

SLOVAKIA

The Slovak Republic, with a population of approximately 5.4 million, is a multiparty parliamentary democracy led by a prime minister and a 150-member Narodna Rada (National Council). Voters elected the head of government, Prime Minister Iveta Radicova of the Slovak Democratic and Christian Union, to a four-year term in 2010. President Ivan Gasparovic, the head of state, was reelected for a five-year term in 2009. Both elections were considered free and fair. Six political parties, four of which form the governing coalition, participate in the National Council. Security forces reported to civilian authorities.

Notable human rights problems included some continuing reports of police mistreatment of Romani suspects and lengthy pretrial detention; concerns about the integrity of the judiciary, corruption in national government, local government, and government health services; violence against women and children; trafficking in women and children; and societal discrimination and violence against Roma.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

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

b. Disappearance

There were no reports of politically motivated disappearances.

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

The constitution and the law prohibit torture and other cruel, inhuman, and degrading treatment or punishment, and the government generally respected these provisions in practice.

Nongovernmental organizations (NGOs) and members of the Romani community cited a continuing trend of mistreatment of Romani suspects by police officers

during arrests and while in custody. The Council of Europe's Committee for the Prevention of Torture (CPT) conducted a monitoring visit in 2009. The CPT noted that the situation in the country had improved from that observed on previous visits, despite recurring complaints from detainees about excessive force. The CPT also urged the government to investigate all allegations of involuntary sterilization of Romani women promptly and thoroughly, and educate doctors about their criminal liability for performing sterilization without consent.

According to reports by NGOs, in July police officers in Senec beat and injured a Roma man who refused to sign what he claimed was a false confession to robbery charges.

The district court in Kosice accepted prosecution charges against 10 police officers accused of abusing six Romani boys (ranging in age from 11 to 16) in Kosice following the alleged theft of a purse. Videotapes of the incident, leaked to the media in April 2009, showed the officers forcing the boys to strip naked, kiss, and hit each other. The trial started in November, and was pending at year's end. The representative of the boys, Poradna lawyer Vanda Durbakova, has asked the court for non-pecuniary damages of 30,000 euros (\$40,200) for each victim's family. She says the boys were exposed to humiliation and cruel and inhumane treatment. Seven of the 10 policemen have been suspended from duty.

Police continued to provide special training on Romani culture and language to officers working in districts with Romani communities in the Kosice and Presov regions. The Bratislava branch of postsecondary schooling for police also offered an elective course in Romani language and culture.

Prison and Detention Center Conditions

Prison and detention center conditions met most international standards; however, overcrowding continued to be a problem. There were on average 8,844 persons in prison in 2009. There are five minimum security prisons in the country that, according to the Ministry of Justice, operated at between 101 and 124 percent capacity in 2009.

Prisoners were able to express complaints without censorship, and a public defender of rights, or ombudsman, is available for their legal aid. The ombudsman is elected by parliament and does not report receiving political interference in his work.

On February 11, the CPT released a report on its March-April 2009 visit to the country. The findings of the 2009 visit indicated that "in general, there has been an improvement in the treatment of persons deprived of their liberty by law enforcement officials, as compared to previous visits to Slovakia by the CPT." Specifically, there were fewer allegations of ill-treatment; nevertheless, there were several allegations of physical ill-treatment of detained persons by police officers, related to "the excessive use of force during apprehension, and the infliction of slaps and kicks immediately after the person had been brought under control."

The government permitted visits by independent human rights observers. Observers expressed concern that no independent group or NGO regularly monitored prison conditions.

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 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 interior minister, who has the authority to recall any member of the police. Human rights observers believed police were occasionally reluctant to accept the testimony of certain witnesses, particularly Roma, women, and homeless persons, and often failed to investigate cases involving Roma and other minorities promptly and thoroughly.

In June 2009 authorities arrested six police officers following an investigation that indicated they had been working as security guards in a brothel in Senec. The officers involved were removed from the police force.

The most common charge authorities brought against police officers was abuse of power; other charges included battery, assault and battery, and illegal intrusion into private homes. In 2009 authorities charged 171 police officers with crimes; in 61 of these cases, the crime was abuse of power. Disciplinary action ranged from fines to expulsion from the police force.

During a June 2009 visit of the Chinese president to Bratislava, the police refrained from intervening when violent clashes between Slovak protesters and supporters of

the Chinese president erupted. NGOs subsequently filed a complaint against the Ministry of Interior for failing to protect the rights of the protesters. Then Prime Minister Fico publicly supported the police, and the ministry dismissed the complaint.

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

Arrest Procedures and Treatment While in Detention

The constitution and the law stipulate that a person can only be taken into custody for explicit reasons and must be informed immediately of the reasons for detainment. A written court warrant is required for arrest. The 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 with a sentence of at least eight years) and either release or remand the individual. There was a bail system in place that functioned effectively. Detainees have the right to consult with an attorney immediately and must be notified of this right. The government provides free counsel to indigent detainees. Attorney visits were allowed as frequently as necessary. The law allows monthly family visits upon request.

If remanded by a court, the accused is entitled to an additional hearing within 48 hours, at which time the judge must either release the accused or issue a written order placing the accused in custody. The authorities respected these provisions in practice.

Criminal court procedures mandate that the total time of detention (pretrial plus trial) cannot exceed 12 months in the case of minor offenses, 24 months for regular crimes, 36 months for severe crimes, and five years for crimes in which the expected sentence is 25 years or a life sentence. In addition, pretrial detention cannot account for more than half of the total detention time. In cases with extenuating circumstances, the Supreme Court may extend pretrial detention to four years. Delays in court procedures and investigations frequently led to lengthy detentions during both the pretrial and trial periods. According to 2009 statistics, pretrial detainees accounted for approximately one-quarter of the total prison population; detainees were held on the average for 123 days at the district court level and 299 days at the regional court level. From January to July 2010 authorities held 1,091 individuals in pretrial detention.

The law allows plea bargaining, which reduced the backlog of court cases. During 2009 plea bargaining resolved 6,856 cases, compared with 5,741 cases in 2008. During the first half of the year, plea bargaining was used to resolve 4,120 cases.

e. Denial of Fair Public Trial

The law provides for an independent judiciary; however, in practice problems with corruption, official intimidation of judges, inefficiency, and a lack of integrity and accountability continued to undermine judicial independence. In some cases the judiciary was subject to high-level influence and pressure by the judicial hierarchy. In some cases, judges felt they faced attempts to influence decision making as well as intimidation via disciplinary actions from the Judicial Council. Military courts were abolished in 2009.

In May the Constitutional Court ruled seven to six that the Special Court, designed to hear cases of official corruption and those related to high-ranking government and political figures and organized crime, was unconstitutional. In June the parliament passed a bill to create a new specialized court to hear corruption cases. Under the new law, judges' salaries were reduced, and judges were no longer required to have security clearances. These changes addressed the Constitutional Court's reasoning for declaring the Special Court unconstitutional. Some judges stated that they felt pressure to rule against the Special Court.

There were also reports of inconsistent decision making and substitution of judges to influence court decisions.

In June 2009 former Justice Minister Stefan Harabin was elected president of the Supreme Court. Several NGOs mounted a campaign against his election, citing his personal contacts with a person suspected of organized drug-related criminal activity. They also criticized his misuse of disciplinary actions as tools to intimidate and harass judges.

There were reports that higher levels of judicial hierarchy misused their power and issued instructions to individual judges on how they should decide specific cases.

In 2009 Bratislava district court judge Marta Laukova filed a criminal complaint against her superior in which she claimed that her superior ordered her to release a criminal from pretrial detention, a clear constraint on her judicial independence. Laukova did not follow the order and was subsequently transferred from the criminal law department and subjected to other forms of intimidation, including

frequent workplace inspections. Laukova's health condition declined sharply, and while she was in the hospital, the Judicial Council decided, for the first time in the country's history, that her medical insurance payments would be suspended. The Judicial Council stated that her sickness was "purposeful." In September Judge Laukova died in the hospital. The Judicial Council posthumously awarded Laukova medical compensation.

Disciplinary actions taken against judicial delays appeared to be highly inconsistent. In some cases judges faced suspension for delaying cases, while in other, similar cases there was no action taken. Suspension was considered a severe action, as suspended judges are prohibited from entering the court building, receive only one-third of their salary, and their cases are assigned to other judges.

District court judge Juraj Babjak, former judge of Slovak Constitutional Court and author of several critical articles about the state of the judiciary, faced disciplinary action for alleged delays during the year. Although he had communicated to the president of his district court that it was impossible to deal with cases he was assigned because of their number and complexity, the court's president filed disciplinary action against him proposing demotion to a lower court. The case was pending with the disciplinary court.

In April former Supreme Court Senate chairman and judiciary critic Jozef Kandra resigned from his post, reportedly due to pressure he faced from disciplinary proceedings against him. Kandra presided over the case against the so-called "acid gang" that dissolved the corpses of its victims in acid. Supreme Court president Stefan Harabin initiated disciplinary proceedings against Kandra for court delays. In his defense, Kandra noted that the cases he dealt with were complex, containing tens of thousands of pages. The law does not specify the period of time that would constitute a court delay; critics asserted that Harabin did not apply such a strict standard evenly to all judges, but rather only against critics of the judiciary. A disciplinary hearing on March 17 found Kandra guilty of procrastination in court proceedings and decided to decrease his wage.

Other judges faced disciplinary and criminal actions after having openly criticized Supreme Court president Harabin. Judge Katarina Javorcikova, a spokesperson of the Society for Open Judiciary (ZOJ), which publicizes cases of judicial intimidation, faced a criminal investigation initiated by former Justice Minister Viera Petrikova. However, the police investigation did not find sufficient evidence to prosecute Javorcikova.

The Judicial Council initiated disciplinary proceedings against Supreme Court judge Peter Paluda. Paluda was suspended from duty after he filed a criminal complaint against Harabin for misuse of power.

District court judge Stanislav Sojka was prosecuted and suspended from function for a letter he wrote to President Ivan Gasparovic voicing concern over the integrity of the judicial system

With the exception of the Constitutional Court, courts employed a computerized system for random case assignment to increase transparency. There were reports that this system was subject to manipulation. The watchdog NGO Fair Play Alliance filed a criminal and disciplinary motion against the president and the vice president of the Supreme Court for allegedly manipulating the electronic assignment system. Supreme Court president Harabin subsequently filed a criminal motion against Fair Play Alliance Director Zuzana Wienk for false accusation, which remained pending at year's end.

In 2008-09 more than 500 judges (out of a total of 1,400) submitted claims of "wage discrimination." The mass court claims submitted by the judges raised serious concerns about the ethics of some members of the country's judiciary as well as the potential impact on the state budget. The disgruntled judges asserted that they had been discriminated against because judges sitting on former Special Court to combat corruption and organized crime had higher salaries. Many members of the public perceived the claims as illegitimate and driven by the judges' envy and greed. According to media reports, the judges' claims had been organized by senior officials in the judiciary. Justice Minister Viera Petrikova and the Supreme Court president Harabin openly supported the judges' claims. Justice Minister Viera Petrikova had also filed a claim for wage discrimination, even though she was also a defendant in the case. Petrikova was replaced by Lucia Zitnanska in July when the new government took office.

In some of the wage discrimination cases, district courts awarded judges compensation up to 90,000 euros (\$120,000). Critics and members of the public noted that individual judges' wage discrimination complaints were being decided by colleagues who had filed similar complaints, suggesting serious conflicts of interest and calling into question the impartiality of court proceedings.

In June 2010 a judicial disciplinary senate ruled that veteran judge Anna Benesova be demoted for allegedly prohibiting the recording of court proceedings in one of her cases. Consequently, the Judicial Council, presided over by Stefan Harabin,

decided that judge Benesova will be demoted not to a lower court in her home city Bratislava, but to a district court in Levice more than 60 miles away. Instead of working there, Benesova decided to retire.

Benesova asserted that the real motive for her demotion was her unwillingness to decide in favor of Supreme Court president Harabin in a libel case against daily newspaper *SME*. Following Benesova's suspension from the Bratislava Regional Court in 2008, the judge who replaced her in the Harabin v. *SME* case ruled in Harabin's favor and ordered *SME* to pay him 33,134 euros (approximately \$44,400). Witnesses at her disciplinary hearings testified that Benesova did not prohibit the recording; normally in such cases judges received only minor or no sanctions.

In September 2009, 105 judges sent a letter to the president, prime minister, the chairman of the National Council, the justice minister, and the Judicial Council protesting the improper use of disciplinary panels against independent judges, particularly for critics of Harabin. The judges did not receive a response. In an open statement in October 2009, signed by the same 105 judges, they wrote about "an atmosphere of fear" in conducting their work within the judiciary.

Trial Procedures

Defendants enjoy a presumption of innocence. They are also presumed innocent during the appeals process, meaning that a person found guilty by a court does not serve his imposed sentence nor pay any fine until the final decision on his appeal is reached. Persons charged with criminal offenses are entitled to fair and public trials and have the right to be informed of the charges against them. The law does not provide for jury trials. A panel of three judges is obligatory in criminal cases and in civil cases at the regional court and Supreme Court levels. However, NGO observers stated that judicial corruption often resulted in lengthy court delays and improper handling of police investigations. Defendants have the right to be present, consult in a timely manner with an attorney (at government expense if indigent), access government-held evidence, confront witnesses against them, and present witnesses and evidence on their own behalf. Defendants have the right to refuse self-incrimination, and may appeal adverse judgments.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Regional Human Rights Court Decisions

There were 569 complaints filed against the state before the European Court of Human Rights (ECHR) in 2009, up from 488 in 2008. The ECHR ruled on 69 cases in 2009. In 38 rulings, the court found a violation of the European Convention on Human Rights; of these, 29 violations concerned "reasonable time" requirement for civil and criminal proceedings. Out-of-court settlements were reached in another 10 cases. In total, the government paid 512,000 euros (\$686,000) to applicants as compensation in 2009. Approximately 1,300 complaints filed against state remain unresolved. The court issued 12 rulings against the state during the year.

Three forced-sterilization civil suits that predated the 2005 law prohibiting such sterilizations were filed with the ECHR in 2004. Two were still pending at year's end.

In April 2009 the ECHR ruled in favor of eight Romani women who suspected they had been sterilized without their knowledge. The hospitals where the procedures had been performed allegedly denied the women access to their medical records, and the ECHR ruled that this denial of access was a violation of privacy; the allegation of uninformed sterilization was not at issue. Four of the women subsequently received access to their medical files; at least one of them discovered she had been sterilized. The remaining four women continued to be denied access to their medical records. In 2007 the Ministry of Health informed the NGO Poradna, which had assisted the women in preparing their legal case, that the women's medical records were lost. After numerous unsuccessful civil proceedings, the plaintiffs were each awarded 3,500 euros (\$4,690) in damages.

Civil Judicial Procedures and Remedies

Citizens have unrestricted access to an independent judiciary to bring lawsuits in civil matters including human rights violations. Courts that hear civil cases were subject to the same delays as criminal courts and were often perceived by the public as corrupt. Administrative remedies are 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.

The Office of the Public Protector of Rights (ombudsman) determined that 157 of the approximately 2,528 complaints received in 2008 constituted violations of the rights of the claimants, most of which involved delays in court proceedings. The

ombudsman's office continued providing free legal services throughout the country by holding traveling legal clinics in cooperation with individual municipalities.

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

The constitution and the law prohibit such actions, and the government generally respected these prohibitions in practice.

Police must present a warrant before conducting a search or within 24 hours afterwards.

Romani advocacy groups pressured the government to acknowledge and compensate victims for past involuntary sterilization practices on Romani women in public health facilities. Patients legally are required to submit written requests at least 30 days before sterilizations are performed; however, criminal charges cannot be filed for offenses that took place prior to 2005, when the law took effect. No victims of involuntary sterilization or sterilization without informed consent received financial redress for sterilization in the country's court system.

According to the NGO Poradna (Center for Civil and Human Rights), which helped alleged victims prepare cases, several civil court cases had been filed. In one case, three Romani women claimed that they were sterilized without informed consent. In 2006 the Constitutional Court ruled that regional-level prosecutors had violated the constitution and the European Convention on Human Rights by improperly closing the investigation of the original claim and awarded each of the claimants 50,000 koruna (approximately \$2,380). The court instructed the prosecution to reopen its investigation in 2007, but the investigation did not yield any new results. Poradna filed another appeal with the Constitutional Court, which was pending at year's end. Two additional cases were pending at regional courts following appeals, and four cases were pending before appeal courts.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and the law provide for freedom of speech and of the press; while the government generally respected these rights in practice, in some instances the government limited these rights, including attempts by government officials to impede criticism and to limit actions of extremist groups.

The law prohibits the defamation of nationalities, punishable by up to three years in prison, and denying the Holocaust, which carries a sentence of six months to three years in prison.

The independent media were active and expressed a wide variety of views, although media, especially state-owned television, were subject to political influence. The three public media outlets, STV (television), Radio SRo, and TASR news agency, received state funding and were headed by political appointees. There were reports that directors of Slovak Public Television exerted pressure in the news department to provide favorable coverage of governing coalition events and activities. In October 2009 the director of state-supported STV intervened to halt the broadcast of an investigative report critical of a social enterprise project subsidized by the Ministry of Labor. While the report ultimately aired following a decision by the governing body, the STV council did not renew the contract of the journalist who prepared the report that the director had challenged.

Both the 2008 act on broadcast fees and the 2007 audiovisual law increased broadcast media's dependence on state funding and the perceived schism between print and broadcast media.

In October a study by the Slovak Syndicate of Journalists and the Pan-European University School of Mass Media indicated that the number of journalists who reported feeling pressure from media owners and managers that infringed on their freedom of expression had decreased from 55.5 percent in 1997 to 47.7 percent during the year.

In 2008 a media law went into effect that required publishers to print responses to any "statement of fact that impinges on the honor, dignity, or privacy of a natural person, or the name or good reputation of a legal entity." The law required publishers to print replies on the same page and space as the original article, regardless of whether the original statement was factually correct. Journalists and publishers opposed the law because it could force them to print official government responses without the opportunity for a counter response. The Organization for Security and Cooperation in Europe's representative on freedom of the media stated that, instead of complying with established standards in such cases, the government was forcing the media to become subject to "political give and take" that violated the country's international commitments to protect the freedom of its media. Members of government took several actions that observers

believed were intended to pressure the media to curtail reporting critical of the government.

In November 2009 former Prime Minister Fico used the right of reply provisions in the media law to respond to a commentary from the daily *SME*, which alleged that he had been part of a privileged group during the communist era in the country. *SME* printed Fico's reply on its opinion page. Media analysts and publishers noted that, when the media law passed, Fico said that he would not use it, as it was designed to protect ordinary citizens from the press.

Criminal penalties for defamation exist under the penal code, but these provisions were rarely used.

Members of the government, judiciary, and political elites targeted the press in a number of civil defamation lawsuits, which often required the press to pay large sums of money. The International Press Institute and other observers expressed concern that this financial risk could lead to media self-censorship. Courts made multiple decisions in favor of political elites, despite compelling evidence of the veracity of the reports for which media outlets were being sued.

In May the Supreme Court filed a suit seeking 200,000 euros (\$268,000) in nonpecuniary damages from the private radio station Radio Express for its report concerning the renovation costs for a bathroom at the Supreme Court. The court's president, Stefan Harabin, filed the complaint on behalf of the Supreme Court at the First Bratislava District Court. The complaint asserted that the reconstruction of the bathroom next to the office of the Supreme Court president did not cost 32,700 euros (\$43,800) as news reports claimed, but 2,279 euros (\$3,053). The sum of 32,700 euros (\$42,500) figure applied to the overall cost of reconstructing the Supreme Court president's offices.

The radio obtained the story from the daily newspaper *Pravda*, whose publishing house Perex was also sued for damages of 200,000 euros (\$268,000) by the Supreme Court. The journalists claimed that the Supreme Court did not respond clearly to their requests for information, which were filed according to the law. Pavol Mudry, the director of the International Press Institute (IPI) Slovakia, was reported as saying that the Supreme Court was not guarding against damages to its reputation but was aiming to eliminate media outlets that make the court uncomfortable.

In May 2009 then-justice minister and current President of the Supreme Court Stefan Harabin sent letters to three publishers and one radio station requesting out-of-court settlements of 200,000 euros (\$268,000) from each of them to compensate for articles and statements published in 2008-09 that allegedly damaged his reputation. He did not seek an apology or printed corrections. Harabin had previously won several libel lawsuits against the media, a fact he highlighted in the letters to the media outlets. Observers expressed concern that the former minister's objective was to intimidate and extort the media rather than to restore his reputation. The Association of Publishers of the Periodical Press in Slovakia issued a statement claiming Harabin was "demanding exorbitant sums... higher than those awarded by courts in the cases of the gravest health injuries or deaths."

In July the Bratislava District Court ruled against former Prime Minister Fico in his case against Petit Press, the parent company of leading daily *SME*, for damages allegedly incurred by publication of a cartoon on its opinion page. The cartoon depicted the former prime minister in a doctor's office, with the doctor examining an X-ray of his neck and implying he was spineless. In his lawsuit, Fico stated that, while he was suffering unbearable physical pain from an injury, *SME* was misusing his image and mocking his suffering, which harmed his dignity and reputation. Fico's appeal of the verdict remained pending at year's end.

In December 2009 former Prime Minister Fico held a press conference in which he accused the media of conspiring against him, attacking his family, and "operating like the mafia." The publishers of the country's leading dailies responded with a joint article refuting Fico's claims of conspiring against him. The article stated "what is equally offensive are the continuing and escalating attacks against journalists... The media and journalists are doing nothing other than what is customary in a democracy. The prime minister naturally has the right to use all legal means for his defense... However, he does not have the right to ... incite an atmosphere of aggressiveness toward the media and journalists in society."

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mails or Internet chat rooms; however, police monitored Web sites hosting hate speech and attempted to arrest or fine the authors. The law defines hate speech as speech that publicly threatens an individual or group based on nationality, ethnicity, race, skin color, or that publicly incites the restriction of rights and freedoms of such an individual or group. Individuals and groups could

otherwise engage in the peaceful expression of views via the Internet, including by e-mail. Internet access was generally available across the country.

According to International Telecommunication Union statistics for 2010, approximately 74 percent of the country's inhabitants used the Internet.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and the law provide for freedom of assembly, and the government generally respected this right in practice. However, there were complaints against the interior ministry that police officers did not intervene adequately to address violence at demonstrations, as was the case during May's inaugural gay pride parade in Bratislava.

Freedom of Association

The constitution and the law provide for freedom of association, and the government generally respected this right in practice. However, the law requires organizations to pay a nominal registration fee and stipulates that those registering as foundations have "substantial" financial resources of 6,000 euros (approximately \$8,040) to operate.

c. Freedom of Religion

For a complete description of religious freedom, see the *2010 International Religious Freedom Report* at www.state.gov/g/drl/irf/rpt.

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

The constitution and the law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. 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, and other persons of concern.

The law prohibits forced exile, and the government did not employ it.

Protection of Refugees

The law provides for the granting of asylum or refugee status, and the government has an established system for providing some protection to refugees. The government granted 14 asylum seekers refugee status out of 822 applicants in 2009, in contrast with 2008, when 909 asylum seekers applied and the government granted refugee status to 22 applicants. While the asylum law gives officials broad authority to reject applicants based on technical errors in their applications, in practice this was not a problem.

Consistent with EU legislation, the country does employ the concept of a safe country of origin and transit, but is still required to ensure that an asylum seeker's individual well-being is not threatened in a non-EU "safe third country."

In practice, the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. In April, however, the government extradited an Algerian national and alleged terrorist, Mustafa Labsi, back to Algeria despite an interim measure issued by the ECHR that specifically stated that Labsi should not be expelled to Algeria until he exhausted all legal avenues for his asylum claim, including the Constitutional Court. Labsi was extradited before he had time to appeal to the Constitutional Court. Referring to the ECHR interim measure, then-Interior Minister Robert Kalinak stated that even if Slovakia were to be fined, it would only amount to a "couple thousand euros."

The government accepted refugees from third countries and provided basic facilities and services to encourage integration. Language training and work permits were available for refugees and asylum applicants with extended stays.

In July 2009 the government, UNHCR, and the International Organization for Migration signed an agreement to temporarily house 98 Palestinian refugees from Iraq. The refugees arrived in August 2009 and were expected to stay for six months in an asylum facility in Humenne and be provided with accommodation, food, and medical care while their applications for permanent asylum elsewhere were processed. By February, all 98 refugees had been relocated to a third country.

The government also provided temporary protection to individuals who may not qualify as refugees. The law provides for temporary protection, classified as "tolerated residence," which is granted if asylum is denied and the individual is not eligible for deportation to his or her country of origin due to administrative problems or fear for the person's safety. In 2009, 97 individuals were granted subsidiary protection, up from 65 persons in 2008.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and the law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

On June 12, citizens voted six political parties into the National Council in free and fair elections. Four of the six parties then formed the governing coalition, led by the country's first female prime minister, Iveta Radicova. Voter turnout was over 50 percent.

In April 2009 President Ivan Gasparovic, the head of state, was reelected for a five-year term in the second round of voting in an election that was also considered to be free and fair.

Political parties operated without restriction or outside interference. A political party must receive at least 5 percent of the ballots cast to enter the National Council. In the 2010 elections, voters had the option of marking a preferential vote for an individual candidate on a political party list in addition to voting for a party.

There were 24 women in the 150-seat National Council, 41 women on the 79-seat Supreme Court, and two women in the 13-member cabinet, including the prime minister.

The law prohibits collecting information on ethnicity, and it was not possible to determine the precise number of members of minority groups in government. The party Most-Hid ("bridge") holds 14 seats in the National Council, of which seven are ethnic Hungarians. Some ethnic Romani individuals and parties were successful at winning representation at the local and regional levels; however,

Roma were consistently underrepresented in government service, and no Roma were in the National Council.

In November 2009 the country held elections for the chairmanships and parliamentary seats in the eight regional governments. Voter turnout was 22.9 percent. For the first time in the country's history, two ethnic Romani candidates were elected to the regional parliaments.

In the eastern part of the country, there were often allegations of vote buying, particularly in Romani settlements, during all elections.

Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption; however, the government did not always implement the law effectively, and some officials engaged in corrupt practices with impunity. There were also concerns, particularly in the business sector, about the privatization of justice. Some NGO governance experts reported that court proceedings have become a contest of vested interests and connections to the judicial powers. While the country has financial disclosure laws, compliance was the exception rather than the rule. The World Bank's Worldwide Governance Indicators also reflected that corruption remained a problem.

Instances of police corruption and misconduct were also reported, primarily the extortion of bribes during traffic stops. Headed by a director who reports directly to the interior minister, the Bureau for the Inspection Service of the Police Corps is responsible for investigating police abuses. Cases may be initiated by the inspection service, the police corps, the police department's organized crime unit, and individual citizens, among others.

The most grievous cases of corruption involved the Ministry of Environment and the Ministry of Construction and Regional Development, which were both headed by the ultra-nationalist Slovak National Party (SNS), a coalition partner of the ruling SMER ("direction") party until July 2010. Former Prime Minister Fico closed the Ministry of Environment because he considered the situation irreparable, and the Ministry of Agriculture took over its functions, until the new government reestablished the ministry in September.

International companies reported multimillion dollar losses that they settled out of court simply because of lack of a credible legal remedy, and cronyism was cited as the country's primary competitive disadvantage.

Following its formation in July, the new government launched its reform agenda by requiring disclosure of all contracts, invoices, and financial transactions relating to the public on the Internet and introducing electronic auctions as a mandatory form of procurement. However, the government had not prosecuted most of the egregious corruption scandals that had emerged under the previous government.

In April the European Commission (EC) formally questioned whether the winner of the National Highway Company's (NDS) tender to build an electronic toll-collection system had enjoyed an "unfair advantage." The NDS had awarded the tender to the highest bidder, SanToll-Ibertax, a Slovak entity, for 852.1 million euros (\$1.1 billion). The system was plagued by glitches when it began operating in January.

According to a report submitted by EC auditors in March the "presence of indicators of serious fraud was identified" in some of the social enterprises created by former Labor Minister Viera Tomanova. The eight regional social enterprises received 95 percent of their funding from the state to provide training and employment for persons in regions with high unemployment. However, according to the Slovak Governance Institute, the social enterprises were established "in direct contradiction with the existing EU legislation on state aid." As of January, the social enterprises had received 11.3 million euros (\$15.1 million) in public funds. The new government abolished the projects due to the perceived lack of transparency and corruption allegations.

In May Slovak investigators met their foreign counterparts to discuss new findings in the investigation of the sale of Slovak surplus carbon dioxide emission quotas. The country was believed to have lost at least 40 million euros (\$53.6 million) in a deal in which the environment ministry, then under the political control of Slovak National Party, sold rights to emit 15 million tons of carbon dioxide at approximately half the market price.

The Ministry of Interior is responsible for developing the government's overall strategy for combating corruption, with a specific focus on investigation and enforcement. The Special Court is responsible for most prosecution efforts (see section 1.e.). The general prosecutor, who is appointed by parliament and independent of the executive and judicial branches, also plays a leading role in

prosecuting corruption. The government Office of the Slovak Republic, which answers to the prime minister, also plays a role in developing anticorruption legislation and regulations.

The law provides for public access to government information; however, NGOs cited a need for greater public awareness of the responsibility of government to provide information. During the year both the Constitutional Court and the Judicial Council restricted access to information. The government often declined to provide information, reacted with extreme delays to requests, or released only heavily redacted information. In one case, the government released a contract for the sale of carbon dioxide emission quotas with the names of the buyers, the quantity of quota units, and the price redacted. The reason given was that the information was protected by confidentiality clauses in the contracts. In several such cases, authorities released the information after widespread critical media coverage.

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. Most NGOs were independent, although the Slovak National Center for Human Rights receives its budget from the parliament, and was thus semi-independent. Government officials were generally cooperative, although NGOs reported that at times government officials seemed to view their activities with suspicion or mistrust.

The country has an 11-member parliamentary Human Rights Committee, which was not particularly active during most of 2010. It did, however, have a public hearing on what some members of the committee determined to be inadequate government action on the 2006 case of an alleged attack on ethnic Hungarian university student Hedviga Malinova. In July, Anna Belousovova, of the SNS took over the chairmanship of the committee, the only committee in parliament chaired by the SNS, which many interpreted as ironic, due to SNS Chairman Jan Slota's infamous verbal slurs against minorities.

The office of the ombudsman is headed by Pavel Kandrác, who submits an annual report on human rights problems to the president. In submitting the 2009 annual report in April, Kandrác reportedly asked for expanded powers. In general, Kandrác's work has not been the subject of executive interference, but on the other hand, human rights activists do not consider his office to be very effective.

Kandrac focuses primarily on the issue of court delays and, to a lesser extent, children's rights. During the year his office did not comment on Roma issues, serious problems in the judiciary, or other human rights violations.

Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and the law prohibit discrimination based on race, gender, disability, language, or social status; the government made efforts to enforce these prohibitions in practice. All government agencies are required to create special favorable conditions for groups who are victims of discrimination, including but not limited to, employment, education, and vocational training.

Women

The law prohibits rape, including spousal rape. Although the government enforced the law effectively, rape was an underreported problem according to NGOs and academics. In 2009 there were reports of 142 rapes, and 396 cases of sexual abuse. There were 37 convictions for rape in 2009, and 16 convictions in the first six months of 2010. Rape victims had access to shelters and counseling offered by NGOs and government-funded programs.

Domestic violence against women continued to be a problem. The law prohibits domestic violence; however, it was widespread, and activists claimed that the government did not enforce the law effectively. A joint study performed by the Ministry of Labor, Social Affairs, and Family and the Public Policy Institute concluded that one of every five women was a victim of domestic violence. In 2008 parliament passed a law providing police with greater tools to combat domestic violence; the law allows police to prohibit suspected offenders from reentering the domicile where the victim resides for 48 hours after an incident was reported. In 2009 there were 1,028 convictions for crimes that involved domestic violence. During the same period, there were 192 convictions for abuse of a member of household. In the first six months of 2010, there were 508 convictions for crimes that involved domestic violence, and 95 convictions for abuse of a member of household. The law provides stricter sentences for violence directed toward members of the same household and allows for continued criminal prosecution even when a spouse drops charges. Domestic violence is punishable by two to 12 years' imprisonment. Domestic violence often was underreported due to the social stigma associated with being a victim; crime statistics did not adequately reflect the extent of the problem.

Under a national action plan to combat violence against women for 2009-12, government ministries and local governments were tasked with increasing awareness about domestic violence through public media campaigns and training of health practitioners on identification of domestic violence victims.

The law defines sexual harassment as unlawful discrimination. There were few statistics available to measure the frequency or severity of the problem. The National Center for Human Rights received approximately 18 reports of sexual harassment in the workplace in 2009. During the first nine months of the year, the center received seven reports of sexual harassment.

The government recognized the basic right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children. Contraception is widely available, however, the costs must be covered by the individual; they are not covered by the public health services. According to NGOs, the high cost of oral contraception in the country and the lack of public subsidization constitutes a significant barrier to access. According to the Ministry of Health, use of oral contraception is increasing (from 2 percent in 1988 to 20.5 percent in 2005). According to the Population Reference Bureau (PRB), 66 percent of married women between the ages of 15 and 49 use modern methods of contraception. Between the ages of 15 to 18, women must have the approval of their parents and gynecologist to obtain a prescription for oral contraception; they must pay the costs privately.

Child mortality rates were very low. According to the PRB, 100 percent of births are attended by skilled attendants. The law on public health care coverage provides comprehensive reproductive health services for women. According to estimates compiled by international organizations, there were approximately six maternal deaths per 100,000 live births in the country in 2008.

Sexual education is offered at all levels of schools, and the government's goal is to reduce unwanted youth pregnancies by 50 percent. However, NGOs noted that the quality of sexual education is very low, and is not mandatory. The country has a low incidence of HIV/AIDS infection and women and men are treated equally for sexually transmitted infections, including HIV.

Women and men are equal under the law, including family law, property law, and in the judicial system; however, discrimination against women remained a problem in practice. Although women are legally protected from discrimination in the labor market, NGOs reported that many women had been dismissed from their jobs upon

becoming pregnant. The equal opportunity office in the Ministry of Labor, Social Affairs, and Family worked in an advisory capacity to ensure the legal rights of women. The Council of the Slovak Republic for Gender Equality, established at the end of 2008, approved a National Gender Equality Strategy for 2009-13.

The Ministry of Labor and Social Affairs reported that women's 2009 wages were an average of 21 percent lower than those of men. According to outside experts and the Ministry of Labor, the reported wage differences were due to low participation of women in higher-paid management positions and large numbers of women working in low-paid occupations such as education, healthcare, social work, and light industry. The Ministry of Labor also noted that the wage gap was the result not of differences in base wages, but in bonuses which were provided in a less transparent manner.

NGOs continued to advocate increased opportunities for the political participation of women, who were underrepresented in almost all spheres of public power. In 2008 women accounted for 6.2 percent of senior government officials, 20 percent of the National Council, and equally low numbers in regional authorities.

Children

Citizenship is acquired 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. If the child is born in a foreign country, the foreign birth certificate must be notarized, translated, and recorded with a special vital records office administered by the Ministry of Interior.

While education is universal, free through the postsecondary level and compulsory until the age of 15, Romani children exhibited a lower attendance rate than other children. Although Romani children comprised only 15 percent of the total number of children under the age of 16, they were disproportionately enrolled in "special" schools for children with mental disabilities, despite diagnostic scores that were often within the average range of intellectual capacity. In many special schools, the registered student body was nearly 100 percent Roma, according to NGO reports.

The government did not provide data on the percentage of these students who were from Romani households, as it does not collect ethnic data. In the 2009-10 school year, there were 24,920 students enrolled in special schools and 10,529 enrolled in special classes within regular schools. The government reported that 36 percent of students in special schools were from socially disadvantaged, primarily Roma,

households. According to a September 2010 report by Amnesty International, Romani children comprised 85 percent of the students in special schools. Regular schools in the same communities had very few Romani students, especially at the secondary school level. A special school education did not provide Romani children the knowledge or certification necessary to continue to higher education institutions.

In September Amnesty International (AI) released an update to its 2008 report on school segregation. In the 2008 report, AI featured the town of Pavlovce nad Uhom, where 99.5 percent of the special school students were Roma, some of whom previously functioned at an acceptable level in the mainstream elementary school prior to their transfer. AI also found that Romani parents were offered cultural and financial incentives regardless of the presence of a mental disability to send their children to what was locally known as the "gypsy" school. AI's investigation found that authorities lacked proper assessment procedures for enrolling students in special schools. Following publication of the 2008 report, the government's School Inspection Service reportedly conducted an audit of 10 percent of all special schools to determine if proper enrollment procedures were followed; no irregularities were found. During the year AI found that, although the school's pupils were still 99.5 percent Romani, the overall enrollment of the school had dropped.

In August the government adopted a program calling for an end to segregation of Romani children in special schools. In 2008 the government had passed a law that addressed some of the problems through reform and new programs, specifically eliminating motivational scholarships based on performance and replacing them with attendance-based financial incentives. It also provided for the creation of "zero year" classes, which offer one year of state-funded prekindergarten education to children from socially disadvantaged families. During the 2009-10 school year, 3,134 children participated in the "zero year" program, an increase of 25 percent over the previous year. NGO observers expressed the view that the program was a successful model but that it needed to be expanded further to be effective.

Child abuse remained an underreported problem according to child advocates. The government continued to increase training programs to reduce the instance of child abuse and implemented a publicity campaign to raise awareness of the issue. A number of children's foundations operated programs for abused or disabled children (or both).

The government's National Action Plan for Children for 2009-12, funded through the government budget, focused on training of social workers and other professionals dealing with children, as well as public education campaigns against corporal punishment and sexual abuse of children.

Child prostitution is prohibited; however, according to the UN, it remained a problem in Romani settlements with the worst living conditions. Most of the perpetrators were other Roma.

According to the criminal code, 15 is the minimum age for consensual sex. Rape and sexual violence carry penalties of five to 25 years' imprisonment, depending upon the injury or harm caused the victim and the motive.

The production, distribution, or possession of child pornography is also a crime; the penalties for breaking the law range from two to 20 years' imprisonment.

As of June there were approximately 5,000 children in institutional care, the majority of whom were Roma. Of the 4,100 children in long-term care, nearly 800 were with foster families, a proportion that had increased steadily over the previous decade. According to law, children under the age of three must be cared for by foster families rather than being placed in orphanages. For the remainder of children, orphanages served as long-term care facilities rather than short-term residences. Activists claimed that orphans had difficulty integrating into society at age 18 and faced an elevated risk of falling victim to trafficking. The Ministry of Labor and Social Affairs operated small-group homes for young adults aging out of foster care.

The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information on international parental child abduction, please see the Department of State's annual report on compliance at http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html.

Anti-Semitism

Jewish community leaders and 2001 census data estimated the size of the Jewish community at approximately 3,000 persons.

Organized neo-Nazi groups, estimated to have 500 active members and several thousand additional sympathizers, promoted anti-Semitism and harassed and

attacked other minorities. Jewish community leaders expressed concern that some media coverage in the country exhibited anti-Semitic undertones.

In November 2008 the cabinet approved a penal code amendment that would toughen penalties for extremist acts. President Gasparovic vetoed the amendment, stating that it did not sufficiently define extremism and extremist acts. NGOs also expressed concern that the amendment's ambiguity could be misinterpreted or misused to repress perceived enemies of government including NGOs or media. In June parliament overrode the veto, and the amendment took effect in September. The amendment provides penalties of two to six years' imprisonment for individuals convicted of membership in an extremist group and three to eight years' imprisonment for production of extremist materials.

There were numerous reported acts of anti-Semitism. Police arrested individuals in Roznava, Nitra, Kolinany, Dolne Obdokovca, and other towns for painting swastikas on public buildings or propagating fascist ideology.

In 2007 two young men were arrested and charged with defamation against an ethnic group; the men shouted Nazi slogans at the Bratislava rabbi and his son as they were leaving a synagogue. The case was pending trial at year's end.

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

In March approximately 250 persons gathered in front of the presidential palace in Bratislava to commemorate the 71st anniversary of the founding of the wartime fascist Slovak state in 1939 and pay respect to its president, Jozef Tiso, who was executed for treason after World War II. Immediately before the extremists commemorated Tiso, human rights activists organized a march to promote tolerance, also in front of the presidential palace.

The Nation's Memory Institute (UPN) provided access to previously undisclosed records of the Slovak regimes from 1939-89, and in past years politicians such as the Slovak National Party Chairman Jan Slota made efforts to abolish it. In April 2009 parliament elected Arpad Tarnoczy, former chairman of the Union of Anti-Communist Resistance (ZPKO) and known for his pro-Tiso sentiments, to the UPN supervisory board. The ZPKO published a newsletter, *Svedectvo* (Testimony), that Jewish community officials criticized for advocating the wartime

fascist state. Tarnoczy previously unveiled a monument to Jozef Kirchbaum, a leader of the war time fascist Hlinka Guard.

The Ministry of Interior pursued violent extremist groups, and police monitored Web sites hosting hate speech and attempted to arrest or fine the authors. The government also continued implementing its action plan to fight discrimination, racism, xenophobia, and anti-Semitism. During the year the government organized educational programs on minority and human rights issues. High school and university curricula promoted tolerance, and students could also compete in annual essay contests that focused on human rights issues.

Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/g/tip.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services. Persons with disabilities were able to vote and participate in civic affairs. In practice, however, experts reported that access to buildings and higher education remained a problem, and laws to provide assistance to students with disabilities have not been implemented with regard to school facilities or educational materials. There were reports that persons with severe physical disabilities received less than the minimum wage in some instances.

NGOs reported limited resources for psychiatric care outside of Bratislava, a lack of community-based psychiatric care, and mechanisms to monitor human rights violations against persons with such disabilities. Psychiatric institutions and hospitals, which fall under the purview of the Ministry of Health, continued to use 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. Several NGOs conducted public education campaigns on mental illness and worked cooperatively with the health ministry.

NGOs have operated a project on patient advocacy in selected psychiatric wards throughout The country since 2007. They have reported no complaints from patients regarding the use of cage beds in the facilities.

A patient in a psychiatric facility in Pezinok was reportedly chained to his bed from February to July 2009. The Ministry of Health believed the physical restraint was lawful and necessary to protect facility staff, although several international NGOs expressed concern and dissatisfaction with this treatment.

While the government enacted legislation in 2007 requiring television stations to provide "voiceover broadcasting" for blind viewers, this provision has not been implemented by any Slovak broadcaster. While the law defines mandatory standards for access to buildings, NGOs noted that they had not been fully implemented, although access to privately owned buildings improved more rapidly than access to state buildings.

The Council for Citizens with Disabilities, cochaired by the deputy prime minister and the minister of labor, social affairs, and family, served as a governmental advisory body regarding persons with disabilities. NGO representatives also participate in the council.

National/Racial/Ethnic Minorities

Government and societal discrimination against Roma and individuals of non-European ethnicity was a common problem. Roma were the second largest ethnic minority with a population of 90,000 according to the 2001 census. Experts estimated that the Romani population was actually between 350,000 and 500,000. The discrepancy was attributed to Roma identifying themselves as Hungarians or Slovaks.

Racially motivated attacks on minorities (Roma and others) were widely reported throughout the year, but investigation of attacks and law enforcement varied by jurisdiction. During 2009 there were 24 convictions for racially motivated violence. During the first half of the year, there were 14 convictions for racially motivated violence.

Roma were particularly singled out for violence, and police detained numerous individuals for attacks against Roma motivated by racial hatred. There were also reports that police mistreated Roma. In March 2009 police officers in Kosice abused six Romani boys in detention (see section 1.c.).

Skinhead and neo-Nazi violence against Roma and other minorities continued to be a serious problem. The League of Human Rights Activists (LPR) reported that

although police were increasingly responsive in their efforts to monitor and control the skinhead movement, the problem persisted. The LPR also reported receiving e-mail and telephone threats from skinheads.

Several non-Romani minorities as well as foreigners were also victims of racially motivated attacks.

In June, four neo-Nazis attacked an African-American man on a tram in Bratislava. The police responded quickly and detained the attackers.

Extreme right, nationalist, and neo-Nazi groups continued to hold events designed to intimidate minority groups. Dressed in uniforms similar to those of the Hlinka Guards (the fascist wartime militia), the groups' members held marches and rallies to commemorate the wartime fascist state and to spread messages of intolerance against ethnic and religious minorities.

An alleged 2006 attack and subsequent perjury charges against Hedviga Malinova, an ethnic Hungarian university student in Nitra, continued to draw media attention. Two young men allegedly physically assaulted Malinova after hearing her speak Hungarian. The district prosecutor discontinued the investigation after two weeks, concluding that Malinova had lied. Amid media and NGO criticism, the Constitutional Court rejected Malinova's multiple appeals, and in 2007 police formally charged Malinova with perjury. In September 2009 Peter Labas, the dean of the Comenius University Medical Faculty, issued a report stating that Malinova's injuries were self-inflicted; several doctors listed as expert witnesses on the report subsequently contradicted the evaluation and asked to have their names removed from it, casting doubts on the report's integrity. In November 2009 Prosecutor General Dobroslav Trnka asked Labas to supplement the report with additional information to assuage doubts raised over its accuracy. In October 2010 the Human Rights Committee of parliament convened a hearing to question the prosecutor general about delays in the case that had already been pending for four years. Trnka responded that Labas' response was still incomplete; thus his office took no additional action on what Trnka referred to as a "banal" case during the year. The case remained pending at year's end.

The Slovak National Center for Human Rights reported receiving 987 complaints of discrimination from January to September; in 2009, the Center received 1,571 complaints. In most of these cases, the claims involved labor-related discrimination, especially concerning hiring processes. Other discrimination complaints concerned the provision of goods and services, social and health care,

and education. One NGO criticized the length of time it took for the center to issue required legal opinions on claims of discrimination.

Widespread discrimination against Roma continued in employment, education, health services, housing, and loan practices. Activists frequently alleged that employers refused to hire Roma, whose unemployment rate was estimated to be between 80 and 90 percent.

A case of alleged employment discrimination involving two Romani women received widespread media attention during the year. The pair, sisters who had higher education degrees, had attempted to find work as teachers but were reportedly refused by numerous schools due to their ethnicity. In September at least in part because of this extensive coverage, the media reported the women had received employment offers at a private college.

NGOs reported numerous cases of social discrimination against Roma during the year, including restaurants and other businesses refusing to serve Romani customers.

Local authorities and groups forced evictions of Romani inhabitants or blocked them from obtaining construction permits or purchasing land. Many Romani settlements lacked normal infrastructure, access to clean water, and proper sewage systems.

In August apartment owners in Michalovce built a 25-meter-long wall to connect with walls built earlier by the local municipality and which representatives claimed would be used for sports and to prevent noise. However, some criticized the wall as an attempt to divide local Roma from non-Roma. In September another wall was erected in Presov to separate the Stara Tehelna settlements inhabited by mostly Romani citizens from the area of the city inhabited primarily by non-Roma.

The law prohibits defamation of nationalities in public discourse; however, authorities enforced this law 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. Inflammatory speech by government officials continued to increase tensions between ethnic Hungarians and ethnic Slovaks.

In June 2009 parliament amended the State Language Act to allow the government to impose fines on government institutions, civil servants, and legal persons who

did not provide information required by law in Slovak. The amendment included a provision permitting the Ministry of Culture to levy fines of up to 5,000 euros (approximately \$6,700) on institutions for noncompliance. Members of the ethnic-Hungarian minority criticized the amendment as discriminatory and a restriction on their right to free speech, which the culture minister defended as an effort to extend and promote the use of the Slovak language. In response to criticism, the new government made changing the law a priority, and parliament passed an amendment in December that drastically reduced the instances in which an institution can be fined.

The government made efforts to address violence and discrimination against Roma and other minorities, although some critics worried that judges lacked sufficient training in the relevant laws. The government continued to implement its action plan against xenophobia and intolerance, which included a special police unit to monitor extremist activities. A commission consisting of NGOs, police, and government officials advised police on minority issues.

In August the government appointed Miroslav Pollak, a non-Roma with extensive NGO experience in social field work, the plenipotentiary for Romani affairs. His appointment drew criticism from some Romani NGOs. The government made only limited progress on its national minority strategy, which incorporated a wide range of education, employment, housing, and social integration policy recommendations from the Romani advocacy community. While the government allocated approximately 200 million euros (approximately \$268 million) of EU structural funds to projects that specifically addressed the needs of the Romani community, NGOs complained that none of the funds had been spent and that the government lacked a comprehensive approach to Romani integration.

The plenipotentiary maintained five regional offices to supervise the implementation of governmental policy on Romani issues, support infrastructure development, and cooperate with municipalities and villages to improve interaction between Roma and non-Roma. The Ministry of Labor, Social Affairs, and Family assigned specially trained social workers to Romani settlements to assist with government paperwork and to advocate the importance of education and preventive health care. The Ministry of Health trained Romani-speaking health care assistants to improve the community's access to health services.

During the year the government had a national antidiscrimination plan. The office of the deputy prime minister for human rights served as the secretariat for the Council of National Minorities and the Government Council for NGOs.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

According to gay rights advocates, prejudice and official and societal discrimination persisted, although no official cases were available for citation.

On May 22, there was a well-attended gay pride parade in Bratislava, which was in part supported by the international community. Shortly after the event began, a group of approximately 50 skinheads marched to within 20 feet of where introductory speeches were occurring. The neo-Nazis chanted slogans and tossed a smoke bomb into the crowd near a group of foreign dignitaries. In response, parade organizers altered the route. In the press scrutiny that followed, Interior Minister Robert Kalinak attributed the problems with the pride parade to its organizers, who "failed to provide appropriate protection against extremists, "such as by hiring their own private security guards." The only thing the organizers achieved, Kalinak asserted, was good advertising for neo-Nazis. The organizers refuted the assertion, noting they had discussed security with the police months in advance.

Officials at times expressed discriminatory views. In December 2009 Jan Slota, the chairman of the Slovak National Party and then governing coalition member, stated: "We're strictly against any promotion of these sick (referring to same-sex) relationships... when I see those transvestites having their parades, strutting down the street naked and presenting this as a fashion...I consider this to be outrageous and sick."

Lesbian, gay, bisexual, and transgender persons organizations existed and operated without impediments and lobbied for legal rights.

Other Societal Violence or Discrimination

There were no reports of discrimination against persons with HIV/AIDS.

Section 7 Worker Rights

a. The Right of Association

The law provides workers with the right to form and join independent unions of their choice except in the armed forces, and workers exercised this right in practice. Labor unions estimated that 17 percent of the work force was unionized;

business associations believed the actual figure was less than 10 percent. The law provides unions the right to strike with advance notice when collective bargaining fails to reach an agreement or to support other striking employees' demands (solidarity strike). The unions generally exercised these rights in practice without restrictions. The law prohibits dismissing workers legally participating in strikes; however, strikers were not ensured protection if a strike was considered illegal or unofficial. Civil servants in essential services and members of the military may not strike.

b. The Right to Organize and Bargain Collectively

The law provides for unions to conduct their activities without interference, and the government generally protected this right in practice. The law provides for the right to organize and bargain collectively, and workers exercised these rights in practice.

According to an Employment Ministry survey conducted in 2008, 24.47 percent of all employees were organized in unions.

There are no special laws or exemptions from regular labor laws in export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred. For more information, see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/g/tip.

Police have responsibility for investigating forced labor and trafficking.

d. Prohibition of Child Labor and Minimum Age for Employment

The law provides for the protection of children from exploitation in the workplace; however, there were reports that Romani children in some settlements were exploited for commercial sex. NGOs reported that most Romani victims, including children with disabilities, were exploited by family members or other Roma.

The minimum age for employment is 15, although children under that age may perform light work in cultural or artistic performances, sports events, or advertising activities if it does not affect their health, safety, or schooling. The National Labor

Inspectorate and Public Health Office must approve, determine the maximum hours for, and set conditions for child labor under the age of 15. Children younger than 16 may not work more than 30 hours per week; children who are 16 and 17 are limited to 37.5 hours per week. Children under the age of 18 are not allowed to work underground, work overtime, or perform work that is inappropriate for their age or health.

District inspection units received and investigated child labor complaints. If a unit determined that a child labor law or regulation had been broken, it turned the case over to the national inspection unit of the Ministry of Labor, Social Affairs, and Family. Enforcement was consistent across all communities.

Child labor in the form of begging was a problem in some communities; there were also isolated reports of children forced into prostitution, often by family members.

e. Acceptable Conditions of Work

The minimum wage, of 307.7 euros (\$ 412) per month, provided a decent standard of living for a worker and family in rural areas of the country, but not in urban areas.

The law mandates a maximum workweek of 48 hours including overtime, with 30-minute breaks after six hours of work or after four hours for employees younger than 18, and rest periods of at least 12 hours between shifts. 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 of labor safety generally enforced. Workers have the right to refuse to work in situations that endanger their health and safety and may file complaints against employers in such situations. In August, 20 miners died in an underground explosion in Handlova; a methane gas explosion caused the disaster. The leadership of the mines remained unchanged, and three separate teams, one from the district mining authority in Prievidza, the second from the economy ministry and the third from the police, had not released the results of their investigations by year's end

Workers have the right to refuse work that endangers their life or health without risking the loss of their employment, and they exercised this right in practice. Employees who work under conditions that endanger their health and safety are entitled to "relaxation" leave in addition to standard leave.