

SLOVAKIA 2017 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 parliament following free and fair parliamentary elections in March 2016. 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.

The most significant human rights issues included incidents of interference with privacy; corruption; widespread discrimination against Roma; and security force violence against ethnic and racial minorities. Government actions and rhetoric did little to discourage.

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. Two former ministers 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.

In July the media reported a serious physical attack on a 39-year-old Czech national during a police interrogation at the Senec police station. The man was incapacitated for nine days following the incident. Nongovernmental organizations (NGOs) and members of the Romani community also cited a continuing trend of police officers mistreating Romani suspects during arrest and while in custody.

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.

In May the Spisska Nova Ves district court awarded compensation of 16,000 euros (\$19,200) to a Romani woman involuntarily sterilized while giving birth. In November 2016 the Kosice regional court upheld an earlier ruling that the rights of a Romani woman were violated in 1999 when she was sterilized without her informed consent after giving birth. NGOs reported the government had not taken steps to investigate effectively the practice of involuntary sterilization of Romani women as indicated in existing European Court of Human Rights (ECHR) and domestic court verdicts.

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. Authorities held women in separate cells. There were reports of small facilities, which authorities often used for prolonged or overnight detention, for the temporary detention of arrested persons at police stations. 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, and there was insufficient inmate access to a doctor. Some reports mentioned isolated cases of physical mistreatment, verbal abuse, and racist remarks by prison guards.

In August 2015 the ombudsperson 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 ombudsperson concluded that the unofficial detention spaces--which often lacked running water, toilets, or means to request assistance--were degrading.

In 2016 the Police Inspection Service dealt with 184 complaints of excessive use of police force against people in detention. According to police statistics, 84.3 percent of complaints were dismissed; further disciplinary or criminal proceedings were undertaken in 13 percent of cases, and the remaining 2.7 percent were pending.

In October 2016 two prison guards in Ilava prison allegedly beat a 21-year-old man who suffered serious injuries including permanent brain damage. Both guards were dismissed, and in June, one of them was charged with abuse of power. An investigation continued.

Administration: While prisoners were able to file complaints without censorship and a prosecutor or ombudsperson was 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 provide for the right of any person to challenge the lawfulness of his/her arrest or detention in court, and the government generally observed these requirements.

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 external security, including border control and preventing illegal migration and people smuggling, and conducts investigations of related criminal activities. It also exercises limited powers in asylum proceedings.

Civilian authorities maintained effective control over the national police force and the BBAP. Government mechanisms to investigate and punish abuse, however, were weak, and impunity was a problem. In 2016, the most recent year for which data was available, authorities charged 109 police officers (0.49 percent of the total number of officers) for various criminal activities. In 58 percent of the cases in which police officers were found to be liable for misconduct, punishment consisted of a verbal reprimand. No police officers were dismissed for misconduct.

NGOs and the ombudsperson 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. According to human rights NGOs, the Police Inspection Service was not interested in thoroughly investigating most complaints of police brutality. In one example, an NGO and the ombudsperson cited cases of violent assault occurring at a police station in Moldava nad Bodvou in 2013 that were not reported until 2016. An 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 to those of aggrieved parties and downplayed the importance of medical and psychological reports provided by aggrieved parties.

Human rights training was 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. Suspects in terrorism cases can 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 in “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 rarely was 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 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 ombudsperson 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 and impartiality, 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 were 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 thereby limit judicial independence and jeopardize the foundations of a fair trial.

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 chairperson 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 and public trial without undue delay, and an independent judiciary generally enforced this right. The ombudsperson reported denial of the right to a speedy trial remained one of the most frequent concerns, recording 57 cases in 2015.

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 of being charged through all appeals. They 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 is often applied in practice.

Unpredictability of court decisions and inefficiency remained major problems in the country's judiciary, leading to long trials, which in civil cases discouraged individuals from filing suit. European Commission statistics showed the average length of civil and commercial court cases in 2015 was more than 400 days, while economic competition cases took approximately 300 days. In a March 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 16 years in 29 cases. Between 2010 and 2016, the Constitutional Court awarded 5.7 million euros (\$6.8 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 a 2016 survey by the NGO Via Iuris found that public trust in the judiciary increased from 22 percent to 33 percent over the previous 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 ECHR.

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 and in 2015 ordered the state to pay them 2.17 million euros (\$2.6 million) in damages. In 2016 the ECHR awarded compensation of 476,800 euros (\$572,000) in damages to other property owners. Although authorities took legislative steps to eliminate the discriminatory treatment of the owners, according to the ECHR, property owners should receive specific and clearly regulated compensatory remedies. The ombudsperson reported excessive delays in numerous property restitution proceedings that have remained unresolved since the fall of the communist regime.

Slovakia is a signatory to the Terezin Declaration on Holocaust restitution. The government has laws and/or mechanisms in place, and the Jewish community in

Slovakia reported that the government made some progress on resolution of Holocaust-era claims, including for foreign citizens. For individuals the law provides only for the restitution of immovable property, requires claims to be filed within a certain period, and requires claimants to be Slovak citizens and residents. In 2001 the Jewish community agreed to a blanket settlement with the government to accept 10 percent of the total estimated value as payment for unrestituted Jewish heirless property, which it uses to resolve claims and support the community.

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 ombudsperson on a police raid in the Romani community in Vrhnica in 2015 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 Expression, Including for the Press

The constitution and law provide for freedom of expression, including for the 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 Expression: The law prohibits the defamation of nationalities and race, punishable by up to three years in prison, and denial of the Holocaust and crimes committed by the fascist and communist regimes, which carry a prison sentence of six months to three years.

Press and Media Freedom: The prohibitions against defamation of nationalities and denial of the Holocaust and crimes committed by the 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 media ownership and its potential long term threat to press freedom. 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 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. 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 in the Constitutional Court, which in April dismissed the complaint. In her annual report for 2015, the ombudsperson found the cabinet's and individual ministries' practices in denying *Dennik N's* access to information to constitute a fundamental rights violation. The ombudsperson noted that some ministries changed their practice after her findings.

In November 2016 Prime Minister Fico called the media "dirty anti-Slovak prostitutes" when Minister of Foreign and European Affairs Miroslav Lajcak faced criticism that his ministry allegedly manipulated the public procurement of services related to the Slovak Presidency of the Council of the EU.

Libel/Slander Laws: While courts did not impose criminal penalties for defamation, 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.

In 2016 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 tax fraud scheme involving politically connected real estate investor Ladislav Basternak. 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 Eurostat, approximately 80 percent of the country's population used the internet in 2016.

Academic Freedom and Cultural Events

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

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for freedoms of peaceful assembly and association, 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

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 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 had granted asylum to 18 individuals. The government granted asylum to 155 individuals in 2016, including a group of 149 Iraqis.

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.

The law prevents unaccompanied minors from being transferred to asylum facilities and allows 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.

Access to Basic Services: There were reports that persons granted subsidiary protection had only limited access to health care. The Ministry of Interior issued health coverage documentation directly to persons 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 contract for legal assistance to asylum seekers 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. In February, Slovakia accepted 16 third-country refugees resettled from other EU member states.

Temporary Protection: The government provided temporary “subsidiary protection” to individuals who might not qualify as refugees but could not return to their home countries and granted it to approximately 20 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 2016 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 severely underrepresented in communal, provincial, and national elective bodies.

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 rarely were 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 2015 Transparency International Slovakia 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.

Media and NGOs criticized Special Prosecutor Dusan Kovacik, whose office has the lead role in prosecuting public corruption cases, for not filing any charges in the 61 corruption cases he has supervised over the past eight years.

A lower court found former minister of construction and regional development Marian Janusek and his successor, Igor Stefanov, guilty of corruption. Both were fined 30,000 euros (\$36,000). Janusek was sentenced to 12 years in prison and Stefanov was sentenced to nine years in prison for giving preferential treatment to a group of suppliers in a public procurement tender. The former ministers remained free during the appeals process.

Corruption: Between June and August, the Ministry of Education faced accusations of bribery linked to the allocation of EU funds for research and development. The ministry was criticized for its nontransparent evaluation of project proposals resulting in multimillion-dollar awards to private companies with no established record of research and development expertise. The scandal resulted in the resignation of education minister Peter Plavcan and the revocation of the funding decisions.

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 maintained 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 members of parliament (MPs) to block sanctions against violators. Criminal sanctions for noncompliance were not applied in practice.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses 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. Some government officials, including MP and the deputy chair of the coalition Slovak National Party (SNS), Jaroslav Paska, criticized the ombudsperson's attempts to raise awareness about the rights of LGBTI persons.

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.

Maria Patakyova headed the Office of the Public Defender of Rights (ombudsperson) and submitted an annual report on human rights problems to the parliament. Patakyova took office in March from her predecessor, Jana Dubovcova. Human rights activists believed Patakyova would continue her predecessor's commitment to raising the profile of fundamental rights problems in the country, despite criticism and obstruction from politicians.

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) party, who participated in a 2015 attack against a Saudi family during antirefugee demonstrations, denigrated the legitimacy of the Holocaust, and praised Hitler on social media. The committee also included an MP 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. Rape victims had access to shelters and counseling offered by NGOs and government-funded programs.

Domestic violence against women is punishable by three to eight years' imprisonment. Domestic violence was widespread, and activists claimed the government did not enforce the law effectively. As of August police had identified 350 domestic violence cases, up from 284 during the same period in 2016.

Sexual Harassment: The law defines sexual harassment as unlawful discrimination, subject to civil penalties. Victims usually avoided legal action due to fear of reprisal, lengthy court proceedings, and lack of accessible legal services.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Roma women continued to pursue compensation through the courts for involuntary sterilization, and NGOs called on the government to establish an independent investigative body to determine the scope of the practice. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

Discrimination: The law provides the same legal status for women as for men. Discrimination against women remained a problem.

A 2015 Eurobarometer survey estimated the gender pay gap in the country at 20 percent, and 33 percent of entrepreneurs were female.

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.

Child Abuse: Child abuse remained a problem according to child advocates. 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 September, police reported 376 cases of domestic abuse of minors.

The government continued implementing the National Action Plan for Children for 2013-17, funded through the government budget. 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, and might consequently have been subjected to trafficking in persons.

Sexual Exploitation of Children: Rape and sexual violence carry basic penalties of five to 10 years' imprisonment. The law establishes 15 years as the minimum age for consensual sex. In addition to prohibiting trafficking in persons, the law prohibits the prostitution of children. These abuses were not common, and there were no obstacles to enforcement of the law.

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.

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. Latent anti-Semitic attitudes characterizing Jewish people as greedy or secretly influencing world affairs were widespread, even beyond neo-Nazi groups and their sympathizers.

Polls revealed increased support for the neo-Nazi LSNS, polling at 10 percent or higher. In September, LSNS chairman and governor of Banska Bystrica, Marian Kotleba, recommended the public read *Protocols of the Elders of Zion* to learn how a Jewish conspiracy to control the world was causing the migration crisis in Europe. An LSNS member elected to parliament in March 2016 wrote on social media that the Holocaust was a “fairy tale” and praised Hitler. In August police charged a far-right radical who ran for the LSNS in the 2016 parliamentary elections with Holocaust denial related to online content published between 2013 and 2016. In January an LSNS MP criticized the president on LSNS social media for giving state awards to people of Jewish origin. While direct denial of the Holocaust was relatively rare, expressions of approval for the World War II-era Slovak fascist state, which deported tens of thousands of Jews, Roma, and others to death camps, occurred frequently. 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.

On March 25, President Andrej Kiska unveiled a commemorative plaque at a grammar school in Poprad to mark the 75th anniversary of the deportation of 1,000 Jewish schoolgirls--the first transport of Slovak Jews to the Auschwitz-Birkenau death camp. On September 9, government officials commemorated the Day of the Victims of the Holocaust and of Racial Violence at the Holocaust Memorial in Bratislava. The new coalition government undertook initiatives to promote Holocaust education in schools. Government leaders including Prime Minister Fico and President Kiska denounced the anti-Semitic rhetoric of the far-right. During a public speech in January, Prime Minister Fico criticized support for the LSNS party.

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, other transportation, or the provision of other public services.

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. 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.

National/Racial/Ethnic Minorities

According to the 2011 census, approximately 458,000 ethnic Hungarians lived in the country. 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. Members of the ethnic Hungarian minority criticized the provision as discriminatory and a restriction on their right to free speech. In February the Ministry of Transport and Construction started placing dual language signs at train stations serving Hungarian minority populations.

Societal discrimination against Roma and individuals of non-European ethnicity was common. 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.

There were reports of violence against members of ethnic minorities during the year. In February a man attacked a French national in the town of Banska Bystrica while shouting racist abuse, causing injuries to the victim's face with broken glass. The media reported the attacker was motivated by the victim's skin color. A Supreme Court tribunal ruled in September the attack was not racist and released the attacker from custody.

Marginalized Romani communities were subjected to controversial police raids. In May the media published a video recording of an April 16 police raid in the Romani community in the village of Zborov. Several police officers appeared to chase, threaten, and beat--using punches, kicks, and batons--numerous community residents, including children and the elderly, who did not appear to be resisting police. Three residents required medical assistance. Shortly after the publication of the video, the police president said the Inspection Service Department of the Ministry of Interior would investigate the incident. The investigation was pending.

NGOs reported racially motivated attacks on minorities throughout the year, but authorities' investigation of such incidents varied by jurisdiction. In December 2016 the Ministry of Interior Inspection Service Department brought charges against the police officer who commanded a 2015 raid in a Romani community in the village of Vrbnica. According to reports, a group of 15 officers entered the community, allegedly to locate and arrest individuals evading arrest warrants, and severely beat, mistreated, and harassed a number of Romani residents. The investigation was pending. At the same time, the investigation into several other police officers involved in the raid was halted, allegedly due to lack of evidence.

Between December 2016 and March, police investigated several community residents who had testified as witnesses in the previous investigation into a 2013 police raid in Moldava nad Bodvou and charged four residents with perjury. Expert testimony claimed the witnesses had a "Romani mentality," which the expert claimed made the witnesses inherently less trustworthy.

In May a Kosice district court disallowed the use of a video recording as evidence and again acquitted all of the police officers accused in the 2009 case of police abuse against a group of six Romani boys ages 11 to 15. In 2016 the Kosice regional court overturned the initial 2015 acquittal. The prosecutor appealed the latest verdict, and the case remained pending.

The LSNS continued to organize marches against “Gypsy criminality” and operated 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.

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

There were instances of public officials at every level defaming minorities and making derogatory comments about Roma. In September opposition Freedom and Solidarity chairman Richard Sulik said it was a problem that 76 out of 85 children born in the town of Velka Lomnica during the year were Romani and proposed offering free sterilization to Romani women with at least four children.

In July police charged LSNS chairman Kotleba with hate speech for using extremist symbols. In March, Kotleba awarded a charitable donation to a family writing a check for 1,488 euros (\$1,800). The number is a white supremacist symbol that stands for “14 words” (“we must secure the existence of our people and a future for white children”) and the numeric representation of double “H” (“Heil Hitler”). Kotleba donated 1,488 euros (\$1,800) again in October, to a youth hockey team in Velky Krtis. In January, LSNS MP Stanislav Mizik criticized the president’s selection of state award recipients, labelling them “defenders of gypsies and Muslims,” “fanatics of gypsy traditions,” and criticized some of the recipients because of their Jewish origin. In April police charged Mizik with hate speech crimes.

Widespread discrimination against Roma continued in education, health care, housing, loan practices, restaurants, hair salons, and public transportation.

In March the Spisska Nova Ves district court found discrimination in access to employment on the grounds of ethnicity in the 2010 case of a Romani woman who applied for the position of field social worker with the Spisska Nova Ves municipality. Despite the woman’s extensive experience with social work in marginalized Romani communities, the municipality hired a non-Romani woman with fewer qualifications, less experience, and without a grasp of the Romani language. The Constitutional Court overturned lower court decisions and ordered the municipality to apologize and pay out 2,500 euros (\$3,000) in compensation.

Local authorities continued to use regulatory obstacles, such as withholding of construction permits, to discourage the legal establishment of Romani settlements. The Kosice municipality announced plans to continue demolitions of apartment buildings in the marginalized Romani district of Lunik IX.

NGOs reported persistent segregation of Romani women in maternity wards in several hospitals in the eastern part of the country. 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.

Schools often justified the segregation as being in the children’s best interest; the ombudsperson 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 and were sometimes subjected to aggressive behavior by teachers.

In April the Ministry of Education responded to a petition by the mothers of Romani students at an elementary school in the village of Hermanovce, which asked the ministry to end discrimination and segregation of Romani children at the school. The Romani activists and a local NGO claimed that almost 90 percent of Romani children at the school attended so-called special classes for children with developmental disabilities. The ministry stated the government was not obliged to address discrimination in schools because it did not directly cause it and rejected the petition on technical grounds. The ministry similarly argued it is not obliged to adopt measures that would prevent discrimination, yet claimed the government had nevertheless adopted a number of measures to address discrimination in education.

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

The law bans the spreading of profascist propaganda and hatred in public, including on social media and hate speech against LGBTI individuals. Justice Minister Lucia Zitnanska noted that investigators often misclassified extremism-related crimes as misdemeanors, carrying mild punishments that fail to act as deterrents. The law 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 was 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. Persons intending to change their legal gender status need to obtain medical approval, which usually requires undergoing gender-reassignment surgery. According to LGBTI rights advocates, prejudice and official and societal discrimination persisted, although no official cases were reported.

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 has undergone a gender change in order to obtain new identity documents, but does not define gender change. In practice authorities required confirmation that a person had undergone permanent sterilization before issuing new identity documents.

In August SNS deputy chair Jaroslav Paska criticized ombudsperson Maria Patakyova for giving a speech at Bratislava Rainbow Pride and accused her of demeaning the country's traditional civilizational, cultural, and social values.

Other Societal Violence or Discrimination

NGOs reported violence and online hate speech towards refugees.

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 February, LSNS MP Mazurek stated that Islam allows pedophilia, zoophilia, and even necrophilia and that it is nothing other than the work of the devil.

In May, Prime Minister Fico stated that “Islam has no place in Slovakia” and that he did not want “a unified Muslim community to appear in Slovakia” 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. The law does not 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. The government generally respected their rights although there were reports of teachers being threatened with layoffs for striking in 2015 and 2016.

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 victims subjected to trafficking for forced labor.

There were reports of Ukrainian, Moldovan, Bulgarian, Romanian, and Vietnamese men and women forced to work in the country in the retail and construction sectors. Underemployed and undereducated Roma from socially segregated rural settlements were disproportionately vulnerable to trafficking in persons for forced labor. The government carried out extensive awareness raising campaigns on the dangers of trafficking in persons with a focus on forced labor. Courts continued to issue light 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. The 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 (\$120,000). Courts issued mild 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 Romani children in some settlements were subjected to trafficking 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, and sometimes rose to the level of trafficking in persons.

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 (\$36,000). Employers discriminated against members of the Romani minority (see section 6).

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.

e. Acceptable Conditions of Work

On January 1, the government increased the minimum wage from 405 euros (\$486) to 435 euros (\$522) per month. The minimum living standard (an estimate of the poverty income level) was 199.48 euros (\$239) 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 a 25 percent premium on their hourly rate. 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 that were adequate to deter violations. If employers fail to pay an employee, they may face imprisonment of one to five years.

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 standards were appropriate for the main industries and effectively enforced. The number of labor inspectors 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.