

SLOVAKIA 2016 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 or National Council). Prime Minister Robert Fico heads a three-party coalition that secured a majority of seats in the National Council following free and fair parliamentary elections in March. Voters elected Andrej Kiska to a five-year term as president and head of state in 2014.

Civilian authorities maintained effective control over security forces.

Notable human rights problems included official corruption and a judiciary that was inefficient and engendered low public trust; widespread discrimination against Roma, including societal discrimination and violence and continued segregation of Romani children in education; and Islamophobic rhetoric by public officials across the political spectrum.

Other human rights problems during the year included: 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 violence, demeaning statements, and demonstrations against Muslims, 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, but 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 Deprivation of Life and other Unlawful or Politically Motivated Killings

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.

In July the European Court of Human Rights (ECHR) ruled that the state failed to adequately investigate alleged police misconduct against a Romani minor in 2010 that may have violated his right to freedom from inhuman or degrading treatment. The minor, arrested on a robbery charge, alleged that police officers slapped and punched him in the face and head and did not allow him to sit or lie down during his detention in order to force a confession. The ECHR ordered the government to pay the minor 1,500 euros (\$1,650) in damages plus legal costs.

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 it answers to the minister of interior, who also oversees the police force.

One case of involuntary sterilization of a Romani woman remained pending in the national courts. In February a Kosice district court ruled that the rights of a Romani woman were violated in 1999 when she was sterilized without her informed consent after giving birth. The hospital in which the sterilization took place appealed the court's decision to award the woman almost 17,000 euros (\$18,700) in compensation.

Prison and Detention Center Conditions

Prison and detention center conditions mostly met international standards.

Physical Conditions: In several facilities, juveniles shared cells with adult inmates. There were reports of small facilities for the temporary detention of arrested persons at police stations, which authorities often used for prolonged or overnight detention. Persons in police custody for 24 hours or more had no opportunity for outdoor exercise under suitable conditions. In some prison facilities, the CPT found toilets in multioccupancy cells that were not fully partitioned as well as insufficient access to a doctor. Some reports mentioned isolated cases of physical mistreatment, verbal abuse, and racist remarks by prison guards.

In August 2015 the ombudswoman released a report based on investigations carried out in 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. According to the report, police routinely used such spaces prior to official police arrest. The unauthorized spaces included cages, rooms separated with bars, and corridors. The ombudswoman concluded that the unofficial detention spaces--which often lacked running water, toilets, or means to request assistance--were degrading.

Administration: 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 appoint and recall his subordinate. A special anticorruption police department, a special prosecution unit, and a specialized criminal court address corruption cases. The Bureau of Border and Alien Police (BBAP), 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 2015, the most recent year for which data was available, authorities charged 121 police officers with 145 crimes, including abuse of power in 53 cases. In 2015 there were two cases of money laundering, six cases of bribery of a police officer, and one case of indirect bribery 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 2015 visit to the country, the Council of Europe's commissioner for human rights called on the government to establish an independent mechanism to evaluate complaints of police misconducts. Official Ministry of Interior statistics showed that the service substantiated slightly more than 8 percent of complaints against the police force in 2015. In 60 percent of the cases in which police officers were found to be liable, the punishment consisted of a verbal reprimand. No police officers were dismissed because of misconduct.

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. In March an NGO reported cases of violent assault occurring at a police station. 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. In 2015 NGOs and the media reported physical attacks and illegal entries into homes by police in a Romani settlement. Authorities dismissed both complaints as unfounded.

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. Persons are apprehended only with warrants issued by a judge or prosecutor based on evidence, and there were no reports of individuals detained without judicial authorization. In 2015 the law was amended to allow suspects in terrorism cases to be held for 96 hours. In other cases, 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’ imprisonment) and either release or remand the individual into custody.

The bail system was rarely used. The law gives detainees the right to consult an attorney immediately after authorities submit charges, and authorities must inform them of this right. The law provides counsel to indigent detainees free of charge. The law allows attorneys to visit detainees as frequently as necessary and allows two-hour monthly family visits upon request. There were no reports of suspects detained incommunicado or held under house arrest.

In May police arrested an opposition member of parliament’s (MP’s) assistant on suspicion of violating bank secrecy laws by accessing the private bank records of the interior minister. Police questioned the assistant without his lawyer present after allegedly threatening to keep him in detention during the weekend if he insisted on having a lawyer present.

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.

In 2015 the ombudswoman reported that detention centers for foreigners isolated some detainees in a separate room with the lights continuously on, cameras directed towards the toilet, and with limited access to showers. The length of such detentions was unpredictable and not properly documented. Two foreigners reportedly spent three weeks in such a room. The ombudswoman concluded that such treatment was degrading and lacked procedural guarantees.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Detained individuals are entitled to court proceedings that review the lawfulness of their detention and to prompt release and compensation if the court finds them to have been unlawfully detained.

e. Denial of Fair Public Trial

The constitution and law provides for an independent judiciary and the government generally respected judicial independence, but alleged corruption, inefficiency, and a lack of integrity and accountability undermined public trust in the judicial system.

In 2014 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 are pending. The measure was 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 arbitrarily changed the composition of judicial panels contrary to fair trial guarantees.

Trial Procedures

The constitution and law provide for the right to a fair public trial without undue delay, and an independent judiciary generally enforced this right.

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 a fine until the final decision on appeal has been reached. Persons charged with criminal offenses have the right to be informed promptly of the charges against them with free interpretation as necessary. 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),

and to obtain free interpretation as necessary from the moment charged through all appeals. They have access to government-held evidence, can confront prosecution and plaintiff witnesses, and can 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. The law extends the above rights to all defendants.

Inefficiency remained a major problem in the country's judiciary, leading to long trials, which in civil cases discouraged individuals from filing suit. European 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. In a June report, the Constitutional Court stated that delays in court proceedings were one of the biggest problems facing the judiciary. The report highlighted extreme delays, which exceeded 20 years in dozens of cases and 30 years in three cases. Between 2010 and 2015, the Constitutional Court awarded five million euros (\$5.5 million) in 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. Public trust in the judiciary continued to be low, although an annual survey by the Via Iuris NGO found that public trust in the judiciary increased from 22 percent to 33 percent over the past year. The judiciary suffered from 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. Individuals and organizations may appeal domestic court decisions to the European Court of Human Rights (ECHR).

The ombudswoman reported denial of the right to a speedy trial remained one of the most frequent concerns, recording 57 cases in 2015.

Property Restitution

Rent-control regulations for apartment owners whose property was restituted after the fall of the communist regime remained a problem. The state has regulated rents in these properties at below market rates since 1992. In 2014 the ECHR concluded the regulations violated the property owners' rights in 21 cases. In July 2015 the ECHR ordered the state to pay 2.17 million euros (\$2.38 million) in damages to the property owners. In July the ECHR awarded compensation of 405,800 euros (\$446,000) in damages to six other property owners. Another 19 cases filed by 239 persons remained pending before the ECHR. Although legislative steps were taken to eliminate the discriminatory treatment of the owners, according to the ECHR, property owners should receive specific and clearly regulated compensatory remedies. The ombudswoman reported excessive delays in numerous property restitution proceedings that remain unresolved since the fall of the communist regime.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions. 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 2015 police raid in 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 access to information to critical press outlets.

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 prohibitions against defamation of nationalities and denial of the Holocaust and crimes committed by Fascist and Communist regimes also applied to the print and broadcast media, the publication of books, and online newspapers and journals.

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 that most of the country's private media outlets, including television stations and print publications, 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 2015 Prime Minister Fico canceled the center-right investigative daily newspaper *Dennik N's* accreditation to cover his foreign travel after it distributed stickers with an unflattering Fico caricature. Afterwards, Fico allegedly ordered government ministries not to communicate with the daily. In May 2015 the cabinet explained in writing its decision not to communicate with the daily. Fico claimed that by distributing the stickers the daily had become an opposition entity, and there was therefore no reason for the government to communicate with it. 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. *Dennik N* challenged both the decision and the cabinet's practice at the Constitutional Court, which in April dismissed the complaint. In her annual report for 2015, the ombudswoman found the cabinet's and individual ministries' practices in denying *Dennik N's* access to information to constitute a fundamental rights violation. The ombudswoman noted that some ministries changed their practice after her findings.

In a May 2015 op-ed published in the center-left daily newspaper *Pravda*, Fico stated the “European model” does not consider freedom of speech and press to be an absolute right, and 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 June a trial court ordered public broadcaster RTVS to apologize and pay 10,000 euros (\$11,000) to former Supreme Court president and Judicial Council chairman Stefan Harabin. In 2012 Harabin filed a libel suit against RTVS for broadcasting a public discussion in which statements were made criticizing the state of the judiciary under Harabin’s leadership and accusing him of persecuting other judges in a way that had serious and sometimes fatal consequences to their health. RTVS appealed the decision.

In April the Constitutional Court found that the Petit Press publishing company’s right to freedom of expression was violated when lower-level courts ordered the company to publish an apology and pay 33,193 euros (\$36,500) in compensation to Harabin for an article published in the *SME* daily. The article accused communist-era judges, including Harabin, of sentencing individuals for practicing their Christian beliefs. The Constitutional Court also rejected the appeal court’s judgment and returned the case to the lower court for a new decision.

In January, Interior Minister Robert Kalinak threatened to file a criminal complaint and libel lawsuit against the newsweekly *Trend* for a series of articles alleging his involvement in a VAT fraud scheme involving politically connected real estate investor Ladislav Basternak. The criminal proceedings were pending.

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, however, monitored websites containing hate speech and attempted to arrest or fine the

authors. 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

The constitution and law provide for freedoms of assembly and associations, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at 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.

Abuse of Migrants, Refugees, and Stateless Persons: NGOs reported a rise in attacks against foreigners. In April a man attacked a Somali refugee woman on a bus, ripping off her veil and shouting racial slurs. The same refugee reported she had been subjected to verbal and physical abuse on at least five other occasions over the previous year.

The government cooperated with the Office of the UN High Commissioner for Refugees (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. As of August, the government granted asylum to 155 individuals, including 149 Iraqis resettled as a group by the government with the assistance of a Christian charity in December 2015. The government granted asylum to eight individuals in 2015 and 14 in 2014.

There was no independent monitoring by local NGOs of access to asylum procedures on the country's borders and only limited monitoring of access to asylum by UNHCR.

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

In July 2015 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.

Freedom of Movement: NGOs reported that the BBAP unnecessarily detained migrants, including asylum seekers whom the police believed made false asylum claims, and that police failed to use adequately alternatives to detention, such as supervised release or financial bonds.

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.

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 coverage 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. Between January and June, no local organization was contracted to provide legal assistance to asylum seekers, and the new contract for legal assistance as of August did not cover asylum seekers in detention. 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.

NGOs reported that schools generally did not make use of available government support for language and integration assistance for foreign students.

Durable Solutions: The Migration Office accommodated refugees 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 was permitted to accommodate up to 250 refugees at a time for a period of up to six months.

The government continued to accommodate temporarily asylum seekers registered in Austria at a facility in the Slovak village of Gabčíkovo.

Temporary Protection: The government provided temporary “subsidiary protection” to individuals who may not qualify as refugees and granted it to approximately six persons as of August.

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 held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: Observers considered the parliamentary elections held in March to be free and fair.

Participation of Women and Minorities: No laws limit the participation of women and members of minorities in the political process, and they did participate. While

there were small but increasing numbers of Romani mayors and members of local councils, Roma were still severely underrepresented in communal, provincial, and national elective bodies. The country's one Romani MP was not re-elected in March.

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, 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. In February 2015, Transparency International released a survey showing that 96 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 having paid bribes for health services. A belief that corruption is widespread in the courts and Prosecution Service was reported by 62 percent of respondents.

Corruption: In one of several prominent cases of alleged government corruption, the parliamentary opposition and the media alleged in June that Deputy Prime Minister and Minister of Interior Kalinak used his influence to stop a 2014 investigation of a politically connected real estate investor, Ladislav Basternak, for tax fraud. Basternak had requested a refund of two million euros (\$2.2 million) of value-added taxes after allegedly purchasing seven apartments in a Bratislava luxury complex for 12 million euros (\$13.2 million) in cash. After the opposition accused him of interfering in a police investigation of the refund, Kalinak publicly denied any connection to Basternak. A Tatra Bank employee subsequently leaked Kalinak's bank records showing that in 2014 and 2016 he received 260,000 euros (\$286,000) from a firm in which he purchased part-ownership from former co-owner Basternak. The media and anticorruption NGOs asserted that Kalinak appeared to have acquired a share in the firm at below-market value, suggesting the resulting profit was a kickback that Kalinak received for shielding Basternak from criminal investigation. Kalinak also allegedly violated the law by failing to disclose the purchase of the shares in his government financial disclosure forms. Following pressure from the media, the General Prosecutor's Office and police reopened their investigation into the Basternak tax fraud case.

In March police concluded a seven-year corruption investigation into five individuals, including two former ministers of construction and regional development, and recommended that the Prosecution Service initiate indictments against them for public procurement fraud. The case involved a public tender for services worth 100 million euros (\$110 million).

NGOs and media also raised concerns about corruption in the healthcare sector, including suspicions of nepotism and public procurement fraud by a former CEO of the state-owned health insurance company. In July the National Supreme Audit Office confirmed that the state insurer gave preferential treatment to several of the companies involved in the case. As of August, authorities had not filed charges in the case.

In June 2015, 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 requiring parliament to investigate the case and expressing concern over Kovacik's delays, but the proposal was rejected by members of parliament from the then ruling Smer party. As of October there were no prosecutions in the case.

In some cases, officials who were dismissed for suspected corruption were later reappointed to new positions. In February 2015 former Ministry of Health service office director Martin Sencak, who was earlier dismissed for suspected corruption after signing overpriced contracts for catering at major hospitals, was appointed deputy chairman of the Health Care Supervisory Authority with duties including investigating suspected cases of public procurement fraud in the health-care sector. Following the March parliamentary elections, the new health minister replaced the Health Care Supervisory Authority's leadership; Sencak left office in April.

On October 25, parliament overwhelmingly adopted a new public procurement law that requires all companies conducting business with the state to register in a publicly accessible database revealing their entire ownership structure, including final beneficiaries. Companies will face fines of up to one million euros (\$1.1 million) and the possibility of being removed from the register and their contracts being cancelled if found not in compliance.

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. NGOs and some politicians complained that the financial disclosure forms were vague and did not clearly identify the value of the declared assets, liabilities, and interests.

Enforcement of financial disclosure violations was not effective and enabled MPs to block sanctions against violators. Criminal sanctions for noncompliance were not applied in practice. In one prominent example, Interior Minister Kalinak failed to list the shares he purchased in the company formerly co-owned by real estate investor Ladislav Basternak in his 2013 financial disclosure. Kalinak dismissed the omission as an “administrative detail,” and no sanctions were applied.

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 August 2015 analysis by the Slovak Business Alliance, nearly half of the 713 proposed amendments to bills in the previous parliamentary term were made public either on the same day parliament was going to vote on them or one day in advance, giving the public and media little time to analyze and comment on them. In 2015 legislative procedures were changed to provide greater opportunities for the public to participate in the process.

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 sometimes 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: The justice minister headed the Government Council on Human Rights and National Minorities, an advisory body including government officials and civil society representatives. In June the council's Antiracism Committee issued a joint statement, signed by a number of ministries, police, and NGOs, expressing concern over growing right-wing extremism and online hate speech and calling on all actors to promote tolerance. The committee established a special working group to propose measures to tackle hate speech.

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. Between 2012 and 2014, the government implemented six of the 43 recommendations issued by the ombudswoman in cases where she identified violations of rights.

Parliament has an 11-member Human Rights and National Minorities Committee that held regular sessions during the year. NGOs criticized it for failing to address serious human rights issues. Committee members included an MP from the far-right People's Party-Our Slovakia (LSNS), who participated in a 2015 attack against a Saudi family during anti-refugee demonstrations, called the Holocaust a "fairy tale," and praised Hitler on social media. The committee also included an MP from the We Are Family (Sme Rodina) party who was fired as a television news presenter in 2015 for posting antirefugee content on social media.

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

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 re-entering the victim's home for 48 hours after an incident is reported. Domestic violence was widespread, and activists claimed the government did not enforce the law effectively. According to a 2014 survey by the EU Agency for Fundamental Rights (FRA), nearly one-quarter of Slovak women have faced abuse at some time during their lives. Local NGOs asserted that domestic violence was underreported due to the social stigma associated with being a victim, and crime statistics did not adequately reflect the extent of the problem. As of August police had identified 284 domestic violence cases, up from 197 during the same period in 2015.

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 the 2014 FRA survey, 49 percent of Slovak 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. Contraceptive means were widely available. 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. Discrimination against women remained a problem, however. The Gender Equality Committee of the Government Council on Human Rights did not address substantive gender-related problems during the year. The National Center for Human Rights received a limited number of gender discrimination cases. Underreporting, however, remained a problem.

A 2015 Eurobarometer survey estimated the gender pay gap in the country at 20 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 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 percent suffered sexual abuse. Domestic abuse carries basic penalties of three to eight years' imprisonment. As of August police reported 320 cases of domestic abuse of minors.

The government continued implementing the National Action Plan for Children for 2013-17, 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. 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, 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. The criminal code provides a stricter sentence of seven to 12 years' imprisonment if the victim is younger than 15.

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.

In August the ombudswoman reported that, while children had the right to be directly heard in court cases involving them, a survey of 21 district courts found that the courts heard children in just 5 to 6 percent of such cases. The ombudswoman reported several concerns, including that: children were not always informed about legal proceedings that concerned them; not all children who were able to communicate their views were given the opportunity to do so; the views of children were not always sought; and appropriate surroundings to conduct hearings with children were not provided.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.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 sympathizers occasionally spread anti-Semitic messages.

In December 2015 the far-right LSNS party published a cartoon criticizing EU funding for the country that included an anti-Semitic caricature. An LSNS member elected to parliament in March wrote on social media that the Holocaust was a “fairy tale” and praised Hitler. While direct denial of the Holocaust was less common, 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 LSNS organized commemorations of the creation of the fascist Slovak state in 1939 and Tiso’s execution in 1947.

The first museum dedicated to the Holocaust, built on the grounds of a former concentration camp in Sered, opened on January 26. On September 9, government officials, including Prime Minister Robert Fico, commemorated the Day of the Victims of the Holocaust and of Racial Violence 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/.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, the judicial system, air travel and other transportation, or the provision of other public services. Experts reported, however, that access to buildings, including courts, 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 National Program for the Development of Living Conditions of Persons with Disabilities 2014-2020.

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. 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.

As of August, an investigation remained pending and no police officers were held accountable in connection with the 2015 events in the Romani community in the village of Vrbnica. According to reports, a group of 15 officers entered the Romani community, allegedly to locate and arrest individuals evading arrest warrants, and severely beat, mistreated, and harassed a number of Romani residents. 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. The regional police director claimed the raid lasted half an hour and no one was arrested or injured. A 2015 ombudswoman report on the raid found that police violated the rights of the community's residents.

Authorities failed to bring charges against any of the 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. 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. In February the Presov Regional Prosecution dismissed a complaint against the Inspection Service's November 2015 decision to drop the investigation of four charges against the police officers. In March the Inspection Service halted the investigation of police officers involved in the raid on the remaining two charges. NGOs criticized the Inspection Service for lack of the independence necessary to investigate police misconduct. In August 2015 the UN Committee against Torture expressed concern that no charges had been brought against the officers to date.

In June the UN Committee on the Rights of the Child called on the government to investigate effectively all cases of police violence against Romani children, including police raids in Romani communities.

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

In the March parliamentary elections, the LSNS party entered parliament for the first time with 14 seats. One of LSNS's MPs, Milan Mazurek, was personally involved in a 2015 attack against a Saudi family during an antirefugee demonstration. LSNS candidate Andrej Medvecký, who was elected to parliament but gave up his MP mandate, faced prosecution for a 2014 physical attack against a citizen of the Dominican Republic while shouting racial slurs. The LSNS continued to organize marches against "gypsy criminality" in municipalities with marginalized Romani communities. In April the LSNS launched patrols on train lines that allegedly experienced crime at the hands of Roma. The patrols refrained from violence, but patrol members--wearing standardized LSNS outfits--intimidated Romani passengers. In October parliament adopted an amendment that states that only police or people appointed by rail operators will be allowed to

conduct public order activities on trains and railway stations as of February 2017. As of December the patrols continued.

Far-right, 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, the LSNS, Vzdor Kysuce (Defiance of the Kysuce Region), and other far-right groups organized anti-Roma, antirefugee, and anti-Islam gatherings.

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 the run up to the March parliamentary elections, the LSNS ran billboards with the slogan “We’ll fix the thieves in ties and the parasites in settlements,” the latter a reference to Roma in marginalized communities. Members of the Vzdor Kysuce group that ran on the LSNS candidate list for the elections ran a campaign ad promising to send “antisocials,” a reference to marginalized Roma, to work camps. The official LSNS election manifesto contained a promise to protect the people from “increasing gypsy terror.” The LSNS continued to refer to the Romani minority using the derogatory term “cigan” (gypsy) and often used the term “gypsy extremism.”

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 marginalized communities did not report the discrimination they experienced. Discrimination in employment against Roma continued (see section 7.d.).

In July the UN Committee on the Rights of the Child expressed concern that many Romani children and women continued to be segregated in hospital facilities, such

as pediatric, gynecological, and obstetrics departments in Eastern Slovakia, particularly at the state-run hospital in Presov.

In June the Kosice Regional Court upheld an earlier verdict against a bar owner who in 2009 refused to serve a Romani couple because of their ethnicity. The bar owner told the couple, who were accompanied by non-Romani acquaintances, that if he served them, other Roma would start coming to his bar. The court ordered the bar to pay 600 euros (\$660) in damages and legal costs, which the Romani couple had previously appealed as too low to serve as deterrent against discrimination by other business owners.

Local authorities forced evictions of Romani inhabitants, demolished their apartments or improvised housing, or blocked them from obtaining construction permits or purchasing land. The Kosice municipality announced plans to continue demolitions of apartment buildings in the marginalized Romani district of Lunik IX. Displaced residents were not provided with alternative housing and either moved in with relatives or sought refuge in nearby improvised settlements that generally lacked basic utilities, including running water or heat. 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. Health workers reported that two children died in the improvised settlement near Lunik IX the previous winter due to a lack of heating.

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. Special education did not provide Romani children with 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. In June the UN Committee on the Rights of the Child expressed concern over the continued discrimination of Romani children in education and called for an end to the segregation of Romani children in schools.

In September 2015 the State School Inspection Service conducted an inspection at the private special elementary school in Rokycany and found that 13 Romani children had likely been misdiagnosed by a local private psychological diagnostics center as having “light mental retardation.” A state-run diagnostic center later confirmed that the children were misdiagnosed. The School Inspection Service recommended the private special school lose its accreditation by September, but the Ministry of Education later decided to keep it in operation at least until September 2017.

A 2015 investigation by the ombudswoman found shortcomings in the way schools obtained consent from the parents of Romani students to enroll their children in special schools. The ombudswoman found that, in extreme cases, parents received material gifts for their consent.

Following the launching of the EC infringement proceedings, 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 categorized as disabled. The ministry admitted special schools for the disabled might have been motivated to enroll Romani children in order to access special support funds earmarked for socially disadvantaged children.

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. The ombudswoman identified numerous cases where the parents of marginalized Romani children believed their children were made to attend classrooms that were poorly equipped compared with non-Romani classrooms, were deprived of the opportunity to take teaching aids home, had to stand longer in cafeteria lines, and were sometimes subjected to aggressive behavior by teachers.

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. Social workers also worked with parents in socially excluded families to help them understand the importance of their children attending a regular school.

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.

In March authorities transferred the case of ethnic Hungarian and Slovak citizen Hedviga Malinova--who was charged with perjury after reporting she was physically attacked while speaking Hungarian on her cell phone in southern Slovakia in 2006--to authorities in Hungary, where Malinova resides. Over the previous decade, Malinova's case drew media attention and raised questions about due process in Slovakia. In January 2015 the Slovak prosecution service won a decision at the Nitra Regional Court overturning a lower court's decision rejecting the perjury charge. Malinova's attorney described the charge against her as an act of intimidation. NGOs and human rights groups criticized the reopening of charges against Malinova. The government 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.

On October 27, parliament adopted an amendment to the Criminal Code introducing a stricter definition of hate speech. The new rules ban the spreading of pro-fascist propaganda and hatred in public, including on social media, and covers hate speech against lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals. Justice Minister Lucia Zitnanska, who proposed the amendment, observed that a recent drop in extremism-related prosecutions was the result of extremists moving activities to the internet, where they are harder to track. Zitnanska also noted that investigators often misclassified extremism-related crimes as misdemeanors, carrying mild punishments that fail to act as deterrents. The new amendment allows extremism-related cases to be tried by a special prosecutor at the Specialized Criminal Court rather than at the district court level, where expertise on extremism is often lacking.

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.

In her 2015 annual report, the ombudswoman found that the law does not allow educational establishments to reissue educational certificates with a new first name and surname to individuals after they have undergone a gender transition. The law does allow institutions to issue such individuals new birth certificates with their new names.

LGBTI organizations complained that the law requires a confirmation from a medical practitioner that a person had undergone a gender change in order to obtain new identity documents, but did not define gender change. In practice, authorities require confirmation that a person had undergone permanent sterilization before issuing new identity documents. In November 2015 the UN Committee on the Elimination of Discrimination against Women reported that requiring women to undergo medical procedures to change their legally recognized gender is a violation of the freedom to control one's body.

The Bratislava Rainbow Pride parade took place in July without incident for the first time in two years. The annual gay pride parade in Kosice took place in September without incident.

Other Societal Violence or Discrimination

NGOs reported increased levels of violence and online hate speech towards refugees. One Somali refugee reported being physically and verbally attacked on six separate occasions in different locations of Bratislava over the previous year. On at least two occasions, the attacker attempted to remove by force the refugee's hijab while shouting antirefugee and anti-Muslim slurs. The refugee's child was present during two of the incidents.

After Slovak customs agents shot and wounded a Syrian female refugee who was the passenger in a vehicle evading the agents in May, a local NGO documented a large number of online comments calling for all refugees to be shot.

Far right groups organized numerous public protests against “Islamization,” refugees, and migrants over the course of the year. In June far-right groups organized a public protest in Bratislava against refugees and Islamization, but it attracted fewer participants than in 2015 when it was attended by approximately 4,000 mainly far-right supporters from Central Europe and 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 2015 protest.

Government officials at all levels and leaders from across the political spectrum, including the opposition, engaged in rhetoric portraying refugees and Muslims in Europe as a threat to society.

In July, Richard Sulik, the leader of Freedom and Solidarity (SaS), the second largest political party in parliament and the largest opposition party, wrote that Islam is “in contradiction with our culture” and “a direct threat to our civilization.”

In May, Prime Minister Robert Fico stated that “Islam has no place in Slovakia” and that he did not want “a unified Muslim community to appear in Slovakia...[of] several thousand Muslims” that could “push through their things.”

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The right to strike is embedded in the constitution. The law, including related regulations and statutory instruments, provides for the right of workers to form and join independent unions of their choice. 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 prohibits antiunion discrimination. Neither the labor

code nor the Collective Bargaining Act state whether reinstatement of workers fired for union activity is required.

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. In 2015 and 2016, several teachers' strikes occurred. The government generally respected their rights. Several cases, however, in which teachers were threatened with layoffs, were reported.

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. The law provides strong penalties for labor traffickers, including imprisonment for terms of four to 25 years, depending on the seriousness of the case. The Ministry of Interior, together with the International Organization for Migration, trained government officials in identifying trafficking victims.

There were reports of Ukrainian, Moldovan, Bulgarian, Romanian, and Vietnamese men and women forced to work in the country in the retail and construction industries. 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. Courts continued to issue low and suspended sentences for the majority of convicted traffickers that failed to deter trafficking offenses or protect victims.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment is 15, 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 Inspection Service (NLI) and Public Health Office must approve, determine the maximum hours, and set conditions for work by

children younger than 15. The law does not permit children younger than 16 to work more than 30 hours per week on average and restricts children under 18 years of age to 37.5 hours per week. This law applies to all children who are high school or full-time university students. The provision excludes part-time university students above 18 years of age. The law does not allow children under the age of 18 to work underground, work overtime, or perform labor inappropriate for their age or health. The violation of child and juvenile labor rules is punishable by a financial penalty of up to 100,000 euros (\$ 110,000). Courts issued weak and suspended sentences in most forced labor cases, but the NLI did not report serious violations of laws relating to child labor.

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.

The government generally enforced the law effectively. 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 and Occupation

The law prohibits discrimination regarding age, religion, ethnicity, race, sex, gender, disability, language, sexual orientation, social status, or “other status” but does not specifically prohibit discrimination based on HIV status. Relevant inspection bodies provide for the protection of migrant workers against abuses from private employment agencies. The Central Office of Labor, Social Affairs and Family and the Trade Business Office may cancel or suspend the business license of violators and impose a penalty of more than 30,000 euros (\$33,000). 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. In September a Czech company with a Slovak owner posted an online job offer discouraging Roma from applying. The NLI had yet to decide the case.

The government continued implementing a program to increase the motivation of the long-term unemployed Roma to find jobs. The Operational Program Human Resources for 2014-20 included as one of its priorities the integration of marginalized Romani communities in the labor market through educational measures. 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 found they were Roma. Rejected job applicants rarely pursued discrimination cases through the courts.

In December 2015 the UN Committee on the Elimination of Racial Discrimination determined that the state violated the rights of a Romani woman by failing to prevent employment discrimination against her or provide her with effective legal protection from discrimination. In 2009 an elementary school in Revuca rejected the woman's bid for a teaching position at the school, despite her having the appropriate teaching qualifications. The woman alleged that the school director told her that instead of looking for a job she should focus on having children "like other Romani women." She subsequently discovered that the school accepted a non-Romani applicant with lower qualifications for the position. Between 2010 and 2013, domestic courts on numerous occasions dismissed her complaint. The committee called for the state to apologize to the woman and provide her with appropriate compensation.

e. Acceptable Conditions of Work

On January 1, the government increased the minimum wage from 380 euros (\$418) to 405 euros (\$446) per month. The minimum living standard (an estimate of the poverty income level) was 198.20 euros (\$218) per month. The average gross monthly nominal wage was 859 euros (\$945) per month, up 4 percent from 2013.

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 a 25 percent premium on their 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. 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. Employers who fail to follow overtime rules face fines ranging from 1,000 to 200,000 euros (\$1,100 to \$220,000). If employers fail to pay an employee, they may face imprisonment of one to five years.

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. In serious cases of labor rights violations, the NLI may withdraw an employer’s license. If there are safety and security concerns found at a workplace, the inspectors may require companies to stop using equipment that poses risks until they meet safety requirements. In cases of “serious misconduct” at a workplace, the law permits labor inspectors to impose additional financial penalties.

In 2015 the NLI conducted 26,847 OSH inspections, or 36 percent more than in 2014. The inspections included a number of spot visits that took place without warning and could be used to investigate charges of companies being in violation of OSH regulations. In 2015 the NLI uncovered 46,155 shortcomings, or 2 percent

fewer than in 2014, and issued 2,470 fines amounting to 5.7 million euros (\$6.3 million) to organizations and 1,713 fines amounting to 100,000 euros (\$110,000) to individuals. Manufacturing, construction, transport, accommodation, and food services were sectors with the highest rate of violations in 2015.