



## U.S. DEPARTMENT of STATE

### Slovak Republic

#### Country Reports on Human Rights Practices - [2006](#)

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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). The head of government, Prime Minister Robert Fico of the Smer (Direction-Social Democracy) Party, was elected for a four year term in June. President Ivan Gasparovic serves as head of state and 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 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 persons; and societal discrimination and violence against Roma. The overall human rights situation did not significantly change during the year; however, a report was released that noted mistreatment of persons, particularly Roma, by police that occurred in recent years.

#### 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.

In the case of seven police officers charged with inhuman and degrading treatment in connection with the 2001 death of a Romani man in police custody, a new regional court judge reviewed the proceedings when the original judge in the case departed for another position in May 2005. The trial had not begun by year's end. 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.

In February-March 2005, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) visited the country, inspecting police stations, prisons, social services homes and, for the first time, psychiatric establishments. The CPT's report on the visit, which was publicly released on February 2, noted that the committee received a significant amount of information indicating mistreatment of detainees by law enforcement agencies. The types of mistreatment alleged consisted mainly of slaps, punches and kicks, 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 these cases the victims were Roma.

In one example, a prisoner alleged that, at the time of his apprehension in 2004, police in Kosice punched him in the face and struck him on the back with a flashlight after he obeyed a police order to stand with his hands pressed against a wall. He also alleged he was beaten during his transport to the police station and thereafter. The prisoner's medical file at the Kosice Prison, recording his examination four days later, noted that he displayed "a hematoma above the left scapula the size of the whole shoulder blade and hematoma under the lower right eyelid."

Published at the same time as the CPT's report, the government response noted that an internal investigation into the complaint was dismissed as unsubstantiated and the detainee did not file an appeal upon notification of the dismissal. In its response to the report, the government listed extensive internal control procedures as safeguards against mistreatment and in investigating such allegations. The response disagreed with CPT observations that, in practice, not all safeguards were implemented in all cases.

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 CPT report noted that a significant proportion of cases of alleged police mistreatment examined involved Roma. The government refuted the committee's assertion with the explanation that, "to prevent discrimination," authorities did not ascertain the ethnic origin of alleged victims of police abuse. While the law prevents the recording of an individual's ethnicity in official documents, observers with experience in Romani issues agreed that it was disingenuous of the government to imply that police officers were unaware of the ethnicity of a suspect at the time of arrest or during subsequent detainment.

During the year police implemented a pilot project to provide special training on Romani culture and language to 118 police officers who worked in districts covering 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. Six out of 10 prisoners worked in prisons; the average wage was \$0.57 (16.97 korunas) per hour, based on a national standard set by the director general of the Prison and Justice Police Corps.

The government permitted visits by independent human rights observers.

The February 2 CPT report indicated widespread overcrowding in prisons and pretrial detention (remand) centers, noting an overall occupancy rate of 102 percent with the larger burden falling on the pretrial detention centers. Since the time of the CPT visit, the government enacted legislative changes to address prison conditions, in force since January. As a result, the overcrowding situation improved, although a prison official acknowledged that more time and funding will be required to implement all of the necessary modifications. During the year the number of prisoners and detainees totaled 8,249, a decrease from the 9,500 at the time of the CPT visit. The change in legislation mandated that institutional capacity be measured at four square meters of cell space per prisoner for women and juveniles, a CPT-recommended increase from the previous three-and-a-half square meters, although this lower area remained the standard for male prisoners. Overall usage of prison and pretrial detention center capacity was 79 percent during the year, although one of the 18 facilities continued to have a usage rate over 100 percent capacity.

The CPT made a number of recommendations, to which the government responded in a published report. According to the government's published response, the government implemented some CPT recommendations but deemed others unnecessary. Regarding allegations of police mistreatment, the government acknowledged that "isolated incidents of human failure" have occurred, but denied any generalized trends of mistreatment and of all the specific cases cited by the CPT.

#### d. Arbitrary Arrest or Detention

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

#### Role of the Police and Security Apparatus

The national police 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 investigators were occasionally reluctant to take the testimony of witnesses, particularly Roma, women, and the homeless. They also contended that, on occasion, police failed to promptly and thoroughly investigate cases involving Roma.

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. In November police arrested two active police officers, at least one of whom served in a commando unit, and a former police officer on charges of murder. The investigation was pending at year's end. In 2005 charges were brought against 195 police officers, fewer than the previous year. The most common charge was abuse of power. Other charges included battery, assault and battery, and illegal intrusion into private homes.

There were some indications that impunity was a problem. In its February 2 report, the CPT reviewed official actions in two cases of alleged police abuse. The cases involved the 2004 death of Radoslav Puky, whose body was found in a Trebisov canal 10 days after he disappeared during a police operation in the area, and "J.H.," a 17-year-old male who alleged that police beat and injured him after he was taken into custody in Trebisov in 2004. In the Puky case, the report noted that investigators looking into police actions made no attempt to examine a five- to eight-day discrepancy between the first and second expert opinions on the probable date of Puky's 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 its review of the allegations by J.H., the CPT identified inaction by police, prosecutors, and judicial authorities with regards to allegations and medical evidence that indicated possible police mistreatment or the failure of police officers to respect J.H.'s legal rights. The government response to the CPT observations noted that several investigations into the Puky case resulted in the same conclusion of drowning without the involvement of another person and the final complaint filed on behalf of Puky's family members was dismissed in July 2005. The government asserted that in its review of the J.H. case procedures were appropriately followed, including during the investigation of his allegation of mistreatment.

During the year a local NGO concluded its program to train police officers in human rights. The program included a train-the-trainers

component, giving police training facilities the capability to provide training in-house. An instructor at a police training facility verified that human rights training remained on the curriculum.

#### Arrest and Detention

The constitution and the law stipulate that a person can only be taken into custody for explicit reasons and must be immediately informed 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 in which the expected charges could bring a minimum 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.

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

Effective January, a new law on criminal court procedures mandates that the total time of detention (pretrial plus trial) can not 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 and that pretrial detention can not account for more than one-half of that total. In cases with extenuating circumstances, the Supreme Court may extend pretrial detention to four years. According to 2005 statistics, the average length of pretrial detention was 127 days at the district court level and 227 days at the regional court level. These figures represent an increase in the average length of pretrial detention at the district court level and decrease in length at the regional level. Pretrial detainees accounted for approximately one third of the total prison population.

Delays in court procedures and investigations frequently led to lengthy pretrial detentions. During the year judges released four defendants involved in two criminal murder cases from detention because of maximum pretrial detention regulations, even as the cases continued in the courts.

Implemented on January 1, a new criminal procedures law introduced the possibility of plea bargaining. Judges and the prosecutor's office noted that plea bargaining, which precludes the appeal process, started to reduce the backlog of court cases. The number of criminal cases that concluded with plea bargaining was low in the first six months, but increased rapidly in the second half of the year. Of the 27,470 cases submitted to court, 2,914 cases were completed with plea bargains.

#### 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 within the court system.

There are eight regional courts. The Supreme Court, consisting of 70 active judges, is the highest court of appeals. 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. At year's end, three Constitutional Court seats remained vacant. The Judicial Council, a constitutionally recognized independent body of lawyers and judges, made decisions regarding disciplinary actions, administrative issues, and appointments of judges.

In September 2005 a special court for corruption cases opened and within approximately one year issued 57 verdicts. In addition to cases of official corruption, the court hears cases related to high-ranking government and political figures and organized crime. The court's decisions may be appealed to the Supreme Court.

Cases are generally first heard in the district courts; appeals are made to the eight regional courts. The Constitutional Court hears cases involving constitutional or human rights issues; the Supreme Court is the court of last resort in all legal cases.

During the year the disciplinary court took action against 18 judges, none of which were initiated by the Minister of Justice. In 2005 the disciplinary court, on the initiation of the ministry, took action against five judges suspected of corruption and in 2004 disciplined 25 judges, nine of whom were removed from the bench and two resigned. Other possible penalties included a reduction in salary and reassignment to lower courts. A computerized system for random case assignment functioned at almost every level of the courts to increase transparency. Transparency International reported in 2004 that 59 percent of citizens viewed the courts as corrupt. In a similar study during the year, 47 percent of the public considered the courts corrupt.

#### Trial Procedures

Persons charged with criminal offenses are entitled to fair and open public trials and have the right to be informed of the charges against them. However, NGO observers stated that in practice corruption among judges infringed on a person's right to a fair trial. 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 their imposed sentence nor pay any fine until the final decision on 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.

Military courts hear cases concerning civilians suspected of war treason and provide the same rights as the regular court system.

#### 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 are subject to the same delays as criminal courts and are 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 act as legal representation for claimants in court.

From January through September, the ombudsman's office determined that, of the thousands of complaints received, 117 delays in court proceedings constituted violations of the rights of the claimants. The majority of those violations involved delays of five or more years.

In September the European Court for Human Rights (ECHR) awarded a woman \$7,470 (5,700 euros) for significant delays in her civil court case.

#### Property Restitution

The 2003 law on property restitution provides citizens a second opportunity to apply for the return of land confiscated by the state between 1948 and 1990. Under this law 48,173 cases were filed. Through June 11,197 of these claims had been resolved and the lands returned; in 4,747 other cases, the land was unavailable or impossible to return, and financial reimbursement was made instead. These figures represent a doubling in the number of resolved claims over the course of a year. A lack of historical documentation prolonged the process and prevented many cases from being resolved.

In August the Constitutional Court ruled that the law providing for the transfer to the state of land without an identifiable owner is against the right to own property as guaranteed in the constitution. This decision negates a deadline specified in the law, with the effect that there is no time limit for claimants to file for return of their property, for which ownership records were destroyed or obfuscated during the Communist era.

#### 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. Unlike in previous years, there were no documented cases of police entering Romani homes without search warrants, although observers believed such practices continued to occur.

In 2005 provisions of a law went into effect, requiring that sterilizations be performed only at the request of the patient and only after 30 days had passed since the initial request. The law was prompted by NGO charges in previous years that doctors performed coerced or forced sterilization on Romani women.

No victims of sterilization without informed consent received financial redress for the sterilization itself, although the government acknowledged in a 2003 report that the procedures had taken place. In September 2005 the general prosecutor's office announced that no criminal charges would be filed. The government stated that any woman who believed she was a victim of forced sterilization had the right to sue. According to the government, one court case against the hospital in Gelnica concluded in 2003 with a finding that unlawful sterilization did not occur. While exact numbers were not available, a handful of civil suits, filed with the help of a local NGO, were ongoing at year's end.

On December 13, the Constitutional Court ruled that regional-level prosecutors had violated the constitution and European Convention on Human Rights by improperly closing the investigation of a claim by three Romani women that they had been sterilized without informed consent. While the Constitutional Court did not rule on whether sterilization without informed consent had occurred, it awarded the claimants \$1,850 (50,000 korunas) each due to procedural violations committed by prosecutors during the case. The court instructed the prosecution to reopen its investigation into the alleged sterilizations, and further proceedings were pending at year's end.

In 2004 with the help of NGOs, 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 during a caesarean section. The remaining four women continued to be denied access to their medical records despite a government decree ordering hospitals to give women access to these records; the case was ongoing at year's end.

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

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' imprisonment. During the year police investigated 163 cases under the four articles in the criminal code that cover propagating an ideology that suppresses the right of others, public display of emblems or other signs or slogans supporting movements which suppress the basic rights of others including denial of the Holocaust, defamation of an ethnicity or race, and agitation in support of ethnic or racial hatred. Additionally, police investigated 25 cases of racially motivated violence or injury. Of these 188 investigations, 107 were prosecuted. There was no information available on the number of persons convicted and imprisoned during the year under these provisions.

The independent media were active and expressed a wide variety of views without restriction. The Constitutional Court continued to examine the constitutional merits of the law governing the state funded news agency, which was allegedly subject to political influence and noncompetitive practices; the case was ongoing at year's end.

In February the court ruled in favor of a former Supreme Court chairman in a civil libel case. The court ordered a daily newspaper to apologize and pay damages of \$100,000 (three million korunas) to the former judge for news stories and cartoons concerning the salary bonuses for judges and lack of use of the random electronic system to assign court cases to judges. The newspaper indicated that it would appeal the decision. The Slovak Syndicate of Journalists stated that the decision set a dangerous precedent which could deter the independence of the media. In July the plaintiff in the case became the minister of justice. In 2004 the former prime minister filed libel suits against the daily newspaper Pravda for \$166,000 (five million korunas) and a second suit against newspaper SME for libel. Both cases were ongoing at year's end.

#### Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mails; however, police monitored Internet 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 engage in the peaceful expression of views via the Internet, including by electronic mail. Based on 2005 data from the International Telecommunications Union, 46 percent of the population uses the Internet. 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.

In September police broke up a neo Nazi rally in Turecka, temporarily detaining 17 persons and then later charging six with propagating an ideology that suppresses the rights of others and riotous conduct. The investigation was ongoing at year's end.

##### 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 approximately \$6,000 (180,000 korunas) to operate. During the year no organization was denied registration or faced any other limitations on its operations.

#### c. Freedom of Religion

The constitution and the law provide for freedom of religion, and the government generally respected this right in practice.

Religious groups must have 20,000 permanent resident supporters in order to register with the government. Registered groups received state subsidies for clergy and office expenses and the right to visit and proselytize in prisons and hospitals. Unregistered religious groups are prohibited from conducting legal marriage ceremonies. There were 16 registered religious groups, with a 17th receiving registration approval in October. Catholicism was the dominant religion due to the number of adherents and so received larger subsidies; however, there is no official state religion.

On September 22, during a petition drive to gather signatures, local police in Trnava told 12 members of the Church of Jesus Christ of Latter-day Saints (LDS Church) to stop collecting signatures and leave the city. The signature collectors departed peacefully and did not file an official complaint. Trnava city officials stated that the police instruction stemmed from citizens' complaints of harassment. Members of the LDS Church did not experience police or any other official intimidation in the approximately 30 other cities where they conducted their

petition drive. There were isolated incidents of locals protesting against the signature collectors, which included shoving.

On September 26, the LDS Church presented a petition with over 20,000 supporting signatures to the Ministry of Culture in order to register as a religious group. On October 18, the government officially recognized the LDS Church. Church leaders stated that they did not face any obstacles once the registration application was submitted.

In previous years leaders of a number of minority religious communities in particular Muslims, smaller Protestant churches, the Hare Krishna community, and the Church of Scientology complained that the large membership requirement effectively barred them from obtaining official status, although these smaller religions experienced no restrictions on assembly and worship.

The government monitored but did not interfere with the peaceful practices of religious sects.

A 2004 law requires public elementary school students to take either a religion or an ethics class. Critics of the law claimed students may be denied the choice in poorer rural schools or socially pressured to choose religious classes. The law also allows government funded religious schools to remove material inconsistent with church beliefs from the curricula.

In 2005 a law permitted religious organizations to claim property taken between May 8, 1945 (November 2, 1938 for the Jewish community) and January 1, 1990, and established April 30, 2006 as the filing deadline. With the exception of the Reformed Christian Church, religious groups had few remaining claims for unreturned property. Several religious institutions noted that they could not provide precise data on the few claims outstanding since many of their branches operated more-or-less independently. The Reformed Christian Church had outstanding claims for approximately 70 church premises (church schools, teachers' facilities, etc.) that were owned by individual parishes and nationalized by the Communist government after 1948.

#### Societal Abuses and Discrimination

Jewish community leaders and 2001 census data estimated that the Jewish community numbered approximately 3,000 persons. Anti-Semitism persisted among organized neo Nazi groups, estimated to have 500 active members and from 3,000 to 5,000 sympathizers.

In April vandals desecrated a monument to Jewish Holocaust victims in Rimavska Sobota with posters showing Hitler's picture, a red eagle holding a swastika, and racist text. An investigation turned up no suspects as of year's end. In June police charged a 21-year-old man for disorderly conduct in connection with the vandalism of the monument. He was convicted and sentenced to one year in prison, plus two years' probation.

In August unknown perpetrators overturned gravestones in a Jewish cemetery in Ruzomberok. That same month, vandals painted swastikas on graves at a Jewish cemetery in Rajec. In these cases, police opened investigations but did not find the culprits. As of year's end, both investigations were shelved.

In January 2005 juveniles vandalized 19 tombstones in a Jewish cemetery in Ruzemberok. A court trial for the juvenile suspects was pending at year's end.

The law prohibits the defamation of nationalities and denying the Holocaust. In 2005 a publication by the cultural organization Matica Slovenska questioned the scope and nature of the Holocaust, suggesting that the deportation of the country's Jewish population to concentration camps was simply part of a "resettlement program."

The Ministry of Interior actively pursued violent extremist groups, and police monitored Internet web pages hosting hate speech and attempted to arrest or fine the authors.

The government 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. The Jewish community expressed concern that some media coverage in the country exhibited anti-Semitic undertones.

On December 27, the archbishop of the Roman Catholic diocese of Bratislava-Trnava stated during a television interview that he respected Father Jozef Tiso, the World War II-era leader of the Slovak fascist state which deported tens of thousands of Slovak Jews, Roma, and others to their deaths in German concentration camps. He added that the country enjoyed a period of well-being during Tiso's leadership. Jewish and Romani groups strongly criticized the statements.

On August 4, a memorial to Romani victims of the Holocaust (Porrajmos) was inaugurated in Dunajska Streda. Government officials, including the prime minister, and media were well represented at the inaugural ceremony.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The constitution and the law provide for these rights, and the government generally respected them 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. In practice the government provided protection against refoulement, the return of persons to a country where they feared persecution. However, the government did not routinely grant refugee status or asylum.

The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 convention and the 1967 protocol. 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 December the National Council passed a law that widens the categories for which an asylum seeker can claim protection. The amended law allows for asylum to be granted in cases where the individual would otherwise face the death penalty or cruel or humiliating treatment if denied asylum.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers.

During the year four refugees received citizenship. According to national migration office statistics, 2,871 new cases were opened, eight persons received asylum, 861 were denied refugee status, and 1,940 cases were terminated. As in 2005 the number of persons seeking asylum in the country continued on a significant downward trend, according to the UNHCR.

In March the UNHCR investigated alleged claims of mistreatment in asylum centers based on reports from an Austrian organization that aids refugees. The majority of the allegations were found to be untrue, with exceptions such as a dog bite suffered by an asylum seeker.

On April 13, several dozen asylum seekers went on a brief hunger strike at the refugee center in Medvedov. The UNHCR monitored the situation. In June the Ministry of Interior launched a project to improve care for asylum seekers in the areas of social, legal, and psychological support and to increase leisure activities.

In 2004 the director of one of the country's alien detention facilities in Adamov was arrested on suspicion of illegal migrant smuggling. He was released and transferred to a different assignment pending the completion of the investigation, which was ongoing at year's end. Interpol participated in the investigation.

#### 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

On June 17, citizens voted six political parties into the National Council in free and fair elections. Three of the six parties then formed the governing coalition. The party of the new Prime Minister Robert Fico received 29 percent of the national vote. A political party must receive at least five percent of the ballots cast to enter the National Council. In the June 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.

While election observers reported instances of vote buying in the eastern part of the country, they noted that it had no impact on the final election results for the National Council. Vote buying appeared to be organized at the local level and aimed at Romani voters.

There were 29 women in the 150 seat National Council, 36 women on the 70 seat Supreme Court, and one woman in the 16 member cabinet.

The law prohibits collecting information on ethnicity, and it was not possible to determine the number of members of minorities 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. NGOs provided political campaign training to several Romani candidates running in the December local elections.

#### Government Corruption and Transparency

Corruption in the legislative and executive branches was reported and publicly perceived as a problem. The health care, judiciary, and education sectors were perceived to be the most corrupt. During the year the country received a score of 4.7 (on a scale of 10) on Transparency International's index of public perceptions of corruption, an improvement from 4.3 in 2005. The score indicated a perception that the country has a serious corruption problem. The government and police cooperated on several related arrests during the year. Several NGOs and government officials noted that, in the first half of the year before the change of government administration, more corruption

cases came to light because individuals were more willing to report bribery cases to the police.

In December police released the results of the investigation of the fatal car crash in June in eastern Slovakia of the director of the Institute for National Memory, which had custody of and published the official records of the secret police from the country's wartime fascist and subsequent communist governments. Observers noted that the investigation, which concluded that the director was solely at fault, lacked completeness and transparency and did not fully explore the possibility that the crash was not accidental.

During the year the Special Court issued numerous sentences against health care workers for taking bribes. Health care is socialized and primarily run by state institutions.

In January the Special Court sentenced the mayor of Velky Meder to two years and eight months in prison and fined him \$9,500 (300,000 korunas); the equivalent of the bribe he received in April 2005. The mayor appealed the verdict to the Supreme Court. He remained free, and the law provides that he does not have to pay the fine until his final appeal is exhausted. On December 2, the town of Velky Meder re-elected him as mayor.

In February a gynecologist was sentenced to 15 months in jail and a \$950 (30,000 korunas) fine for attempting to bribe a family \$160 (5,000 korunas) to deliver a baby and \$64 (2,000 korunas) for continuing care of the mother.

In March the Special Court sentenced Ladislav Gal, the former director of a regional land office to seven years in prison and a \$5,000 (150,000 korunas) fine for bribery, a case that was initiated in May 2005. In December the Supreme Court upheld the sentence, the highest imposed on a state official for bribery.

In December 2005 the anticorruption unit of the national police charged three former officials of the national agency for the support of small and medium enterprise with fraud following their transfer of nearly \$48 million (1.5 billion korunas) to a private company. The company returned the money to the government after the media exposed the transfer. In June the police passed the file of one of the accused to the prosecutor's office in preparation for trial.

In August 2005 the minister of economy stepped down because of allegations of misconduct based on a promissory note worth \$3.3 million (100 million korunas) that he signed while in office. No charges were brought against him.

The special court trial of the mayor of Bratislava Raca for corruption was postponed because the accused was unable to appear in person; the trial was ongoing at year's end. Bribery charges were initially filed in 2004.

A September trial date for the bribery case of the deputy mayor of Kosice was postponed because the accused was unable to appear in person. In December 2005 the special prosecutor for corruption submitted official charges against the deputy mayor, who was first charged in 2004. He was held for eight months in pretrial detention before being released, at which point he appealed his lengthy detention to the ECHR. He has since resumed the position of deputy mayor.

In May 2005 a member of the National Council charged in 2003 with accepting bribes was found guilty of corruption and sentenced by a district court to one year in prison. He immediately appealed to the regional court. While he did not resign from his elected positions in the National Council and regional parliament, his political party did not place him on its candidate list for the national elections in June nor the regional elections in November 2005, thus removing him from office. His appeal process was ongoing at year's end.

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. During the year the ombudsman's office reported two cases of violation of the freedom of information as guaranteed by the constitution.

#### 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.

On June 9, the Slovak National Party (SNS), which was not in the National Council or government at the time, called for the banning of the NGO Civic Association for a "Nicer Zilina." The SNS chairman was mayor of the town of Zilina for 16 years. On June 17, SNS was voted into the National Council and joined the governing coalition a few weeks later. Since becoming a part of the National Council and government, SNS has not repeated its public call to ban the NGO.

In June a group of NGOs, including ones that are concerned with human rights issues, sent an open letter to several European Union commissioners asking them to rectify the problem of excessive administrative delays in receiving promised grants from the government, including the distribution of EU funds. In some cases, the promised funds were more than a year overdue, causing financial difficulties for some NGOs. Since the new government took office in July, an NGO representative noted that small amounts of the backlogged funds had been distributed but remarked that the administrative delays remained for a significant portion of the funds. International NGOs generally continued to operate and interact positively with the government on substantive issues.



Domestic NGOs experienced generally positive interaction with the government until September, when the government announced a proposed change in the funding mechanism for NGOs. NGOs publicly criticized the change, which would no longer allow tax payers to designate up to 2 percent of their annual taxes to the central government to be directed to nonprofit organizations. In December a compromise solution was reached and approved by the National Council to keep the current funding mechanism for another year, then to limit the types of NGOs that receive funds through the mechanism. Relations between domestic NGOs and the government showed signs of returning to the status quo ante at year's end.

Members of the NGO community noted improved communication during the year with the public defender of rights, commonly known as the ombudsman, as staffing increased in that office. The ombudsman has cooperation agreements with several NGOs. The ombudsman provides legal advice to citizens regarding their rights with respect to public administration bodies, but cannot represent citizens in their claims. The majority of verified violations of legal rights received by the ombudsman concerned delays in court or administrative proceedings. In February the National Council granted authority to the ombudsman to forward claims directly to the Constitutional Court.

NGOs generally operated without harassment, although the organization People Against Racism continued to receive occasional threats from skinhead groups.

Intergovernmental international organizations have expressed generally good cooperation with government entities.

## Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and the law prohibit discrimination based upon 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

Violence against women 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. During the year there were 609 incidents of domestic violence reported involving a total of 453 female victims and 58 male victims, some of whom were involved in more than one incident. Of these cases 357 went to prosecution. 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 was punishable by two to 12 years of imprisonment, depending on the nature of the crime.

Domestic violence was often underreported because of the social stigma associated with being a victim, and statistics did not adequately reflect the extent of the problem. Official statistics showed a decrease in the number of reported cases compared to the previous year, which had 694 cases.

During the year police provided a training course to its officers on domestic violence within the framework of a community policing seminar. The training was complemented by printed reference material. Citing the lengthy court procedures and increasing caseloads that prevented cases from being prosecuted efficiently, victims' advocates demanded a better network of services for abused women, including government funded treatment centers. In August 2005 the government adopted an action plan to address some of these problems. The government and NGOs had shelters and counseling available to victims of domestic abuse.

The law prohibits rape, including spousal rape. Although the government enforced the law effectively, rape was a problem. The sentence for rape is two to eight years in prison and can be increased to five to 12 years, depending on the age of the victim and whether brutal force was used. The sentence may be further increased to 10 to 15 years if the victim died as a result of the rape. During the year the police investigated 174 cases of rape, which specialists considered was underreported, and 103 cases were prosecuted. Rape victims also have access to the shelters and counseling offered by NGOs and government funded programs.

After incidents of coerced sterilization were reported in 2003, the government implemented several reforms, including amending the laws to require that sterilizations be performed only at the request of a patient and only 30 days after such request is made. Alleged victims were able to pursue claims for damages in civil courts, and NGOs took several cases to the ECHR (see section 1.f.).

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. There were reports that women were trafficked into the country for prostitution (see section 5, Trafficking).

The law does not prohibit sexual harassment, and there were no statistics available to measure the frequency or severity of its occurrence. 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. Women, particularly those aged 35 to 39, typically earned 25-30 percent less than men. Experts believed that the wage difference was 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 one fourth of the total number of children under the age of 16, they were disproportionately enrolled in schools for the mentally handicapped, despite diagnostic scores that were often within the normal range of intellectual capacity. In certain remedial schools in the eastern part of the country, registered students were nearly 100 percent Roma. In general, the completion of education from a special school did not give Romani children the necessary knowledge nor the eligibility to continue on to university and other higher education institutions, which do not accept special school certificates as entry criteria.

Since 2005, as part of an experimental project initiated by the League of Human Rights Activists, approximately 150 Romani children from special schools for children with mental disabilities received extra training to help the children prepare to enter regular classes. Over the course of the project 20 students were integrated into regular schools.

Government provided healthcare for children was adequate and equal for both girls and boys.

Child abuse remained an underreported problem. One NGO expressed concern that the family law passed in March 2005 did not afford children the same rights and protections as it did their parents. The legislation provides for programs and training to reduce the instance of child abuse; the government also implemented a publicity campaign to raise awareness of the issue.

A number of children's foundations operated several programs for abused or disabled children. UNICEF continued to operate a hotline for children; during the first half of the year, it opened 4,519 cases based on the 20,542 calls it received. Three hundred of the calls were from abused children or children with disabilities.

Child prostitution is prohibited. Community workers reported it was a problem in Romani settlements with the worst living conditions.

There were approximately 7,000 children in institutional care, and Roma constituted the majority of this population. 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 persons were trafficked from, within, and through the country.

The International Organization for Migration (IOM) estimated that between 100 and 200 persons are trafficked annually from or through the country, mainly for the purpose of sexual exploitation. The IOM reported expanded usage of victims' assistance programs during the year, most likely due 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. Victims were typically trafficked through the Czech Republic or Austria to Western Europe and Japan. 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, because of their socioeconomic situation and less freedom of mobility, were more vulnerable to being trafficked by organized criminal gangs. Romani women were reportedly more at risk of being trafficked by known and trusted people from their communities. Another high risk group included men and women looking, sometimes illegally, for seasonal work abroad and were ill informed of the potential dangers.

Traffickers lured women with offers of employment, often relying on personal connections with women. 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 three to 10 years in prison. The sentence may be increased to eight to 15 years if bodily harm resulted, if the trafficker gained extensive profit, or if the offense was committed as a member of a group operating in several countries. If the offender is a member of a crime syndicate, the sentence is increased to between 12 and 15 years. Victims may also file civil suits against traffickers.

During the year police investigated 19 cases of trafficking, resulting in charges against six suspects. Courts convicted and sentenced 24 traffickers, eight of whom were involved in child trafficking. In 2005 courts convicted and sentenced four traffickers.

In January a court in the town of Martin sentenced eight traffickers with prison terms from three to eight years for trafficking 12 women to the Czech Republic, where they were forced into prostitution. The traffickers were arrested in 2003.

In 2003 police arrested seven members of a trafficking gang who had sent at least 60 women to Germany, Poland, Switzerland, and France over an eight year period, with the suspected involvement of a low level government employee. The case was awaiting trial at year's end.

In January the government approved the country's first National Action Plan to Combat Trafficking in Persons. The action plan consists of 19

initiatives, designates lead ministries, and assigns deadlines. The first national coordinator to combat trafficking in persons was appointed in October 2005 but left the post after the change in government. Momentum stalled for several months midyear while the seat for the national coordinator remained vacant. In October new State Secretary of the Ministry of Interior Jozef Bucek was appointed by the government as the new national coordinator, raising the political profile of the issue. An existing interministerial working group to combat trafficking, formed in 2005, was redirected to focus solely on prevention issues. A new expert group, whose members carry more political weight than the working group, was formed to analyze and implement wider-ranging strategies. During the year the government started cooperation with the UN Office on Drugs and Crime on a project aimed at strengthening the legislative, investigative, prosecutorial, and technical capability to combat trafficking while providing protection and support to victims. 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; and the equal opportunity office at the Ministry of Labor, Social Affairs, and Family; and the plenipotentiary for Romani communities.

The police participated in international investigations on a limited basis. There were no requests for the extradition of human traffickers during the year.

Corruption among border officials, police, and asylum officials allegedly hampered efforts to combat trafficking.

The government did not detain, prosecute, fine, or deport persons identified as trafficking victims. Although no formal screening or referral process was in place for most of the year, the law required police to provide a list of victim's assistance programs to suspected victims. Toward the end of the year, the Ministry of Interior reached an agreement with an NGO, Dotyk, to provide secure, private lodgings and other services for trafficking victims on a case-by-case basis. The government has cooperated with additional NGOs on victims' assistance. NGOs reported increased cooperation and communication with police investigators. The Ministry of Education continued to support discussion groups and distributed handbooks in schools about legally working abroad. There was no shelter dedicated exclusively to trafficking victims.

#### 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. In practice, however, experts reported that access to buildings and higher education remained a problem. There were reports that persons with severe physical handicaps received less than the minimum wage in some instances.

NGOs reported that a better network of organizations was needed to improve psychiatric care of patients with mental disorders and to monitor human rights violations against them.

Cage beds continued to be used in psychiatric institutions and hospitals, which fall under the purview of the Ministry of Health. The law prohibits both physical and nonphysical restraints in social care homes, which are managed by the Ministry of Labor, Social Affairs, and Family.

According to NGOs, a lack of funds prevented full implementation of the law to provide assistance to handicapped students. Regulations ensuring access to premises and services for physically handicapped persons, for example, wheelchair access in buildings and Web sites enabled for use by the blind, were not fully implemented across the country, although the situation was improving.

A working group, the Council for Citizens with Disabilities, served as a governmental advisory body regarding persons with disabilities. The minister of labor, social affairs, and family chaired the council. Several NGOs conducted public education campaigns on mental illness and worked cooperatively with the health ministry on the national health program. The government sponsored a contest for the local government most accessible to persons with disabilities. Persons with disabilities were able to vote and participate in civic affairs. However, they continued to experience problems with access to information and education caused by physical barriers limiting their ability to enter educational facilities.

#### National/Racial/Ethnic Minorities

Widespread discrimination against Roma continued in the areas of employment, education, housing, and health services. 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.

During the year the CPT reported on police mistreatment of Roma (see section 1.c.).

There were several reports that Roma suffered discrimination with respect to health care. In November 2005 the Ministry of Health began to train 40 health care assistants who speak Romani as part of a pilot program to improve Roma access to health services. This program continued during the year.

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 is believed that usury continued, statistics fell markedly during the year. Police investigated four usury cases, two of which moved forward to prosecution.

Skinhead violence against Roma continued to be a serious problem. The NGO People Against Racism reported that although police were increasingly responsive in their efforts to monitor and control the skinhead movement, the problem persisted. The organization also reported receiving e mail and telephone threats from skinheads.

Throughout the year police charged numerous individuals with attacks against Roma motivated by racial hatred. In April several youths attacked two Romani women and the brother of the women who attempted to stop the attack in Spisska Stara Ves. Police arrested six suspects, completed the investigation, and the case moved to prosecution.

In September three masked attackers broke into the home of a Romani family in Sered and beat several family members. The police arrested the attackers and stated that racial and ethnic intolerance motivated the attack. The accused were released from pretrial detention, while the police continued the investigation to build the case. The investigation was ongoing at year's end.

In September neo-Nazis attacked several Roma at a train station in Humenne, seriously injuring two of the persons. After the attack, the perpetrators shouted "sieg heil." Police arrested three suspects, aged 16 to 18, on charges of assault and riotous conduct but the prosecutor's office rejected an additional charge of propagation of an ideology that suppresses the rights of others. The case was still being investigated at year's end.

During the summer of 2005 three attacks on Romani families in Sered occurred. The police initially charged one suspect with causing bodily harm. Prosecution was dropped during the year because, according to the police, key witnesses changed their testimony and the case was no longer prosecutable.

The trial of three Zahorska Ves men arrested for allegedly breaking into and setting fire to Romani residences on three occasions in 2004 was ongoing at year's end. Two of the men were also charged with assault. The government punitively revoked the license of the private security firm that employed several of the alleged attackers.

Activists frequently alleged that employers refused to hire Roma, whose unemployment rate exceeded 95 percent in many settlements.

Many NGOs reported that segregation of Romani students in schools continued (see section 5, Children).

NGOs alleged that Roma were more likely to encounter housing discrimination. On a few occasions 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 March the mayor of Puchov attempted to force several Romani families to relocate to the nearby town of Nimnica by purchasing a house for them there. The plan was enacted without the consent the town of Nimnica. The Romani families faced eviction from their housing in Puchov for failure to pay rent. The relocation of the Romani families has not taken place, as the town of Nimnica caused delays in the preparation of the house.

In August the mayor and town council of the village of Vysny Kazimir prohibited Roma from swimming in the local public pond. After the plenipotentiary for Romani communities and several NGOs voiced their concern, the town rescinded the prohibition and passed a resolution to fine anyone who caused damage to the pond.

In August in the village of Letanovce, an unknown person left a death threat instructing the local mayor to stop construction at the site of a future housing complex for apartments to be occupied by Roma.

In June 2005 the mayor of Presov announced the construction of a wall or fence to separate Roma from non Romani citizens in the Stara Tehelna neighborhood; the plan received media criticism and sparked international concern before the city decided to reevaluate the plan. The plenipotentiary for Romani communities negotiated with community leaders, eventually reaching an agreement to focus on other projects.

In a sign of greater political recognition of the problems faced by Roma, all six political parties that were elected to the National Council in June included plans in their party platforms to address issues faced by the Romani communities. This represented an improvement over the 2002 elections when several parties failed to mention Romani issues in their platforms. The new government's program plan, approved by the National Council in early August, addressed concerns of the Romani community. Romani activists issued a press release in August noting their positive discussions with the new deputy prime minister for human rights and minorities.

In August the district court of Michalovce issued an ambiguous decision in one of the first civil court cases based on the new antidiscrimination law of 2004. The court ruled that three Roma who were refused service at a cafe in Michalovce in April 2005 had been discriminated against, but not because of their ethnicity. No damages were awarded. NGOs and the National Center for Human Rights cite only approximately three to five discrimination cases which have gone to trial. One NGO activist remarked that no court has yet ruled unambiguously in a discrimination case in favor of the claimants. The National Center for Human Rights has mediated several discrimination cases and provided official legal opinions in dozens more.

A few mayors were reported to use hate speech against Roma during the year, although none were prosecuted. During the year a number of politicians at the national and regional level used disparaging language about the Roma during closed-door meetings.

Tensions between ethnic Hungarians and ethnic Slovaks rose after the nationalist SNS became a member of government in July. Prior to and since being elected to a National Council seat in June, SNS Chairman Jan Slota made several public statements that were derogatory towards ethnic Hungarians. The SNS and the party of the Hungarian coalition accused each other of propagating hate or the disintegration of the country. All of the criminal investigations stemming from these accusations have concluded with a finding that no laws were broken.

Public hate speech against ethnic Hungarians increased after the new government took office. There were allegations of attacks against ethnic Hungarians for speaking Hungarian. By year's end, ethnic tensions and allegations of attacks had lessened.

On August 7, police were alerted to an Internet video clip which showed several masked people shouting statements in Slovak inciting violence against Hungarians while burning the Hungarian flag and holding up a Slovak flag. By August 8, the video had been removed from the foreign-based Internet site where it had been posted. No arrests had been made by year's end.

On August 26, police arrested three men for waiving banners with the phrase "death to Hungarians" at a soccer match in Banska Bystrica. Police charged the men, who remained in custody as of year end, with agitation to ethnic or racial hatred. One of them received an additional charge of propagation of an ideology which suppresses the rights of others.

A nationalist organization known as Slovenska Pospolitost (Slovak Community) continued to hold events designed to intimidate minority groups. Dressed in uniforms similar to those of the Hlinka Guards (the country's fascist wartime civic guard responsible, among other things, for the country's 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. In March the Supreme Court stripped the group of its political party status on the basis that it promoted a nondemocratic form of government that suppressed the rights and freedoms of others. The group then registered as an NGO.

In April police arrested two extremists with ties to two foreign groups, the World Church of the Creator and the National Alliance, for violent crimes.

In May police charged seven neo Nazis in Kosice with possession of illegal weapons and propagating an ideology that suppresses the rights of others. The case had been moved to the prosecutor's office but a trial had not yet started at year's end.

On August 29, police detained more than 10 members of the Slovenska Pospolitost that tried to disrupt the commemoration of the Slovak National Uprising, an event the prime minister attended. In September the regional prosecutor's office determined that no crime had been committed and dismissed the case.

The government's plenipotentiary for Romani communities 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 funded Roma Terrain Social Workers, which assigned specially trained social workers to Romani settlements to provide assistance such as helping Roma to fill out paperwork and building awareness of the importance of education and preventative healthcare.

The government continued to implement its action plan against xenophobia and intolerance. A special police unit monitored extremist activities, and a commission consisting of NGOs, police, and government officials advised the police on minority issues.

The Slovak National Center for Human Rights reported that 217 complaints of discrimination were filed during 2005. The most frequent claim (cited in 54 of the 217 cases) regarded discrimination in labor related issues, including access to work. One NGO criticized the length of time it took for the center to issue required legal opinions on claims of discrimination.

## 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. Approximately 17 percent of the work force was unionized.

In October and December 2005 the police labor union held two protests against low wages and benefits. There was widespread criticism when the minister of interior demoted the officer heading the labor union.

### 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 for the legal right to strike, except for civil servants in essential services and members of the military, in two instances: 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. Strikes must be announced in advance. The law prohibits dismissing workers legally participating in strikes; however, strikers are not ensured protection if a strike is considered illegal or unofficial.

There are no 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 (see sections 5 and 6.d.).

#### d. Prohibition of Child Labor and Minimum Age for Employment

The law provides for the protection of children from exploitation in the workplace, and the government effectively implemented and enforced these policies.

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 aged 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 forced prostitution (see section 5).

#### e. Acceptable Conditions of Work

As of October 1, the minimum wage increased to \$253 (7,600 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 (after four hours for employees younger than 18), and rest periods of at least 12 hours between shifts. The trade unions; the Ministry of Labor, Social Affairs, and Family; and local employment offices 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.