over judicial decisions, and some NGO governance experts reported court proceedings had become a contest between vested interests and persons with connections to the judicial powers. The World Bank's Worldwide Governance Indicators reflected that corruption remained a problem, while Eurobarometer polling from 2014 found that 90 percent of citizens believed corruption was widespread. In February, Transparency International released a survey showing that 95 percent of citizens believed that bribery or corruption existed in the health-care sector, with 64 percent describing it as widespread and 22 percent admitting to paying bribes themselves.

Corruption: On June 18, the Supreme Court sentenced Martin Novotny, a former advisor to then prime minister Iveta Radicova, and Igor Liska, a former ambassador to Kenya, to 18- and 15-month prison sentences, respectively, and fines of 15,000 euros (\$16,500) each. Novotny and Liska were charged with receiving a 30,000 euros (\$33,000) bribe from a businessperson in 2011 and for arranging a subsidy of 300,000 euros (\$330,000) from the Government Office for completing the reconstruction of a biathlon course.

On June 15, 40 opposition lawmakers convened an extraordinary session of parliament to focus on Special Prosecutor Kovacik's activities in investigating the 2011 Gorilla scandal. The scandal involved leaked wiretap files that allegedly implicated politicians, officials, and business executives from the Penta financial conglomerate discussing kickbacks in return for procurement and privatization contracts. The lawmakers proposed a resolution that would require the parliament to investigate the case and express concern over Kovacik's interference in its timely investigation, but the proposal was rejected by members of parliament from the ruling Smer party. As of September, there had been no prosecutions resulting from the case.

In August, after almost seven years, police concluded the investigation into five individuals, including two former ministers of construction and regional development, and recommended that the Prosecution Service initiate indictments against the individuals for public procurement fraud. The case involved a public tender for services worth 100 million euros (\$110 million) that was advertised on

only one notice board at the Ministry of Construction and Regional Development. Only one consortium was aware of the tender and took part in it.

In some cases officials who were dismissed for suspected corruption were later reappointed to new positions. In February former ministry service office director Martin Sencak, who was earlier dismissed for suspected corruption after signing overpriced contracts for catering at major hospitals, was appointed to the position of the deputy chairman of the Health-Care Supervisory Authority. Observers criticized Sencak's new appointment, arguing that it was done without a proper selection process.

During the year the government adopted a new anticorruption action plan, which focuses on improving the efficiency of the judiciary, increasing transparency and predictability in the legislative process, and fighting corruption as a means of attracting additional foreign investment. Observers complained that, while the plan included some noteworthy elements, such as a new analytical center for the Ministry of Interior's Anticorruption Police, it was hastily prepared without adequate consultation with experts and civil society.

According to the *Basel AML Index 2015 Report* issued by the Basel Institute on Governance in August, the country was lagging in the fight against money laundering.

Financial Disclosure: The law requires income and asset disclosure by appointed and elected officials and mandates a parliamentary conflict of interest committee to monitor and verify such disclosures. The government made a general summary of the declarations publicly available, and there were penalties for noncompliance. Concerned NGOs observed that the declaration forms did not clearly identify the value of the assets, liabilities, and interests declared.

Public Access to Information: The public had good access to government information, and authorities implemented related laws effectively. In isolated cases authorities refused to disclose contracts by state-owned companies or public institutions, leading watchdog NGOs to file court complaints. The list of exceptions to public disclosure requirements was short, time limits for providing information were brief, and fees for processing information were low. A mechanism for appeals, including judicial review, was available.

NGOs and business associations complained about the lack of predictability and transparency in the legislative process. According to an analysis of the Slovak

Business Alliance, nearly half of the 713 proposed amendments to bills during the current parliamentary term were made public either on the same day parliament was going to vote on them or only one day in advance, giving the public little time to analyze and comment on the amendments.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were usually cooperative, although NGOs reported that at times government officials appeared to view their activities with suspicion or mistrust. Government officials appeared to obstruct the ombudswoman's attempts to raise awareness about human rights abuses against Romani individuals and members of other disadvantaged groups.

Government Human Rights Bodies: On September 1, the government transferred responsibility for the main part of the human rights portfolio from the Ministry of Foreign and European Affairs to the Justice Ministry. Human rights organizations previously complained that the Ministry of Foreign and European Affairs lacked relevant expertise and that its diplomatic responsibility to present a positive image of the country abroad conflicted with the need to objectively report on the internal human rights situation. NGOs also expressed misgivings about the fact that the responsibility for Romani issues was entrusted to the Ministry of Interior, which also oversees all law enforcement bodies.

Jana Dubovcova headed the Office of the Public Defender of Rights (ombudswoman) and submitted an annual report on human rights problems to the parliament. Dubovcova was outspoken on abuses faced by the Romani community and other disadvantaged groups, often directly challenging official government narratives. Human rights activists considered the ombudswoman effective at raising the profile of fundamental rights problems throughout the country. The government failed to act on most recommendations issued by the ombudswoman in individual rights violation cases. The parliament continued to refuse to discuss her report into the 2013 Moldava nad Bodvou police raid.

The parliament has an 11-member Human Rights and National Minorities Committee, which held regular sessions during the year.



The government's Council on Human Rights, National Minorities, and Gender Equality fulfills an advisory role on human rights problems. The minister of foreign and European affairs, and since September, the justice minister chaired the council, which consists of representatives from the government and civil society. It may issue statements or recommendations on problems relevant to human rights. Council members from civil society were able to influence statements issued by the council. The council prepared the country's first National Human Rights Strategy, which the government approved in February, despite strong opposition from conservative groups, who objected to its inclusion of lesbian, gay, bisexual, transgender, and intersex (LGBTI) rights and gender equality.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The constitution and the law prohibit discrimination based on race, gender, disability, language, sexual orientation or gender identity, or social status; the government made efforts to enforce these prohibitions.

### **Women**

Rape and Domestic Violence: The law prohibits rape and sexual violence, which carry a penalty of five to 25 years in prison. The law does not specifically define spousal rape, but the criminal code covers spousal rape and spousal sexual violence under the crime of rape and sexual violence. NGOs and rape victims criticized police for sometimes failing to enforce the law effectively and for often failing to communicate appropriately with rape victims. NGOs and academics believed that it was an underreported problem. Rape victims had access to shelters and counseling offered by NGOs and government-funded programs.

Domestic violence against women continued to be a problem and is punishable by three to eight years' imprisonment. The law provides stricter sentences for violence directed toward members of the same household and allows for criminal prosecution even when a spouse drops charges. The law specifically prohibits suspected offenders from reentering the victim's home for 48 hours after an incident is reported. While the law prohibits domestic violence, it was widespread, and activists claimed the government did not enforce the law effectively. According to local NGOs, domestic violence often was underreported due to the social stigma associated with being a victim, and crime statistics did not adequately reflect the extent of the problem.

Sexual Harassment: The law defines sexual harassment as unlawful discrimination. There were few statistics available to measure the frequency or severity of the problem. According to a March 2014 survey by the EU Agency for Fundamental Rights, 49 percent of women reported facing sexual harassment since the age of 15 and 29 percent had experienced it during the preceding 12 months.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of their children; manage their reproductive health; and have access to the information and means to do so, free from discrimination, coercion, or violence. While contraceptive means were widely available, individuals had to pay for them. According to NGOs, the high cost of oral contraception in the country and the lack of public subsidies constituted a significant barrier to access.

Discrimination: The law provides the same legal status for women as for men, including under family, labor, property, nationality, and inheritance laws. Discrimination against women remained a problem, however. The Gender Equality Committee of the Government Council on Human Rights had not dealt with substantive gender-related problems by year's end. The National Center for Human Rights received a limited number of gender discrimination cases. Underreporting, however, remained a problem.

A Eurobarometer survey published in March estimated the gender pay gap in the country at 19.8 percent. A study by the Management Faculty of the Comenius University and the VUB Foundation concluded that only 33 percent of entrepreneurs in the country were female. According to a 2013 European Commission report on gender equality, women held 22 percent of management positions at private companies. Outside experts and the Ministry of Labor, Social Affairs, and Family asserted that the wage differences were in part due to a lack of an efficient network of preschool facilities, job-sharing practices, and part-time employment opportunities. Many women worked in low-paid occupations, such as education, health care, social work, and light industry, although they also accounted for 60 percent of professional and technical workers.

## **Children**

Birth Registration: Children acquire citizenship by birth to at least one citizen parent, regardless of where the child is born. Each domestic birth is recorded at the local vital statistics office, including for children born to asylum seekers, stateless persons, and detained migrants. If the child is born in a foreign country, the

foreign birth certificate must be notarized, translated, and submitted to a special vital records office administered by the Ministry of Interior.

Child Abuse: Child abuse remained an underreported problem according to child advocates. According to a 2013 NGO survey, 36 percent of children suffered physical abuse. A 2012 government study showed that 23 percent of 13- to 15-year-old persons suffered physical abuse and 7.1 percent suffered sexual abuse. Domestic abuse carries basic penalties of three to eight years' imprisonment. As of September, police reported 372 cases of sexual abuse of minors.

The government continued implementing the National Action Plan for Children for 2013-2017, funded through the government budget. The plan specifies activities aimed at preventing crimes against children, including measures to counter child trafficking and provide care for children in crisis. Government bodies provided financial support to crisis centers for abused children and NGOs that worked on child abuse. The Labor and Social Affairs Office had dedicated departments for overseeing childcare and monitoring child abuse.

Early and Forced Marriage: The legal minimum age for marriage is 18 years. In exceptional cases, based upon request of one of the marrying couple, a competent court may allow marriage of a person as young as 16 years, if both parents consent. Women from marginalized Romani communities were transported to the United Kingdom by force or deception to marry foreign citizens attempting to avoid deportation by marrying an EU citizen.

Sexual Exploitation of Children: Rape and sexual violence carry basic penalties of five to 10 years' imprisonment and up to 25 years' imprisonment, depending upon the injury or harm caused the victim and the motive. The law establishes 15 years as the minimum age for consensual sex. In addition to prohibiting human trafficking, the law prohibits child prostitution, a form of trafficking in persons. The criminal code law sets a stricter sentence of seven to 12 years' imprisonment if the victim is younger than 15 years.

The production, distribution, or possession of child pornography is a crime with penalties ranging from two to 20 years' imprisonment.

Institutionalized Children: Reports published by the Office of the Public Defender of Rights during the year and in 2013 found that juvenile offenders at educational rehabilitation centers regularly endured hunger and were subjected to degrading treatment, including compulsory gynecological examinations of girls after their

trips outside the facility. The reports also found substandard levels of education at the centers.

An investigation carried out by the Office of the Public Defender of Rights in 2012 found that the government did not always guarantee a child's right to be heard during legal or public proceedings, either directly or through an intermediary.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information, see the Department of State's report on compliance at [travel.state.gov/content/childabduction/en/legal/compliance.html](http://travel.state.gov/content/childabduction/en/legal/compliance.html), as well as country-specific information at [travel.state.gov/content/childabduction/en/country/slovakia.html](http://travel.state.gov/content/childabduction/en/country/slovakia.html).

### **Anti-Semitism**

Jewish community leaders estimated, and the 2011 census data indicated, the size of the Jewish community at approximately 2,000 persons.

Organized neo-Nazi groups with an estimated 500 active members and several thousand additional sympathizers occasionally spread anti-Semitic messages.

The *Bystricky Kraj* newspaper, controlled by Banska Bystrica governor and far-right People's Party Our Slovakia (LSNS) leader Marian Kotleba, published a cartoon that appeared to have been copied from a Nazi-era anti-Semitic cartoon with only the accompanying text of "with Jews...you lose" removed. The cartoon showing a man with a long nose and curly hair holding banknotes was published next to a story criticizing "bankers" for the indebtedness of Banska Bystrica residents. Media outlets, including the daily newspaper *Pravda*, which uncovered the similarities with the Nazi-era cartoon, were quick to condemn the picture. The Banska Bystrica Regional prosecutor's office opened an investigation, although it ultimately concluded that the newspaper had not violated any law. Kotleba's spokesperson claimed the picture was an "illustrative stock photo." The newspaper was previously supported by local taxpayers until the subsidies were cut off following complaints that Kotleba was using it to promote his party and incite hatred of minorities.

While direct denial of the Holocaust was uncommon, expressions of support for the World War II-era Slovak fascist state, which deported tens of thousands of Jews, Roma, and others to death camps, occurred.

Throughout the year far-right groups organized small events to commemorate dates associated with the Slovak fascist state and its president, Jozef Tiso. On March 14 and April 19, the far-right People's Party Our Slovakia organized commemorations of the creation of the fascist Slovak state in 1939 and Tiso's execution in 1947.

The Nation's Memory Institute provided access to previously undisclosed records of Slovak regimes from 1939 to 1989. Jewish community leaders criticized the institute for paying too much attention to the persecution of prominent figures of the fascist Slovak state after the war and playing down their role in supporting anti-Semitic policies.

Government officials, including Prime Minister Robert Fico, commemorated the Day of the Victims of the Holocaust and of Racial Violence on September 9 at the Holocaust Memorial in Bratislava.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, air travel and other transportation, or the provision of other public services. Experts reported, however, that access to buildings and to higher education remained problems, and laws to improve students with disabilities' access to school facilities or educational materials were not implemented.

NGOs reported limited resources for persons with mental disabilities outside of Bratislava, a lack of community-based support, and an absence of mechanisms to monitor human rights abuses against persons with mental disabilities. Psychiatric institutions and hospitals, which fall under the purview of the Ministry of Health, used cage beds to restrain patients. The law prohibits both physical and nonphysical restraints in social care homes managed by the Ministry of Labor, Social Affairs, and Family.

No broadcaster complied with laws requiring television stations to provide audio descriptions for viewers who are blind or have impaired vision. The law requires private broadcasters to provide open or hidden captioning for 10 percent of all programming, and the public broadcaster has to ensure 50 percent of programming has captioning. The Slovak Union of the Deaf called for 100 percent coverage. While the law defines mandatory standards for access to buildings, NGOs noted they were not fully implemented, although access to privately owned buildings improved more rapidly than access to public buildings.

The government's Council on Human Rights, National Minorities, and Gender Equality operated a committee on persons with disabilities. The council served as a governmental advisory body and included representation from NGOs working on disability problems. The country's first National Human Rights Strategy included a chapter on the rights of persons with disabilities. In 2014 the cabinet approved the new National Program for the Development of Living Conditions of Persons with Disabilities 2014-2020, which supersedes a similar document in place between 2001 and 2014.

### **National/Racial/Ethnic Minorities**

Societal discrimination against Roma and individuals of non-European ethnicity was common. According to the 2011 census, Roma were the second largest ethnic minority with a population of 105,000, a slight increase from the 2001 census. Experts estimated that the Romani population was actually between 350,000 and 500,000, with an atlas compiled by the UN Development Program (UNDP) in 2012 placing the number at 402,000. Observers attributed the discrepancy to self-identification by many Roma as Hungarians or Slovaks. As much as 53 percent of the Romani population resided in marginalized communities. The UNDP atlas identified 231 segregated rural settlements located, on average, less than one mile from neighboring municipalities.

According to the 2011 census, there were approximately 458,000 ethnic Hungarians living in the country, a decrease from the 2001 census.

There were reports that police severely beat, mistreated, and harassed Roma. On April 2, a group of 15 police officers entered the Romani community in the village of Vrbnica, allegedly to locate and arrest individuals evading arrest warrants as part of a larger police operation in the Kosice region. Local witnesses, including the Vrbnica mayor, reported the raid resulted in physical injuries to at least 19 Romani residents, who did not resist or obstruct police. According to the reports,

women and juveniles were among those injured. One resident described how police dragged him out of his house, assaulted him, and let their dog attack his son. Other residents complained that police officers entered homes without warrants. Police also reportedly attacked residents conducting street repairs as part of a community work program. Shortly after the raid, the media published photographs of Vrbnica residents with injuries consistent with baton strikes. According to the regional police director, the raid lasted half an hour and no one was arrested or injured.

On April 6, the Ministry of Interior Police Inspection Service opened an investigation into the raid. As of October the investigation remained pending and no police officers had been held accountable. In July the ombudswoman's office published a report on the raid based on interviews with residents, which concluded that police violated their rights. According to police, no video recording was made of the Vrbnica raid. At the beginning of May, the president of the police issued an internal directive requiring the recording of police raids in the future. The government plenipotentiary for Romani communities welcomed the directive but insisted it needed to be codified into law.

As of November, authorities had not brought charges against any of the police officers involved in a 2013 police raid on a Romani settlement in the town of Moldava nad Bodvou, despite NGO and ombudswoman reports that had compiled extensive evidence of abuses as well as interviews with more than 50 witnesses. During the year residents of the settlement who witnessed or were involved in the raid claimed they suffered continued harassment by police investigators. The raid, which involved approximately 60 police officers, resulted in multiple injuries and property damage, according to residents, who also complained that police carried out property searches without warrants. During its 55th session in July and August, the UN Committee Against Torture expressed concern that no charges had been brought against the officers to date.

In February a Kosice district court acquitted all 10 police officers charged in the 2009 case of police abuse of a group of Romani boys. One of the officers recorded the abuse, but the judge presiding over the case disallowed the video as evidence. The state prosecutor appealed the acquittal. During its July and August session, the UN Committee Against Torture expressed concern over the acquittal and the court's decision to dismiss the video recording as evidence.

NGOs reported racially motivated attacks on minorities throughout the year, but authorities' investigation of such incidents varied by jurisdiction.

Extreme rightist, nationalist, and neo-Nazi groups held events designed to intimidate minority groups. In addition to commemorating historical events and figures associated with the World War II-era fascist state, People's Party Our Slovakia, Vzdor Kysuce, and other far-right groups organized anti-Roma, anti-refugee, and anti-Islam gatherings.

In June far-right groups organized a "Stop the Islamization of Europe" protest march against refugees and migrants in Bratislava, attended by approximately 4,000 persons, mainly far-right extremists from Central Europe. The protest resulted in sporadic acts of violence, including a physical attack against a family from Saudi Arabia. After some delay Prime Minister Robert Fico condemned the violence, but earlier he noted that the protesters were "kicking down an open door," implying his government already agreed to some of their demands, including rejecting compulsory EU quotas for accepting refugees and migrants. A member of parliament from the ruling Smer party, Renata Zmajkovicova, delivered a similar message at a smaller "Against the Islamization of Slovakia" protest in the town of Trnava in September. In August far-right groups organized an "Against Gypsy Terror" gathering in Polomka, allegedly in response to recent killings of non-Roma by a Romani individual.

Police generally responded quickly to gatherings targeting the Romani community and prevented crowds from entering Romani communities or inciting confrontations.

While the law prohibits defamation of nationalities in public discourse, authorities generally enforced it only when other offenses, such as assault or destruction of property, were also committed. There were instances of public officials at every level defaming minorities and making derogatory comments about Roma.

In a communication with the European Commission, the Ministry of Education responded to criticisms that Romani children were disproportionately enrolled in special schools for children with disabilities by asserting that Roma have a higher rate of genetic diseases due to prevalence of inbreeding in the Romani community. The ministry's letter was part of a communication exchange leading up to the European Commission's infringement proceedings against the country over continued segregation of Romani children in schools. Slovak and regional NGOs labelled the government's assertions as racist, discriminatory, and not based on fact. When asked about the case in June, Minister of Interior Robert Kalinak,



whose ministry is responsible for the government's policy towards Roma, also asserted that incest is more frequent within Romani communities.

During the year the parliament approved an amendment to the Education Act, proposed by the Education Ministry, to distinguish between special education needs due to disabilities and those due to socially disadvantaged backgrounds. According to the Education Ministry, children from socially disadvantaged backgrounds will no longer be labeled as disabled, which is a key component for assigning students to special education schools or classes. The ministry also plans to channel some of the financial resources earmarked for socially disadvantaged children to mainstream schools. The ministry admitted special schools may have been motivated to enroll Romani children even when unnecessary because of the special support payment earmarked for socially disadvantaged children. Observers pointed out, however, that the same provisions are already enshrined elsewhere in the law. NGOs also noted that the ministry has not yet admitted that segregation of Romani children is a problem in the country.

Widespread discrimination against Roma continued in education, health care, housing, and loan practices. Roma faced discrimination in accessing a wide variety of commercial services, including restaurants, hair salons, and public transportation. NGOs asserted that the cases of discrimination reported to legal help lines represented only a fraction of discrimination cases. In many cases Romani individuals from socially excluded communities did not report discrimination. Discrimination in employment against Roma continued (see section 7.d.).

Local authorities forced evictions of Romani inhabitants, demolished their apartments or improvised housing, or blocked them from obtaining construction permits or purchasing land. In August 2014 the Kosice municipality continued the demolition of apartment buildings in the Lunik IX housing project, which was home to a considerable marginalized Romani community. The municipality announced plans to continue the demolitions in the future. Displaced residents were relocated to nearby improvised settlements that generally lacked basic utilities, including running water or heat, or moved in with relatives. The municipality provided alternative accommodation only to residents who were not in arrears in their payments to the municipality. The municipality also generally failed to ensure that Roma living in improvised settlements had access to adequate shelter or heating during the winter.

The media reported on the growing problem of homeless Roma in the country. Between 2010 and 2013, authorities evicted more than 3,000 people from their housing but provided fewer than 1,000 with alternative lodging. Because of the evictions, the number of illegal settlements in the country was growing each year and more Romani families were becoming homeless.

NGOs reported persistent segregation of Romani women in maternity wards in several hospitals in the eastern part of the country, where hospital management lodged them separately from non-Romani women and did not permit them to use the same bathrooms and toilets. The hospitals claimed they grouped persons according to their levels of hygiene and adaptability, not by race.

Romani children from socially excluded communities faced educational segregation and were disproportionately enrolled in “special” schools or placed in segregated classrooms within mainstream schools. A 2012 UNDP survey concluded that more than 43 percent of Romani schoolchildren were enrolled in ethnically segregated classes, while the ombudswoman in 2013 found that 88 percent of students in special education classes or schools for children with mild mental disabilities were Roma. Later re-evaluation of Romani children in special schools for children with mental disabilities often revealed that those same students would have likely succeeded in mainstream educational institutions. A special school education did not provide Romani children the knowledge or certification necessary to pursue higher education. Transfer from a special school to a regular educational track was difficult or impossible. The government did not provide data on the percentage of Romani students in special schools nor did it collect data on ethnicity.

While education is universal and free through the postsecondary level and compulsory until the age of 15 years, Romani children exhibited a lower attendance rate than other children.

NGOs implemented educational programs through community centers, operated by local councils, to reduce the number of Romani children enrolled in special schools or special classes. These programs included preschool and after-school programs to improve basic motor skills and introduce behaviors often lacking in neglected children. The programs aimed to decrease the number of children referred to diagnostic centers and ultimately to special schools. Social workers also worked with parents in socially excluded families to help them understand the importance of their children attending a regular school, since authorities often placed Romani children in special schools with the agreement or at the request of their parents.

Romani children from socially excluded communities also faced segregation in regular educational establishments. There were reports of schools having predominantly or almost exclusively Romani pupils from several surrounding municipalities, resulting in non-Romani children often attending a different school than Roma from the same area. Segregated classrooms within mainstream schools were also common. Schools often justified the segregation as being in the children's best interest and often claimed that Romani parents preferred their children attending segregated classrooms.

Members of the ethnic Hungarian community were concerned over restrictions on the use of the Hungarian language. The law provides for the imposition of fines on government institutions, civil servants, and legal entities that do not provide information required by law in Slovak. The law authorizes the Ministry of Culture to levy fines of up to 5,000 euros (\$5,500) for noncompliance. Members of the ethnic Hungarian minority criticized the provision as discriminatory and a restriction on their right to free speech. Members of the community complained that authorities did not always implement provisions that enabled the use of minority languages in official settings. They also objected to the refusal by the railways to allow for dual-language train station signs.

An alleged 2006 attack and subsequent perjury charges against ethnic Hungarian Hedviga Malinova drew media attention and raised questions about due process. The prosecution service continued to seek Malinova's prosecution on perjury charges. In December 2014 the Nitra District Court rejected the charges; however, the prosecution appealed, and in January the Nitra Regional Court overturned the district court's decision. The district court postponed a September hearing in the case because Malinova, who was residing in Hungary, had recently given birth. Her attorney described the charge against Malinova as an act of intimidation, noting that authorities did not inform Malinova about how she had supposedly lied. NGOs and human rights groups criticized the reopening of charges against Malinova. The previous government of Iveta Radicova apologized to Malinova in 2011.

The Government Council on Human Rights, National Minorities, and Gender Inequality operated a Committee for the Prevention and Elimination of Racism, Xenophobia, Anti-Semitism, and Other Forms of Intolerance.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law prohibits discrimination based on sexual orientation and gender identity and identifies sexual orientation as a hate crime motivation. According to LGBTI rights advocates, prejudice and official and societal discrimination persisted, although no official cases were reported. Persons intending to change their legal gender status need to obtain medical approval, which usually requires undergoing gender-reassignment surgery.

On February 7, the government held a national referendum on marriage, same-sex adoptions, and sexual education in schools. Turnout in the referendum was slightly more than 21 percent, well below the 50 percent threshold needed to validate the referendum. More than 90 percent of those who participated voted in favor of limiting marriage to heterosexual couples and banning adoptions by same-sex couples.

During the year the organizers of the Bratislava gay pride parade decided not to hold the parade, claiming that society had been “poisoned” by the February referendum. Instead of the march, they held other events and campaigns. The annual gay pride parade in Kosice took place in September without incident, due in part to improved security provisions undertaken by municipal authorities.

In August the Ministry of Foreign and European Affairs provided 20,000 euros (\$22,000) in funding to the “Q-Center” in Bratislava, which provides social support and counseling services to the local LGBTI community, and for the establishment of a new Q-center in Kosice.

### **Other Societal Violence or Discrimination**

Far right groups organized numerous public protests against “Islamization” and refugees and migrants over the course of the year. A June 20 march in Bratislava, attended by approximately 4,000 mainly far-right supporters from Central Europe, resulted in sporadic outbreaks of violence, including a physical attack involving the throwing of rocks and bottles against a family from Saudi Arabia. Police reported approximately 140 arrests during the protest.

Government officials at all levels and leaders from across the political spectrum engaged in rhetoric portraying the influx of large numbers of refugees and migrants in Europe as a security threat and questioning the legitimacy of their refugee status. Political leaders, including Prime Minister Robert Fico and Minister of the Interior Robert Kalinak, stated the country would accept only

Christian refugees from Syria because they would better integrate in Slovak society. Other officials emphasized the country's unwillingness to accept Muslim refugees, with the spokesman for the Ministry of Interior alluding to the fact that the country lacked an officially registered mosque. In August the secretary general of the Council of Europe, Thorbjorn Jagland, condemned such statements, noting that "refusing refugees on the grounds of their religion is blatant discrimination."

During the commemorations of the 1944 anti-Nazi Slovak National Uprising, held in Banska Bystrica on August 29, Prime Minister Robert Fico devoted most of his speech to the refugee and migrant crisis in the EU. He reiterated his government's willingness to accept only Syrian Christian refugees and asserted that the country's failure to integrate its Romani population demonstrated the impossibility of integrating "people who have different lifestyles and religions." Following the November Paris attacks, Prime Minister Robert Fico publically tied Europe's migration crisis to terrorism and claimed that Slovak authorities had "every Muslim" in the country under surveillance, drawing criticism from observers.

On July 12, during a folklore festival in the town of Detva, a man assaulted a young Romani woman musician with a wooden stick. The victim, who suffered multiple fractures to her jaw, said her attacker shouted anti-refugee statements, raising suspicions that the musician's appearance led the attacker to believe she was foreign. Police initiated an investigation into the case, which remained pending.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law, including related regulations and statutory instruments, provides for the right of workers to form and join independent unions of their choice except in the armed forces. The law also provides for unions to conduct their activities without interference, including the right to organize and bargain collectively, and workers exercised these rights. The law recognizes the right to strike with advance notice, both when collective bargaining fails to reach an agreement and in support of other striking employees' demands (solidarity strike). Civil servants in essential services, judges, prosecutors, and members of the military do not have the right to strike. The law prohibits dismissing workers who legally participate in strikes but does not offer such protection if a strike was illegal or unofficial. The law does prohibit antiunion discrimination.

The government effectively enforced applicable laws and remedies, and penalties for violations were effective. These procedures were, however, occasionally subject to delays and appeals.

Workers and unions generally exercised these rights without restrictions.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor. Police are responsible for investigating forced labor but faced challenges in effectively enforcing the law. There were reports of Ukrainian, Moldovan, Bulgarian, Romanian, and Vietnamese men and women forced to work in the country. Underemployed and undereducated Roma from socially segregated rural settlements were disproportionately vulnerable to human trafficking. The government carried out extensive awareness raising campaigns on the dangers of forced labor and trafficking in persons. The law provides strong penalties for labor traffickers. The Ministry of Interior, together with the International Organization for Migration, trained government officials in identifying trafficking victims.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The minimum age for employment is 15 years, although younger children may perform light work in cultural or artistic performances, sports events, or advertising activities if it does not affect their health, safety, personal development, or schooling. The National Labor Inspectorate (NLI) and Public Health Office must approve, determine the maximum hours, and set conditions for work by children younger than 15 years. The law does not permit children younger than 16 years to work more than 20 hours per week on average. This applies to all children who are high school or full-time university students. The provision excludes part-time university students older than 18 years. The law does not allow children under 18 years old to work underground, work overtime, or perform labor inappropriate for their age or health.

Regional inspection units, which were under the auspices of the NLI, received and investigated child labor complaints. Apart from regional inspection units, the state Social Insurance Company was also responsible for monitoring child labor law compliance. If a unit determined that a child labor law or regulation had been

broken, it transferred the case to the NLI, which may also impose fines on employers and individuals that fail to report such incidents adequately. Resources, inspections, and remediation were generally adequate. The law defines sufficient penalties for violations, but the application of those penalties was not always sufficient to deter violations.

There were reports that persons exploited Romani children in some settlements for commercial sex (see section 6, Children). NGOs reported that family members or other Roma exploited Romani victims, including children with disabilities. Child labor in the form of forced begging was a problem in some communities.

#### **d. Discrimination with Respect to Employment or Occupation**

The law prohibits discrimination regarding race, sex, gender, disability, language, sexual orientation, social status, or “other status” but does not specifically prohibit discrimination based on HIV status. Employers discriminated against members of the Romani minority, and some NGOs reported that many service sector employers did not want to employ Muslim women who wore headscarves in positions that required interaction with customers.

Activists frequently alleged that employers refused to hire Roma, and an estimated 80 to 90 percent of Roma from socially excluded communities were unemployed. NGOs working with Roma from such communities reported that, while job applications by Roma were often successful during the initial phase of selection, in a majority of cases employers rejected the applicants once they were found to be Roma. Rejected job applicants rarely pursued discrimination cases through the courts.

In November 2014 the Finance Ministry’s Institute of Fiscal Policy released the findings of an experiment in which it submitted resumes to employers from individuals with Romani and non-Romani sounding names. The resumes were identical in all other aspects. The study found that, while employers invited 40 percent of non-Romani applicants for interviews, they invited only 18 percent of equally qualified applicants with Romani names.

#### **e. Acceptable Conditions of Work**

The minimum wage was 380 euros (\$418) per month. The minimum living standard (an estimate of the poverty income level) was 198.09 euros (\$218) per month.

The law mandates a maximum workweek of 48 hours, including overtime, except for employees in the health-care sector, whose maximum workweek is 56 hours, including overtime. Worker overtime generally could not exceed 150 hours per year, with the exception of health-care professionals, who in specific cases and under an agreement with labor unions could work up to 250 hours overtime. Employees who worked overtime were entitled to an additional 25 percent of their premium hourly rate. The law obliges employers to provide 30-minute breaks after six hours of work or after four hours for employees younger than 18 years. Employers also must provide rest periods of at least 12 hours between shifts and at least 14 hours for employees younger than 18 years. Employees who work under conditions that endanger their health and safety are entitled to “relaxation” leave in addition to standard leave and an additional 35 percent of their hourly wage rate. Employees who work during government holidays are entitled to an additional 50 percent of their hourly rate.

The law mandates at least four weeks of annual leave for every employee; those older than 33 receive five weeks of annual leave. Those employed in the education sector receive at least eight weeks of annual leave.

Trade unions, local employment offices, and the Ministry of Labor, Social Affairs, and Family monitored observance of these laws, and authorities effectively enforced them.

The law establishes health and safety standards that the Office for Labor Safety generally enforced. Workers could generally remove themselves from situations that endangered health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation.

Minimum wage, hours of work, and occupational safety and health (OSH) standards were effectively enforced. The number of labor inspectors (approximately 290) was sufficient to ensure compliance with the law. The Ministry of Labor, Social Affairs, and Family may impose financial penalties on companies found to be noncompliant. If there are safety and security concerns at a workplace, the inspectors may require companies to stop using equipment that poses risks until safety requirements are met. In cases of “serious misconduct” at a workplace, the law permits labor inspectors to impose additional financial penalties.



In 2014 the NLI conducted 19,760 OSH inspections, including a number of spot inspections that were held without warning and could be used to investigate charges of companies being in violation of OSH regulations.

In 2014 the NLI uncovered 47,241 shortcomings and issued 2,342 fines amounting to 4.7 million euros (\$5.2 million) in fines. Most fines concerned employee remuneration, illegal employment, and OSH.