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Slovak Republic

Country Reports on Human Rights Practices - [2005](#)

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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 parliament. President Ivan Gasparovic serves as head of state and was elected for a five-year term in April 2004 in free and fair elections. The 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. The following human rights problems were reported:

- lengthy pretrial detention
- restrictions on freedom of religion
- corruption in the judiciary, local government, and health sector
- violence against women and children
- trafficking in persons
- societal discrimination and violence against Roma

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

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

The special corruption court took over from a regional court judge the case of seven police officers charged with inhuman and degrading treatment in the 2001 death of a Romani man in police custody. The new judge assigned to the case was reviewing the proceedings, and the trial had yet to begin at year's end.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The law prohibits such practices, and in contrast to previous years, there were no reports that government officials employed them.

No action was taken against the six police officers accused by nongovernmental organizations (NGOs) of using excessive force against Roma in the eastern town of Trebisov in February 2004. No further measures were expected.

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.

Prison and Detention Center Conditions

Prison conditions generally met international standards; however, overcrowding continued to be a problem. The government implemented improvements and expanded prison infrastructure through the year due to an increase in the prison population. Six out of ten prisoners worked in prisons, but there was no national standard regulating payment.

The government permitted visits by independent human rights observers.

d. Arbitrary Arrest or Detention

The law prohibits 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 the 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. Mechanisms were available to investigate police abuses within the police inspection unit at police headquarters. The unit's 2004 annual report stated that most complaints were in response to the behavior of police while on duty, specifically related to the "abuse of power." Police officers continued to receive training in human rights and communications from local NGOs.

Arrest and Detention

The law stipulates that a person can be taken into custody only 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 8 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.

Unlike in previous years, there were no reports of arbitrary arrest or detention without cause in the Romani community.

There were no reports of political detainees.

Pretrial detention may last up to six months but was frequently extended in increments by judicial order up to three years. According to 2004 statistics, the average length of pretrial detention was 90 days at the district court level and 276 days at the regional court level. Pretrial detainees accounted for approximately one-third of the total prison population. In cases with extenuating circumstances, the Supreme Court may extend pretrial detention to five years. In July parliament passed a law on criminal court procedures mandating that the total time of detention (pretrial plus trial) not exceed 12 months in the case of minor offenses, 24 months for regular crimes, 36 months for severe crimes, and 4 years for crimes in which the expected sentence is more than 25 years, and that pretrial detention not account for more than one-half of that total. The law was scheduled to become effective in January 2006.

Delays in court procedures and investigations frequently led to lengthy pretrial detentions. Due to inefficiency, prosecutors and judges released one detainee in the first half of the year when the maximum period for detention expired before his trial date.

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 by the justice ministry to decrease corruption and improve efficiency within the court system.

There were eight regional courts. The Supreme Court, consisting of 79 judges, was 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. The judicial council, a constitutionally recognized independent body of lawyers and judges, made decisions regarding disciplinary actions, administrative issues, and appointments of judges. A special court for corruption cases opened in September and issued its first verdicts by the end of the year; in addition to cases of official corruption, it hears cases related to highly placed government and political figures and organized crime. Appeals of this court's decisions are made to the Supreme Court. During the year the special court heard 71 cases, the majority of which were corruption cases.

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.

The Ministry of Justice took disciplinary action against five judges suspected of corruption; in 2004 the ministry took action against 25 judges, of whom 9 were removed from the bench and 2 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. Nonetheless, Transparency International reported in 2004 that 59 percent of citizens viewed the courts as 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 could infringe 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. The law does not provide for jury trials. A panel of three judges is obligatory in criminal cases and civil cases at the regional court and supreme court levels. Defendants had the right to be present, consult in a timely manner with an attorney at government expense, gain access to government-held evidence, confront witnesses against them, and present witnesses and evidence on their own behalf.

In contrast with previous years, there were no reports that Roma or other minorities did not receive a fair trial.

Military courts hear cases concerning civilians suspected of war treason or evasion of mandatory armed forces service and provide the same rights as the regular court system.

Political Prisoners

There were no reports of political prisoners.

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 more than 48,131 cases were filed. Through June 5, 018 of these claims had been resolved and the lands returned; in 2,077 others, the land was unavailable or impossible to return, and financial reimbursement was made instead. A lack of historical documentation prevented many cases from being resolved.

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

The law prohibits 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. During the year police in the town of Zehra allegedly entered the home of a Romani citizen without a search warrant.

Unlike in previous years, there were no reports of coerced or forced sterilization of Romani women. During the year the provisions of a 2004 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.

In November 40 health assistants began training as part of a pilot project approved in 2003 to improve Romani access to health care.

No victims of sterilization received financial redress, although the government acknowledged in a 2003 report that the procedures had taken place. In September the general prosecutor's office announced that no criminal charges would be filed. Several NGOs appealed the case to the European Court of Human Rights in 2004, but the case was pending at year's end.

In August 2004 eight of the Romani women involved in the sterilization cases filed a case with the European Court of Human Rights when Slovak hospitals allegedly denied them access to their own medical records. The court gave priority to the case, which was ongoing at year's end.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the government generally respected these rights in practice.

The independent media were active and expressed a wide variety of views without restriction. At year's end the constitutional court was continuing to examine the constitutional merits of the law governing the state-funded news agency of the Slovak Republic, which was allegedly subject to political influence and noncompetitive practices.

Prosecutors dropped charges against three intelligence officers accused of abusing the powers of authority by allegedly setting up an illegal wiretap of a major national newspaper.

There were no government restrictions on the Internet or academic freedom.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly, and the government generally respected this right in practice.

Freedom of Association

The law provides 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 thousand (SKK 180 thousand) to operate. During the year no organization was denied registration or faced any other limitations on its operations.

c. Freedom of Religion

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

Religious groups must have 20 thousand permanent resident adherents 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. 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 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 Catholic beliefs from the curricula.

For a more detailed discussion, see the [2005 International Religious Freedom Report](#).

Societal Abuses and Discrimination

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

In January juveniles vandalized 19 tombstones in a Jewish cemetery in Ruzemberok; an investigation into the incident was ongoing at year's end. In June vandals broke a pane of glass at Bratislava's memorial to Rabbi Chatam Sofer. In July derogatory inscriptions, such as "The Holocaust is a lie," were painted and carved on the new Holocaust Memorial in Rimavska Sec; the investigation concluded without charges being filed. Vandals destroyed five tombstones and damaged another two at Rimavska Sobota's Jewish cemetery the following week; the investigation concluded with no suspects.

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

In November the extremist political party Slovenska Pospolitost held several rallies that were broken up by police officers. Several Pospolitost members were detained or arrested for promoting an ideology which suppresses the rights of others.

The government continued implementing its action plan to fight discrimination, racism, xenophobia, and anti-Semitism. During the year the government organized antidiscrimination campaigns and teacher training, film festivals, and conferences 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.

In August a memorial to Romani victims of the Holocaust (*Porrajmos*) was inaugurated at the Slovak National Uprising museum in Banska Bystrica, and the government and media were well represented at the inaugural ceremony. In September the Jewish Museum in Bratislava and the regional government in Nitra opened a permanent exhibit on the Holocaust entitled "The Fate of Slovak Jews."

For a more detailed discussion, see the [2005 International Religious Freedom Report](#).

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

The law provides 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.

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 two refugees received citizenship. According to national migration office statistics, 11 persons received asylum out of a total of 3,235 cases, and 2,663 cases were terminated during the year. Unlike in 2004, the UNHCR did not criticize the current asylum process for accepting a low number of asylum applicants.

During the year there were several corruption charges within the customs and immigration police. In December 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.

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

The law provides 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 April 2004 Ivan Gasparovic won the second direct presidential election. A referendum calling for early parliamentary elections, which some parties boycotted, was held at the same time as the first round of the presidential election. The Organization for Security and Cooperation in Europe determined the presidential elections to be free and fair; however, the observer mission noted that presidential election was influenced by the controversial timing of the referendum, which failed, and questions surrounding its constitutionality.

There were 23 women in the 150-seat parliament, 33 women on the 68-seat Supreme Court, and 1 woman in the 16-seat cabinet.

The law prohibits collecting information on ethnicity, and it was not possible to determine the number of members of minorities in government. The chairman of the party of the Hungarian coalition served as a deputy speaker in parliament. Some ethnic Romani parties were successful at winning representation at the local level; however, Roma were consistently underrepresented in government service, and no Roma were in parliament. 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 November regional parliamentary elections. Although none of the Roma was elected, NGOs characterized the near-success of one particular candidate as promising.

Government Corruption and Transparency

Corruption in the legislative and executive branches was reported and publicly perceived as a problem. The judiciary and the health care and education sectors were perceived to be the most corrupt. The government and police cooperated on several related arrests during the year.

The member of parliament charged in 2003 with accepting bribes was found guilty of corruption in May and sentenced by a district court to one year in jail. He immediately appealed to the regional court, where his case awaited trial. He remained in parliament during the appeal process, which was ongoing at year's end. The head of the regional government office, who had also been charged in 2003, was not prosecuted during the year.

On December 15, the special prosecutor for corruption submitted official charges to the special court in Pezinok regarding the case of the deputy mayor of Kosice, who was charged in 2004 with taking bribes. He was held for eight months in pretrial detention before being released, at which point he appealed his lengthy detention to the European Court of Human Rights (ECHR). No trial date was set by year's end.

In April the mayor of Velky Meder was arrested and charged with corruption when police caught him accepting a bribe of approximately \$10 thousand (SKK 300 thousand) from a businessman. Meder's case went before the special court for corruption and was ongoing at year's end.

In September the trial of the mayor of Bratislava-Raca began in the special court of corruption. His trial on bribery charges filed in April 2004 was ongoing at year's end.

In December 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 (SKK 1.5 billion) to a private company. The company returned the money to the government after the media exposed the transfer.

During the year the office to combat corruption completed the government action plan to fight corruption, coordinated general anticorruption strategy, and implemented legislative changes aimed at increasing transparency.

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 frequently 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 number 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.

The human rights ombudsman, elected in 2002 to a seven-year term, received complaints about violations of fundamental rights and freedoms by public administration bodies. Both the ombudsman's office and the national center for human rights received government funding but operated independently. During the year the ombudsman increased public outreach, regularly hosted open houses, press briefings, and media outreach events, and submitted to parliament an annual report detailing its activities. Ninety percent of complaints concerned delays in court proceedings and the failure of local or national government offices to respond to citizen requests. Other complaints involved problems with retirement benefits or the granting of resident status. A number of NGOs, however, criticized the ombudsman for poor communication with NGOs, a lack of initiative, and an overly bureaucratic style, and asserted that the office's effectiveness was hindered as a result.

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

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based upon race, gender, disability, language, or social status; the government effectively enforced these prohibitions in practice. However, violence against women and children, as well as trafficking in persons, were problems.

Women

Violence against women was a problem. The law prohibits domestic violence; however, it was pervasive, and activists claimed that the government did not enforce the law effectively. Through early December 607 incidents of domestic violence against women and children were reported, and 539 were prosecuted. 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 2 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 remained stable from 2004, despite a public awareness campaign organized by several NGOs and police training.

Activists claimed that proper enforcement of the law would require increased police training about domestic violence and more victim specialists. 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 the government adopted an action plan to address some of these problems. The government and NGOs made 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 2 to 8 years in prison and can be increased to 5 to 12 years, depending on the age of the victim or whether brutal force was used. The sentence may be further increased to 10 to 15 years if the victim dies as a result of the rape. Through August the police reported 121 cases of rape, which specialists said was underreported. Rape victims also have access to the shelters and counseling offered by NGOs and government-funded programs.

After incidents of forced 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 announced their intention to take the 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 worked in an advisory capacity to ensure the legal rights of women. Women, particularly those aged 35 to 39, typically earned 25 percent less than men. Experts believed that the wage

differential 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 and the Ministries of Labor and 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 primary school attendance rate 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 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.

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 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 hot line for children; during the first half of the year, it opened 278 cases based on the 4,094 calls it received.

Child prostitution is prohibited. Community workers reported it was a problem in Romani settlements with the worst living conditions. During the year there were no reported cases of trafficking in children.

There were approximately seven thousand 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. Under the law, traffickers may be sentenced from 3 to 10 years in prison, and from 8 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 the government formed an expert working group and named a national coordinator for the fight against trafficking in persons, although government efforts to combat trafficking and assist victims were hampered by the lack of resources. The government agencies responsible for combating trafficking include the national coordinator for the fight against trafficking in persons, the police antitrafficking unit, the Ministry of Interior, the prosecutor's office, the border police, and the equal opportunity office at the Ministry of Social Affairs and Labor. In the first half of the year, police investigated four alleged trafficking cases. The courts sentenced three persons for trafficking: two received prison sentences, and the third received probation. The police participated in international investigations on a limited basis.

In 2003 police arrested 7 members of a trafficking gang who had sent at least 60 women to Germany, Poland, Switzerland, and France over an 8-year period, with the suspected involvement of a low-level government employee. The case was awaiting trial at the end of the year.

The International Organization for Migration estimated that between 100 and 200 persons are trafficked annually from or through the country, mainly for the purpose of sexual exploitation. Most of the victims trafficked through the country came from the former Soviet republics (especially Moldova and Ukraine) and Balkan countries. 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, 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. Other high-risk groups included men and women looking, sometimes illegally, for seasonal work abroad and those who 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 in order to ensure their compliance. Some victims allegedly were threatened with violence or even death if they attempted to escape.

Corruption among border officials, police, and asylum officials allegedly hampered efforts to combat trafficking. According to some NGO activists, customs and police officers treated victims poorly.

The government did not detain, prosecute, fine, or deport persons identified as trafficking victims. Although no formal screening or referral process was in place, the law required police to provide a list of victim's assistance programs to suspected victims. NGOs reported increased

cooperation and communication with police investigators at the borders. The Ministry of Interior provided funding to an NGO, Dafne, for assisting returned victims on a case-by-case basis. A grant provided by the Ministry of Labor in 2004 funded an NGO-operated antitrafficking public awareness campaign in Romani communities in the central part of the country. There was no shelter dedicated exclusively to trafficking victims.

In April the government formed an expert working group to develop and coordinate official antitrafficking strategies and to draft a national action plan. On October 1, a newly appointed national coordinator for the fight against trafficking in persons assumed his position.

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 Social Affairs.

A working group, the council for citizens with disabilities, served as a governmental advisory body regarding persons with disabilities. 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.

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 thousand, although experts estimated the population to be between 350 and 400 thousand. The discrepancy was attributed to Roma identifying themselves as Hungarian or Slovak.

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

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

NGOs alleged that Roma were more likely to confront housing discrimination. For instance, 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.

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

In June the mayor of Presov announced the construction of a wall or fence to separate Roma from non-Roma citizens in the Stara Tehelna neighborhood; the plan received critical media coverage 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.

A few mayors were reported to use hate speech against Roma during the year, although none was prosecuted.

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. In the first half of the year, prosecutors brought 30 usury cases to the court, resulting in 15 convictions.

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 frequent e-mail and telephone threats from skinheads.

During the summer three attacks on Romani families in Sered occurred. The police charged one suspect with causing bodily harm. The trial had not begun by year's end. While NGOs claimed that some Romani families left Sered in the wake of the attacks, the relocations may have been temporary.

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. The police charged the group's leader with the "support and promotion of a movement which suppresses the rights and freedoms of citizens." In November the general prosecutor filed for the abolition of the group after party members attacked police during an October rally. In the first half of the year, the government charged the group with supporting and promoting a movement which suppresses the rights and freedoms of others in response to charges made by Jewish groups

and NGOs. In 2004 these charges were brought in eight cases.

The government's plenipotentiary for Romani communities maintained five regional offices to supervise the implementation of governmental policy on Roma issues, support infrastructure development, and cooperate with municipalities and villages to improve interaction between Roma and non-Roma. The Ministry of Labor 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 implemented its action plan against xenophobia and intolerance and expanded offices and programs concentrating on Roma affairs. A special police unit monitored extremist activities, and a commission consisting of NGOs, police, and government officials advised the police on minority issues. The police began a pilot project in which Roma advisors trained in cross-cultural communication and conflict resolution were placed in Romani settlements in each region, and NGOs reported increased communication and cooperation with law enforcement in border regions.

The Slovak national center for human rights reported that 217 complaints of discrimination were filed during the year. The most frequent claim (cited in 54 of the 217 cases) regarded discrimination in labor-related issues, including access to work.

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 the police labor union held two protests against low wages and benefits. The minister of the interior drew widespread outcry when he demoted the officer heading the labor union.

b. The Right to Organize and Bargain Collectively

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. Also, there are no special laws or exemptions from regular labor laws in free trade 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 section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

The government effectively implemented and enforced laws and policies to protect children from exploitation in the workplace.

The minimum age for employment is 15, although children under 15 may perform light work in cultural or artistic performances, if it does not affect their health, safety, or schooling. The labor inspection office and health protection 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.

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

The minimum wage of \$215 (6,900 SKK) per month provided a decent standard of living for a worker and family in rural areas of the country but not in urban areas. The law mandates a maximum workweek of 48 hours (including overtime), with 30 minute breaks after 6 hours of work (after 4 hours for employees younger than 18), and rest periods of at least 12 hours between shifts. The trade unions, the Ministry of Labor, 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.



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