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Slovak Republic

Country Reports on Human Rights Practices - 2007
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Slovakia, 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). The head of government, Prime Minister Robert Fico of the social democratic Smer Party, was elected for a four-year term in June 2006. President Ivan Gasparovic, the head of state, was elected for a five-year term in 2004. Both elections were free and fair. Six political parties, three of which comprise the governing coalition, sit in the National Council. Civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens; however, there were problems in some areas. Notable human rights problems included some continuing reports of police mistreatment of Romani suspects, lengthy pretrial detention; restrictions on freedom of religion; corruption in the judiciary, local government, and the health sector; violence against women and children; trafficking in women and children; and societal discrimination and violence against Roma and other minorities.

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.

The trial of seven police officers charged with inhuman and degrading treatment in connection with the 2001 death of a Romani man in police custody reconvened at the Banska Bystrica regional court in September and was subsequently suspended again; the trial is scheduled to resume in 2008. The accused, who were dismissed from the police force, were not in detention.

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 organization (NGO) sources and members of the Romani community cited a continuing, though lessening, trend of mistreatment of Romani suspects by police officers during arrest and while in police custody. The Council of Europe's Committee for the Prevention of Torture (CPT) released an inspection report in February 2006 that noted significant allegations of mistreatment of detainees by law enforcement agencies, including slaps, punches, kicks, and/or blows with hard objects such as batons. Some persons claimed they had been struck with pistol butts, flashlights, or plastic bottles filled with water. In a "notable proportion" of cases the victims were Roma.

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

Prison and Detention Center Conditions

Prison conditions generally met international standards; however, overcrowding continued to be a problem. The government permitted visits by independent human rights observers.

The 2006 CPT report indicated widespread overcrowding in prisons and pretrial detention (remand) centers, noting an overall occupancy rate of 102 percent of capacity with the larger burden falling on the latter. The government acknowledged that prison overcrowding was a problem and adopted legislative changes in 2005 and 2006 to address it and other prison conditions. This year the minister of justice allocated additional funds for prison facility upgrades and submitted legislation requesting one new facility. As a result of these measures and the declining crime rate, the overcrowding situation improved, although a prison official acknowledged that more time and funding would be required to implement all of the necessary modifications. At year's end the prison occupancy rate was 76 percent of capacity, with three facilities over capacity.

The law mandates that female and juvenile prisoners and detainees be allotted 13 square feet of cell space per prisoner; the standard for male prisoners is 11.5 square feet.

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

Instances of police corruption and misconduct were reported, primarily in the form of extorting bribes during traffic stops. Headed by a director who reports directly to the minister of interior, the Bureau for the Inspection Service of the Police Corps at police headquarters is responsible for investigating police abuses. Cases may be initiated by, among others, the inspection service, the Police Corps, the police antiorganized crime unit, and individual citizens.

The most common charge brought against police officers was abuse of power. Other charges included battery, assault and battery, and illegal intrusion into private homes. On November 2, two police officers and a former police officer were convicted for the on-duty November 2006 murder of businessman in Polomka. One of the officers, who plea-bargained for a reduced sentence, admitted that a business associate of the victim ordered the murder. The primary assailant received a 25-year sentence, while the other two received sentences between five and 10 years.

There were some indications that impunity was a problem, as evidenced in the ongoing case of Radoslav Puky, a citizen of Romani origin. In 2004 Puky's body was found in a Trebisov canal 10 days after he disappeared during a police operation. Police investigators dismissed a complaint filed on behalf of Puky's family members in 2005; however, a subsequent CPT investigation indicated that the investigators made no attempt to examine a discrepancy between expert opinions on Puky's date of death, took only perfunctory action to investigate the report that police beat Puky before he disappeared, and did not interview any of the officers that participated in the police operation. In March the Constitutional Court dismissed a new complaint filed by the League of Human Rights Activists on behalf of the Puky family, citing new evidence from the CPT report. The league subsequently submitted the case to the European Court of Human Rights (ECHR), where it was pending at year's end.

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

Arrest and 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. 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. 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.

There was a bail system in place that functioned effectively. Attorney visits were allowed as frequently as necessary. The law allows monthly family visits upon request.

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 four years for crimes in which the expected sentence is more than 25 years. Further, pretrial detention cannot account for more than one-half of that total. 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 2006 statistics, pretrial detainees accounted for approximately one-third of the total prison population and were held on the average for 117 days at the district court level and 274 days at the regional court level. Judges released seven defendants involved in criminal murder cases from detention because of maximum pretrial detention regulations, even as the cases continued in the courts.

The law allows plea bargaining, which helped reduce the backlog of court cases.

e. Denial of Fair Public Trial

The law provides for an independent judiciary; however, problems with corruption and inefficiency in the judiciary continued, despite a series of reforms implemented in 2005 and 2006 by the Ministry of Justice to decrease corruption and improve efficiency.

Cases are generally first heard in the district courts; appeals are made to the eight regional courts. The Supreme Court, consisting of 70 active judges, is the highest court of appeals and court of last resort in all civil and most criminal cases. The Constitutional Court, with 13 judges serving 12-year terms, is independent of the Ministry of Justice and rules on cases regarding the constitution and international treaties, considers cases in which constitutional provisions are in conflict, and hears complaints about violations of basic rights and freedoms; decisions cannot be appealed to the Supreme Court. The Judicial Council, a constitutionally recognized independent body of lawyers and judges, makes decisions regarding disciplinary actions, administrative issues, and appointments of judges. The Special Court hears cases of official corruption and those related to high-ranking government and political figures and organized crime. The court's decisions may be appealed to the Supreme Court, which has thus far upheld every verdict. Military courts hear criminal cases concerning soldiers, police, prison guards, and related government security services. Military courts also have jurisdiction in cases involving civilians suspected of treason during time of war. Military courts provide the same rights as the regular court system.

In January the Ministry of Justice submitted legislation to shut down the Special Court. The prime minister rejected the legislation; however, the justice minister continued to make attempts to curtail the Special Court by introducing various measures to undermine the court's authority or reduce its funding.

The Disciplinary Court, which is part of the Judicial Council, initiated investigations against five judges during the year but did not take action against any of them.

With the exception of the Constitutional Court, courts employed a computerized system for random case assignment to increase transparency. Nevertheless, public skepticism toward the court system remained widespread.

Trial Procedures

Persons charged with criminal offenses are entitled to fair and public trials and have the right to be informed of the charges against them. However, NGO observers stated that judicial corruption often resulted in lengthy court delays and improper handling of police investigations. Defendants enjoy a presumption of innocence, have the right to refuse self-incrimination, and may appeal adverse judgments. 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. The law does not provide for jury trials. A panel of three judges is obligatory in criminal cases and in civil cases at the regional court and Supreme Court levels. Defendants have the right to be present, consult in a timely manner with an attorney at government expense, have access to government-held evidence, confront witnesses against them, and present witnesses and evidence on their own behalf.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

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 also perceived as being 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, of the 2,247 of complaints it received during the year, 199 delays in court proceedings constituted violations of the rights of the claimants, most of which involved delays of five or more years.

The ECHR made eight rulings during the year against the country based on the "reasonable time" requirement for civil and criminal proceedings under the European Convention on Protection of Human Rights.

Property Restitution

The law provides citizens an opportunity to apply for the return of land confiscated by the state between 1948 and 1989. Almost 50,000 cases were filed since a 2006 Constitutional Court decision paved the way for cases to be filed past the original filing deadline at the end of 2004. Through June over 15,000 claims had been resolved through land return, land awards, or financial reimbursement. A lack of historical documentation prolonged the process and prevented many cases from being resolved. The property restitution fund also suffered from corrupt management practices (see section 3).

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. There were no documented cases of police entering Romani homes without search warrants during the year, although observers believed such practices continued to occur.

Romani advocacy groups pressured the government to acknowledge and compensate victims for past involuntary sterilization practices on Romani women in public health facilities. Although the government acknowledged in a 2003 report that such procedures had taken place until the late 1990s, it dismissed them as "procedural shortcomings." Since 2005 the law has required that a patient must have submitted a written request at least 30 days before a sterilization is performed; however, criminal charges cannot be filed for offenses that took place prior to the date 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 were filed since the 2005 law went into effect. During the year the Presov regional court issued one verdict against the plaintiff.

Two forced sterilization civil suits that predate the 2005 law were filed at the ECHR in 2004. Both are still pending, with no significant action taken during the year. In one case, three Romani women claimed that they were sterilized without informed consent. In December 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 it awarded the claimants $2,200 (50,000 korunas). The court instructed the prosecution to reopen its investigation, and the government began collecting official depositions in July.

In the second case, eight Romani women who suspected they had been sterilized without their knowledge filed a case with the ECHR when hospitals allegedly denied them access to their own medical records. Four of the women subsequently received access to their medical files, and at least one discovered she had been sterilized. The remaining four women continued to be denied access to their medical records despite a government decree. In May the Ministry of Health informed Poradna that the women's medical records were lost.

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, it imposed limits aimed at extremist groups.

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

The independent media were active and expressed a wide variety of views without restriction, although state-owned television and wire services were subject to political influence by the government. There were reports that newly appointed directors of Slovak Public Television exerted pressure in the news department to provide favorable coverage of governing coalition events and activities, leading to the departure of several reporters and editors.

The government took several actions that observers believed were intended to pressure the media to curtail reporting critical of the government. In September the prime minister asked the prosecutor general to investigate journalists reporting corruption allegations against the minister of labor. The Slovak Syndicate of Journalists issued a statement rejecting the prime minister's actions as an attempt to instill self-censorship among journalists. The government also passed two resolutions reprimanding journalists for being too aggressive.

On December 6, the Bratislava district court ordered the newspaper *Plus 1 Den* to pay $22,000 (500,000 korunas) to Minister of Justice Harabin for publishing an article entitled "Harabin Protects Murderers."

The newspaper *Pravda* appealed to the Constitutional Court the February 2006 regional court ruling ordering it to apologize and pay damages of $176,000 (four million korunas) to a former supreme court chairman and current minister of justice for news stories and cartoons alleging judicial corruption. The court had not decided by year's end whether to hear the appeal.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mails; 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.

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.

On December 12, the Banska Bystrica regional court sentenced five neo-Nazis to probation of three to six months for propagating an ideology that suppresses the rights of others and riotous conduct during a September 2006 rally in Turecka.

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 $7,900 (180,000 korunas) to operate. In August the Ministry of Interior denied Juzanska Rada (Southern Council for Self-Determination) registration on the grounds that the organization's calls for separate self-governance structures in southern Slovakia were unconstitutional. It was the only organization denied registration during the year.

c. Freedom of Religion

The constitution and the law generally provide for freedom of religion; however, an amendment to the religious registration law discriminated against smaller religious groups. Catholicism was the dominant religion due to the number of adherents and received larger state subsidies; however, there was no official state religion.

In May the government amended religious registration law to require that religious groups must provide signatures of 20,000 citizens or permanent residents who are adherents of the faith in order to register officially. Registered groups received state subsidies for clergy and office expenses and were permitted to proselytize in prisons and hospitals and to conduct legal marriage ceremonies.

There were 18 registered religious groups in the country. No unregistered religious group has sufficient membership to meet the new requirements for registration.

Leaders of smaller religious communities, particularly Muslims, but also some Protestant denominations, the Hare Krishna community, and the Church of Scientology, complained that the membership requirement for registration effectively barred them from obtaining official status, although these groups experienced no restrictions on assembly and worship. Many government officials expressed support for the law in a way that indicated that certain minority religions were targeted. Jan Slota, leader of the Slovak National Party, one of three parties in the governing coalition, stated in March that stricter registration requirements were needed to prevent "our children going to a mosque to pray and professing that we are Al-Qaeda."

There were no further developments in the case of the 12 members of the Church of Jesus Christ of Latter-day Saints, who were told by Trnava local police to stop collecting signatures and leave the city during their 2006 registration petition drive. In October 2006 the government recognized the church.

Unlike in previous years, there was no evidence that the government monitored religious sects.

The law requires public elementary school students to take either a religion or an ethics class. Critics claimed students in poorer rural schools might be denied a choice or socially pressured to choose religion class. The law also allows government-funded religious schools to remove material inconsistent with church beliefs from the curricula.

Church groups contended that the government had taken few steps to carry out the restitution law for religious properties. The Reformed Christian Church stated that a handful of the 70 claims filed before the April 2006 filing deadline were restituted later that year, but there was no further action during the year.

Societal Abuses and Discrimination

There were reports of societal violence and discrimination against religious groups; however, the government made efforts to prosecute offenders and conducted programs to prevent it.

Organized neo-Nazi groups, estimated to have 500 active members and several thousand additional sympathizers, promoted anti-Semitism; these groups also harassed and attacked other minorities, including Roma. The Jewish community expressed concern that some media coverage in the country exhibited anti-Semitic undertones. Jewish community leaders and 2001 census data estimated the size of the Jewish community at approximately 3,000 persons.

On January 27, two young men were arrested and charged with defamation against an ethnic group; the men yelled Nazi slogans at the Bratislava rabbi and his son as they were leaving a synagogue. The case was pending trial at year's end.

In June a man was convicted and sentenced to one year in prison and two years' probation for the April 2006 desecration of a monument to Jewish Holocaust victims in Rimavska Sobota.

The May 2006 case of seven neo-Nazis in Kosice charged with possession of illegal weapons and propagating an ideology that suppresses the rights of others was pending trial at year's end.

The trial of the juveniles who vandalized 19 tombstones in the Jewish cemetery in Ruzomberok in 2005 was pending at year's end.

While direct denial of the Holocaust was not common, public 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, increased during the year. Extreme right-wing groups, such as Slovenske Hnutie Obrody, regularly praised the wartime fascist state and denied its role in the Holocaust. Slovenske Hnutie Obrody and similar groups linked their Web sites to those of Matica Slovenska, a cultural heritage organization that received significant state subsidies, and reproduced articles from Matica Slovenska's newsletter without authorization; Matica Slovenska did not act to stop these practices. The director of the government Institute for National Memory stated in June that he respected Father Jozef Tiso, the leader of the fascist state, and believed he played a positive role in the country's development. As a result of public outcry over similar statements made by the archbishop of the Roman Catholic diocese of Bratislava-Trnava in December 2006, Prime Minister Fico reaffirmed in January that Tiso was a war criminal.

The Ministry of Interior actively 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.

For a more detailed discussion, see the *2007 International Religious Freedom Report*.

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 repatrition, and the government generally respected these rights in practice.

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 in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government had an established system for providing some protection to refugees. However, the government did not routinely grant refugee status or asylum. According to national migration office statistics, 2,643 new cases were opened, 14 persons received asylum, 1,177 were denied refugee status, and 1,693 cases were terminated.

In December the government passed an amendment to the asylum law that gave officials broader authority to reject applicants based on technical errors in their applications.

In practice the government provided protection against "refoulement," the return of persons to a country where there is reason to believe they feared persecution.

The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 convention and the 1967 protocol and provided it to approximately 82 persons during the year. 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.

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.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers. In September the government, the UNHCR, and the local NGO Human Rights League signed an agreement to monitor border and airport activities in an effort to assist asylum and refugee seekers by providing a more efficient system for processing claims and making counseling and advocacy services available to applicants. The agreement was also designed to improve monitoring of illegal immigration and trafficking.

Unlike in previous years, there were no reports of mistreatment in asylum centers.

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 held on the basis of universal suffrage.

Elections and Political Participation

In June 2006 citizens voted six political parties into the National Council (parliament) in free and fair elections. Three of the six parties then formed the governing coalition. While election observers reported instances of localized vote buying aimed at Roma in the eastern part of the country, they noted that it had no impact on the final election results.

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 2006 elections, voters had the option to mark a preferential vote for an individual candidate on a political party list in addition to voting for a party.

There were 28 women in the 150-seat National Council, 36 women on the 70-seat Supreme Court, and two women in the 16-member cabinet.

The law prohibits collecting information on ethnicity, and it was not possible to determine the number of members of minority groups in government. No member of the cabinet claimed minority status. The party of the Hungarian coalition holds 20 seats in the National Council. Some ethnic Romani individuals and parties were successful at winning representation at the local level; however, Roma were consistently underrepresented in government service, and no Roma were in the National Council. There was no unified Romani minority party, and several Romani activists reported that this hampered political participation.

Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, the government did not always implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. The World Bank's worldwide governance indicators reflected that corruption was a problem, and cases of corruption were reported in the legislative and executive branches. However, NGOs and the Ministry of Interior indicated that the number of reports of corruption fell during the year.

The Special Court convicted numerous health care workers for taking bribes. Primary health care is heavily subsidized by the state and primarily run by state-owned institutions.

NGOs reported several instances of corruption by high-ranking ministerial appointees; however, the Ministry of Interior did not investigate any of these alleged corrupt activities.

In September police began a criminal investigation of the NGO Privilegium on the grounds that it had failed to pay almost $110,000 (2.5 million korunas) in payroll taxes associated with government contracts in recent years. The minister of labor and social affairs worked at Privilegium before joining the cabinet in 2006.

On November 15, Branislav Briza, acting director of the Ministry of Agriculture's property restitution fund, resigned after reports of corruption surfaced. During the year the

acting director granted several properties to claimants, who, as a precondition of the grant, sold the properties to businessmen connected with HZDS, one of the political parties in the ruling coalition, for less than 5 percent of appraised value. The lands in question, zoned for ski resorts, golf courses, industrial park development, or other high-value usage, did not formerly belong to the recipients, who lived in other regions of the country. On November 27, Prime Minister Fico forced Minister of Agriculture Miroslav Jurena (also HZDS) to resign.

The Supreme Court upheld the Special Court's January 2006 sentence against the mayor of Velky Meder for accepting a bribe in 2005. The case marked the first time that the court system had issued a final sentence against a mayor on bribery charges.

The Special Court found the former director of the National Agency for the Development of Small and Medium-sized Enterprises not guilty of transferring almost $69 million (1.58 billion korunas) to private accounts in 2005. The prosecution's handling of the case was widely criticized by government transparency advocates.

The Special Court sentenced the mayor of Raca to five years in prison and fined him $22,000 (500,000 korunas) for bribery in 2004. The man accused of bribing the mayor was sentenced to four and a half years in prison. Both men have appealed their cases to the Supreme Court.

Government officials were subject to financial disclosure laws; however, the parliamentary committee that received such information did not have the authority to prohibit specific activities based on any identified conflict of interest.

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 for Corruption, housed at the Ministry of Justice, is responsible for most prosecution efforts. 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 Office of the Slovak Republic, which answers to the prime minister, also plays a role in developing anticorruption legislation and regulations.

The law provides public access to government information; however, NGOs cited a need for greater public awareness of the responsibility of government to provide information. A few local government offices denied information requests without justification or left them unanswered.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views.

Section 5 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 effectively enforced these prohibitions in practice. However, violence against women and children, trafficking in persons, and discrimination against minority groups were problems.

Women

The law prohibits rape, including spousal rape. Although the government enforced the law effectively, rape was a problem and was underreported. There were 22 convictions for rape during the year. Rape victims had access to the shelters and counseling offered by NGOs and government-funded programs.

Domestic violence against women also continued to be a problem. The law prohibits domestic violence; however, it was pervasive, and activists claimed that the government did not enforce the law effectively. There were 457 incidents of domestic violence reported during the year. There were 246 persons convicted for domestic violence, marking a signficant increase from the 128 persons convicted in 2006. The law provides stricter sentences for violence when directed toward members of the same household and allows for continued criminal prosecution even when a spouse drops charges. Domestic violence was punishable by two to 12 years of imprisonment. Domestic violence often was underreported because of the social stigma associated with being a victim; crime statistics did not adequately reflect the extent of the problem. During the year police provided a training course to officers on domestic violence within the framework of a community policing seminar. The training was supplemented by printed reference material that encouraged officers to cooperate with women's rights advocates and NGOs.

Prostitution is legal; however, the law prohibits related activities, such as operating brothels, knowingly spreading sexually transmitted diseases, or trafficking in women for the purpose of sexual exploitation. It was unclear to what extent prostitution occurred.

The law does not prohibit sexual harassment, and there were no statistics available to measure the frequency or severity of the problem. The government took no action during the year to combat sexual harassment.

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. 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. Experts believed that reported wage differences were due to large numbers of women working in low-paid occupations, such as the education or social services sectors. NGOs continued to push for increased opportunities for the political participation of women.

Children

The government was committed to children's rights and welfare; the Ministry of Labor, Social Affairs, and Family and the Ministry of Education oversaw implementation of the government's programs for children. Education was universal and free through the postsecondary level and was compulsory for 10 years or until the age of 16. The UN Children's Fund (UNICEF) reported that the rate for primary and secondary school attendance was approximately 85 percent.

Most ethnic Slovak and Hungarian children attended school on a regular basis, but Romani children exhibited a lower attendance rate. Although Romani children comprised nearly 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 normal range of intellectual capacity. In many such schools in the central and eastern parts of the country, the registered student body was nearly 100 percent Roma. In turn, regular schools in the same communities had very few Roma students, especially at the secondary school level. The completion of education from a special school did not give Romani children the necessary knowledge nor the eligibility to continue on to higher education institutions, which do not accept special school certificates as entry criteria.

An increasing number of NGOs, including the League of Human Rights Activists (LPR), trained Romani children from special primary schools to help them transfer to regular schools. As a result of the LPR program, 24 children in Trnava entered regular schools in the 2006-07 school year, and 45 children entered regular schools in Zlate Klasy in the fall of 2007.

Child abuse remained an underreported problem. Since the passage of the 2005 child abuse law, the government increased 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 children or children with disabilities. UNICEF continued to operate a hot line for children.

In June the Ministry of Interior, UNICEF, and corporate contributors announced a new program to search for lost or runaway children, estimated at 700 nationwide, and to provide assistance to families of these children.

Child prostitution is prohibited; however, according to the UN, it remained a problem in Romani settlements with the worst living conditions.

There were approximately 7,500 children in institutional care, the majority of whom were Roma. Most government orphanages were long-term care facilities rather than short-term residences. Activists claimed that orphans had difficulty integrating into society at age 18 and were at increased risk of falling victim to trafficking.

Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that women and children were trafficked from, within, and through the country.

The International Organization for Migration (IOM) estimated that between 150 and 200 persons were trafficked from or through the country during the year, mainly for the purpose of sexual exploitation. There were isolated reports that children were forced into prostitution. The IOM reported expanded usage of victims' assistance programs during the year linked to increased awareness of these programs. Most of the victims trafficked through the country came from the former Soviet republics (particularly Moldova and Ukraine) and Balkan countries. Traffickers also recruited Slovaks. Victims were typically trafficked through the Czech Republic or Austria to Western Europe. Victims were typically between the ages of 18 and 25 from various social backgrounds, but particularly from areas with high unemployment. Some experts alleged that Romani women and persons raised in state institutions were most vulnerable to being trafficked because of their socioeconomic situation and reduced freedom of mobility.

Traffickers lured women with offers of employment, often relying on personal connections. Activists who worked with the few victims forced to work while transiting the country reported that most were placed as prostitutes or as exotic dancers in nightclubs. Such activity was concentrated on the border with Austria and close to Ukraine and along trucking routes with a prevalence of nightclubs. Traffickers closely monitored victims, withheld their documents, and used violence to ensure their compliance. Some victims allegedly were threatened with violence or even death if they attempted to escape.

Under the law, traffickers may be sentenced to four to 10 years in prison. The sentence may be increased to as much as 25 years depending on complicating factors, for example if a trafficking incident involves wrongful death.

Police investigated 13 cases of trafficking during the year, resulting in charges against nine suspects. Courts convicted and sentenced seven traffickers, none of whom were involved in child trafficking.

In February police uncovered a trafficking ring organized by Slovak and Slovenian citizens that recruited young women to work legally in Croatia, then forced them to work as prostitutes in Slovenia. Four members of the organization were arrested and were in custody at year's end awaiting a 2008 trial.

The government agencies responsible for combating trafficking include the national coordinator to combat trafficking in persons; the police antitrafficking unit; the ministries of interior, finance, justice, and education; the prosecutor's office; the border police; the equal opportunity office at the Ministry of Labor, Social Affairs, and Family; and the plenipotentiary for Romani communities.

The government continued efforts related to the 2006 National Action Plan to Combat Trafficking in Persons, although corruption among border officials, police, and asylum officials allegedly hampered efforts to combat trafficking. In February the national coordinator signed agreements with three NGOs–-Dotyk Crisis Centre, Prima, and Storm–-for one-year pilot projects to identify and provide shelter and services to victims of trafficking. The government also carried out a project with the UN Office on Drugs and Crime during the year aimed at strengthening legislative, investigative, prosecutorial, and technical capabilities to combat trafficking and provide protection and support to victims. The Ministry of Interior carried out prevention programs for teachers, students, and mayors, with a particular focus on towns near the Ukrainian border. Although no formal screening or referral process was in place, the law required police to provide a list of assistance programs to suspected victims. NGOs reported increased cooperation and communication with police.

Police participated in international investigations on a limited basis. Slovenia, Austria, and Belgium made requests for extradition of perpetrators of trafficking in persons during the year. One person was extradited to Slovenia based on a European Union arrest warrant; the other cases are still pending.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services, and 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 that 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 deficiencies in psychiatric care of patients with mental disorders and in mechanisms to monitor human rights violations against them. Psychiatric institutions and hospitals, which fall under the purview of the Ministry of Health, continued to use cage beds. 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.

The government has taken recent steps to strengthen laws improving access to services for persons with disabilities. During the year the government enacted legislation requiring television stations to provide "voiceover broadcasting" for blind viewers. Currently less than 30 percent of television programs provide such services. In 2006 the government also enacted legislation that further defines mandatory standards for access to buildings. According to NGOs, a lack of funds prevented full implementation of these laws, although they note that access to privately owned buildings improved more rapidly than access to state buildings.

The Council for Citizens with Disabilities, chaired by the minister of labor, social affairs, and family, served as a governmental advisory body regarding persons with disabilities.

National/Racial/Ethnic Minorities

Discrimination and societal violence against Roma and individuals of non-European ethnicity was common, and the number of violent attacks on foreign students and visitors increased during the year. Unlike in previous years, there were no reported cases of violence against ethnic Hungarians. Roma constituted the second largest ethnic minority, reported by the 2001 census to number 90,000, although experts estimated the population to be between 350,000 and 400,000. The discrepancy was attributed to Roma identifying themselves as Hungarian or Slovak.

Racially motivated attacks on minorities--Romani and otherwise--were reported widely throughout the year. Investigation of attacks and enforcement of laws varied by

jurisdiction. During the year one case of racially motivated murder was brought to trial and conviction; eight cases of racially motivated assault resulting in serious injury were tried during this time, resulting in seven convictions; 33 cases of violence against a racial or ethnic group were brought to trial, resulting in 22 convictions; and 17 cases of "violent threatening" were tried, resulting in 11 convictions. Some advocates believed police numbers underreported the problem.

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. Skinhead and neo-Nazi violence against Roma and other minorities continued to be a serious problem. The 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, including foreigners, were also victims of racially motivated attacks. In March alone, the LPR received reports of attacks on Nigerian, Mexican, and Vietnamese citizens. The police response varied dramatically from case to case. Several skinheads attacked the Nigerian citizen, a resident married to a Slovak woman, in Bratislava. After visiting the scene of the alleged crime with police, the victim went to the police station to file a complaint and was himself charged with assault and detained. At year's end the case was pending trial, with the League of Human Rights Activists representing the Nigerian citizen.

On April 8, three men illegally entered a Romani home in Trebisov and assaulted several family members. The district court charged them with illegal entry and racially motivated criminal activity. Two of the men bargained with authorities and received light sentences, while the third pleaded not guilty. The police investigation was ongoing at year's end.

On August 30, a Romani man and his wife were attacked and seriously wounded in Detva. Suspects were detained but not charged; human rights groups asserted that the police did not investigate the case properly.

In the April 2006 case in which several youths attacked two Romani women in Spisska Stara Ves, the Kezmarok district court found six youths guilty of assault based on racial motives and disorderly conduct. One defendant received a two-year prison sentence, while the rest received suspended sentences.

The alleged August 2006 attack on ethnic Hungarian university student Hedviga Malinova in Nitra continued to draw media attention during the year, sparking public debate on the government's handling of the case. 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. The minister of interior and other government officials supported the decision, claiming that the case had been fabricated by the opposition Slovak Hungarian Party in order to bring down the government. Journalists and human rights advocates criticized the decision, charging that a cover−up had taken place. Malinova's multiple appeals to the Constitutional Court were rejected, and on May 14, the Nitra police formally charged Malinova with perjury. In September, however, the prosecutor general indicated to journalists that he believed the initial investigation in the case was flawed and reopened the case with new investigative and prosecutorial teams at year's end.

In the September 2006 case of neo−Nazi youths who attacked several Roma at a train station in Humenne, the district court in Humenne in April convicted all three suspects for assault and riotous conduct and sentenced them to up to one year of probation.

Police continued to investigate the September 2006 case of three masked attackers who broke into a Romani family's home in Sered and beat the occupants.

Discrimination against minorities, particularly Roma, was common. The Slovak National Center for Human Rights reported that 1,440 complaints of discrimination were filed during the year, three of which were forwarded to the courts as civil cases. The most frequent claim involved labor-related discrimination, including discriminatory hiring processes. 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 the areas of employment, education, health services, housing, and loan practices. Activists frequently alleged that employers refused to hire Roma, whose unemployment rate exceeded 95 percent in many settlements. Romani children were disproportionately assigned to schools for children with mental disabilities, essentially eliminating their chances to pursue higher education.

Increasingly during the year, local authorities and groups forced evictions of Romani inhabitants or blocked construction permits or the purchase of land. Many Romani settlements lacked formal infrastructure, access to clean water, and proper sewage systems. In September the city of Nove Zamky sold a building occupied primarily by Roma tenants, many of whom were in default on rent payments, to a private owner, who announced he would tear down the building as a condition of the sale. The owner evicted and moved 40 Romani families to housing without basic services, mostly in surrounding villages that lacked efficient transportion to the city. The case attracted the attention of the deputy prime minister, who labeled racism as a factor, saying the cases reminded him of World War II relocations. Similar, less-publicized cases were reported in other towns throughout the year, including Tornala, Kosice, and Kezmarok.

The relocation of Romani families proposed by the mayor of Puchov in March 2006 had not taken place.

In previous years the government reported that usury, the illegal charging of high interest rates on small loans, was one of the main causes of the deepening poverty of Roma in settlements. While it was believed that usury continued, reports of it fell markedly during the year. Only 20 cases were reported, and eight alleged perpetrators were prosecuted.

The law prohibits defamation of nationalities in public discourse; however, this law was enforced during the year only when other offenses, such as assault or destruction of property, were committed. Public officials at every level defamed minorities and made derogatory comments about Roma. Inflammatory speech among government officials also raised tensions between ethnic Hungarians and ethnic Slovaks, especially since 2006.

Extreme−right nationalist and neo−Nazi groups such as Slovenska Pospolitost (Slovak Community) and Narodny Odpor (National Resistance) continued to hold events designed to intimidate minority groups. Dressed in uniforms similar to those of the Hlinka Guards (the fascist wartime militia responsible, among other things, for concentration camps), the group's members held marches and rallies to commemorate the wartime fascist state and to spread messages of intolerance against ethnic and religious minorities.

Reports of increased sales of neo−Nazi and white supremacist materials also emerged during the year. In May journalists in Banska Bystrica discovered that vendors of neo−Nazi products had offered discounts to police in exchange for protection from prosecution. In September police arrested the owners of a Bratislava clothing store for selling pro−Nazi apparel and educational materials.

The 2006 cases of racially motivated speech and incitement to violence by the leaders of the white supremacist World Church of the Creator and the National Alliance organizations and the August 2006 Banska Bystrica case in which three men held banners with the phrase "Death to Hungarians" at a soccer match were awaiting trial at year's end.

The government continued to make 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 the police on minority issues.

In a sign of greater political recognition of discrimination and violence directed at Roma, all six political parties that were elected to the National Council in June 2006 included plans in their party platforms to address Roma issues. In July a new plenipotentiary for Roma affairs, Anina Botosova, was appointed. 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 provide assistance with government paperwork and to build awareness of the importance of education and preventative health care. The Ministry of Health also continued to train Romani-speaking health care assistants to improve Romas' access to health services.

Interpretation of antidiscrimination laws during the year varied by jurisdiction. In May Kosice−East district court ruled that a bar owner in Medved had discriminated against two Romani patrons on the basis of their ethnic origin. The claimants were awarded $700 (16,000 korunas), marking the first time a civil court awarded damages under the 2004 antidiscrimination law. In September the Spisska Nova Ves district court ruled that a local club had discriminated against a Romani family by not serving them but that the discrimination was not based on race or ethnicity. In a similar decision from August 2006, the Michalovce district court ruled that three Roma refused service at a cafe were victims of discrimination, but the court did not award damages because it ruled that the discrimination was not based on ethnicity. The National Center for Human Rights, which mediated several discrimination cases and provided official legal opinions in dozens more, noted that judges had not received sufficient training to implement the antidiscrimination law consistently.

Other Societal Abuses and Discrimination

There were no reports of violence based on sexual orientation or discrimination against persons with HIV/AIDS. Prejudice and discrimination based on sexual orientation persisted.

Section 6 Worker Rights

a. The Right of Association

The law provides for the right to form and join unions 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 under 10 percent.

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. 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 are not ensured protection if a strike is considered illegal or unofficial. Civil servants in essential services and members of the military may not strike.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that women and children were trafficked for sexual exploitation.

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 some reports that children were exploited and that Romani children in some settlements were exploited for commercial sex.

The minimum age for employment is 15, although children under 15 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 age 15. Children under age 16 may not work more than 30 hours per week, and children ages 16 to 17 are limited to 37.5 hours per week. Children under age 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.

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

e. Acceptable Conditions of Work

On October 1, the minimum wage increased to $356 (8,100 korunas) per month. The minimum wage 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. The 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; whether they did so in practice was not clear. Employees working under conditions endangering their health and safety for a certain period of time are entitled to be paid "relaxation" leave in addition to their standard leave.

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