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1999 Country Reports on Human Rights Practices

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SLOVAK REPUBLIC

The Slovak Republic became an independent state in 1993, following the dissolution of the Czech and Slovak Federal Republic (CSFR). Its Constitution provides for a multiparty, multiethnic parliamentary democracy, including separation of powers. The first direct presidential elections were held in May and were declared fair and free by the Organization for Security and Cooperation in Europe (OSCE)/Office for Democratic Institutions and Human Rights (ODIHR). Prime Minister Mikulas Dzurinda took office after parliamentary elections in the fall of 1998. Slovakia chose to carry over the entire body of CSFR domestic legislation and international treaty obligations, which still are being renewed or updated. The Constitution provides for an independent judiciary; however, some critics allege that the Ministry of Justice's logistical and personnel authority allows it to exert some influence on the judicial system.

The national police, which fall under the jurisdiction of the Ministry of Interior, are the primary law enforcement agency. In addition to domestic law enforcement, they also have responsibility for border security. The Slovak Information Service (SIS), an independent organization reporting directly to the Prime Minister, is responsible for all civilian security and intelligence activities. A parliamentary commission composed of legislators from ruling and opposition parties oversees the SIS. Civilian authorities generally maintain effective control of the security forces. Police committed some human rights abuses.

Slovakia continued to make progress in the transition from a command-based to a market-based economy, with more than 85 percent of gross domestic product (GDP) now generated by the private sector. The economy is largely industrial, with only 7 percent of GDP generated by agricultural production. Major exports are iron and steel products, audio and video equipment, machinery and transport equipment, plastic materials, paper products, apparel, petroleum products, and organic chemicals. GDP growth slowed from 4.4 percent at the end of 1998 to 1.8 percent in the third quarter of the year, partly in response to government austerity measures adopted in January and May to deal with a

chronic current account deficit. Inflation increased to 14.2 percent for the year, largely due to increases in regulated prices. The slowing in growth and high current account deficits are largely the result of a failure under the previous government to implement structural reforms, such as financial sector privatization and industrial restructuring. Real GDP per capita was approximately \$3,800 at the end of 1998, the last date for which statistics are available, providing most of the population with an adequate standard of living. Unemployment was more than 18 percent, reaching almost 35 percent in some areas. A disproportionate number of unemployed are Roma, who face exceptional difficulties in finding and holding jobs, partly as a result of discrimination.

The Government generally respected the human rights of its citizens, and the human rights situation improved during the year; however, problems remained in some areas. There was one possible extrajudicial killing by police, and police on occasion beat and abuse Roma. Authorities on occasion infringed on citizens' privacy rights; however, the practice of using the SIS under the former government to conduct surveillance of many political figures, journalists, and their spouses has been eliminated. The absence of government intimidation removed the pressure on journalists to practice self-censorship. Media monitors report that government politicization of the state-owned electronic media has been nearly eliminated; however members of the press reported that some figures close to the Government pressured state-owned Slovak Television (STV) to report government activities positively. Discrimination and violence against women remain problems. Abuse of children and discrimination against the disabled are problems. Roma faced societal discrimination, and the police sometimes failed to provide adequate protection against attacks on them by skinheads or to investigate such cases vigorously. Skinhead attacks on Roma increased during the year. Some anti-Semitic incidents occurred, and limited societal discrimination against the Hungarian minority persists, mainly in regions where only small numbers of the ethnic Hungarian minority reside. There were instances of trafficking in women and girls.

During the year, the Dzurinda Government corrected some abuses of the previous government, initiated investigations into some serious crimes, and created the position of special government commissioner for Roma issues in the Office of Deputy Prime Minister for Human Rights and Minorities. Deputy Prime Minister Pal Csaky continued the dialog that he had opened with religious and ethnic minorities late in 1998 but came under increasing criticism for concentrating on the problems of the ethnic Hungarian minority rather than the Roma minority. The Parliament also created a special Parliamentary Advisory Committee for Roma Issues in February and in July passed a minority language law.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

There were no reports of political killings by government officials. However, a police officer allegedly shot a 21-year-old Rom while he was being interrogated for allegedly stealing a bicycle in Poprad in the north central region of the country in August. The case is currently under investigation, and the police officer involved was suspended during the investigation. The Commissioner for Romani Affairs, Vincent Danihel, complained in

August that he was not satisfied with the police officer's explanation of the death, i.e., that the Rom had shot himself with the gun of the officer who was questioning him. Danihel pointed out that if the explanation were true, the officer violated regulations by interrogating the Rom alone with a gun accessible to him.

There was no progress during the year in the investigation of the 1996 death of Robert Remias. There has been widespread press speculation that elements of the security services were involved in the death.

In January Jan Ducky, the former Economy Minister under the previous Prime Minister Vladimir Meciar and head of the national gas distribution monopoly, was killed in the lobby of his apartment building. Meciar's party, the Movement for a Democratic Slovakia (HZDS), believes that the killing was the result of political intolerance. The authorities filed charges against Ducky a week prior to his killing for financial mismanagement and illegal property transfers while at the gas monopoly. Interior Minister Ladislav Pittner stated that Ducky may have been killed to prevent his testimony on the Meciar government's reported financial misdeeds. Authorities arrested a Ukrainian citizen on charges of murder in the case by year's end.

On November 16, Minister of Justice Jan Carnogursky established a department for the documentation of crimes committed by the Communist regime. The department is to conduct interviews and gather evidence on the regime's acts of violence and persecution against its citizens.

Skinhead violence against Roma increased during the year but did not lead to any confirmed cases of death, unlike the previous year.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The Constitution prohibits such practices; however, police on occasion beat Roma. In January police officers reportedly raided a Roma settlement in Kosice, injuring 16 Roma, including women. In October during a raid on a Romani community in Zehra, police allegedly used excessive force as they detained nine Roma on charges of hooliganism. During the incident, police shot a 13-year-old Romani boy with a plastic bullet, and he was hospitalized as a result of his injury. An investigation is under way. Police reportedly use pressure and threats to discourage Roma from pressing charges of police brutality (see Section 1.e.).

Credible sources say that the police sometimes tolerate violence against Roma by not investigating attacks against them in a timely and thorough manner (see Sections 1.e. and 5). Some police also infringe on the rights of Roma to social benefits and housing (see Section 2.d.). Roma in Vrable continue to lodge complaints against local law enforcement officer Roman Frajka for allegedly attacking teenage Romani boys. To date there have been no official charges brought against him.

Residents of Asian origin complain that police fail to investigate skinhead attacks against

them as well.

Interior Minister Pittner released a report in January attesting to the SIS's influence over the Ministry of Interior under Meciar, especially over the investigative and criminal police sections.

The 1995 case of the violent abduction of the former President's son, Michal Kovac Jr., to Austria, during which he was tortured, remains unsolved. The new Government actively reinvestigated the case in which former SIS personnel are alleged to be implicated. On February 26, the police arrested two former high-ranking officers of the SIS. On February 25, the Parliament lifted parliamentary immunity from former Interior Minister Gustav Krajci, enabling his formal prosecution for his involvement in thwarting the referendum on NATO entry and direct presidential elections. On April 9, Parliament lifted immunity from former SIS head Ivan Lexa in five of the seven cases in which he allegedly was implicated, and subsequently he was placed in preliminary detention. However, he was released later on the decision of a regional court, and the Constitutional Court concurred that amnesties granted to Krajci and a second official involved in the case, Jaroslav Svechota, by former Prime Minister Meciar largely could shield them from prosecution. Lexa also had been charged with obstruction of justice in connection with the investigation of bombs that were set off at an opposition rally in 1997, and his prosecution continued at year's end.

Skinhead violence against Roma and other minorities remained a problem (see Section 5).

Unknown assailants attacked a labor union official in October (see Section 6.a.).

Prison conditions meet minimum international standards, and the Government permits visits by human rights monitors.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention, and the Government observes these prohibitions.

A person accused or suspected of a crime must be given a hearing within 24 hours and either set free or remanded by the court. During this time, the detainee has the right to an attorney. If remanded by a court, the accused is entitled to an additional hearing within 24 hours, at which the judge either sets the accused free or issues a substantive written order placing the accused in custody. Investigative detention may last up to 2 months and may be extended. The total length of pretrial detention may not exceed 1 year, unless the Supreme Court extends it, after determining that the person constitutes a serious danger to society.

Pretrial detainees constituted roughly 25 percent of the total prison population, and the average pretrial detention period was 7.2 months. The law allows family visits and provides for a court-paid attorney if needed. A system of bail exists. Noncitizens may be detained for up to 30 days for the purposes of identification. Detainees have the right to see an attorney immediately and should be notified of this right; however, one nongovernmental organization (NGO) reports that not all detainees are notified of their rights.

The Constitution prohibits exile, and the Government observes this prohibition.

e. Denial of Fair Public Trial

The Constitution provides for courts that are independent, impartial, and separate from the other branches of government; however, some critics allege that the dependence of judges upon the Ministry of Justice for logistical support, the granting of leave requests, and other services undermines their independent status. Also, the Ministry of Justice can demote presidents and vice presidents of the courts for any reason, although they remain judges, and it has done so. Although not specified in legislation, in practice the Association of Judges now nominates presidents of courts, and the Ministry of Justice to date has accepted all of the nominations. This practice increases the independence of the judicial branch.

The court system consists of local and regional courts, with the Supreme Court as the highest court of appeal except for constitutional questions. There is a separate Constitutional Court--with no ties to the Ministry of Justice--that considers constitutional issues. In addition there is a separate military court system, the decisions of which may be appealed to the Supreme Court and the Constitutional Court. Under the Constitution, the President appoints Constitutional Court judges to 7-year terms based upon parliamentary nominations. Parliament elects other judges, based on recommendations from the Ministry of Justice, and can remove them for misconduct.

Persons charged with criminal offenses are entitled to fair and open public trials. They have the right to be informed of the charges against them and of their legal rights, to retain and consult with counsel sufficiently in advance to prepare a defense, and to confront witnesses. Defendants enjoy a presumption of innocence and have the right to refuse to testify against themselves. They may appeal any judgment against them. Human rights monitors continued to charge that police are reluctant to take the testimony of witnesses to skinhead attacks on Roma (also see Sections 1.c. and 5). Furthermore, they reported that police used the device of countercharges or threats of countercharges to pressure Roma victims of police brutality to drop their complaints. Human rights monitors reported that medical doctors and investigators cooperated with police by refusing to describe accurately the injuries involved, and that lawyers often were reluctant to represent Roma in such situations, for fear that this would have a negative effect on their practice.

In November Chairman of the Constitutional Court Milan Cic announced that politicians were pressuring the Constitutional Court in the case of former Deputy Head of the SIS Jaroslav Svehota. Cic complained that some political leaders expected the Court to rule in accordance with their written "recommendations," which could threaten the Court's independence. Svehota's case before the Court concerns amnesty issued by the previous government. When the Court ruled in his favor, the prosecution of individuals involved in the Kovac Jr. case was halted (see Section 1.c.).

Credible sources claim that it is increasingly difficult for citizens who are not economically advantaged to obtain noncriminal legal representation. Therefore it is becoming more difficult for some who may have had their rights infringed upon to take further action. According to one NGO leader, even the Chamber of Advocates, the professional organization that approves bar appointments and serves as an advocate for lawyers, encouraged its members to avoid accepting clients who could be considered

disadvantaged.

There were no reports of political prisoners.

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

The law provides for these rights, but the authorities sometimes infringed upon them. The Criminal Code requires police to obtain a judicial search warrant in order to enter a home. The court may issue such a warrant only if there is a well-founded suspicion that important evidence or persons accused of criminal activity are present inside, or if there is some other important reason. Police must present the warrant before conducting the house search or within 24 hours after the search.

Roma activists have alleged that police have upon occasion entered their premises without a search warrant.

The 1993 police law regulates wiretapping and mail surveillance for the purposes of criminal investigation, which may be conducted on the order of a judge or prosecutor only in cases of extraordinarily serious premeditated crimes or crimes involving international treaty obligations. Although it is clear that the SIS no longer participates in illegal activities on the scale that it did under the previous government, some Romani activists allege that their telephones were tapped and that they have been placed under surveillance, particularly when large numbers of Roma applied for political asylum in Finland and Norway during the year.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respects this right in practice. The print media are free and uncensored, and unlike the previous year, individuals now report that they feel able to criticize the Government without fear of reprisal.

Newspapers and magazines regularly publish a wide range of opinions and news articles. The politicization of state-owned broadcast media, which was a significant problem under the previous government, no longer is evident. There were no reported cases of journalists being intimidated or threatened in attempts to influence their reporting. However, the press reported a number of allegations that individuals associated with the current Government pressured state-owned Slovak Television (STV) to favor government interests in political reporting. In August Democratic Party (DS) Vice Chairman Peter Zajac said that the DS was "concerned with attempts by some politicians to interfere with the public character of Slovak Television." There were other reports that government supporters influenced STV management to block perceived criticism.

The potential for political interference exists because STV is reliant on government funds. However, STV officials assert that government officials do not threaten retaliation if the STV does not report the news to the Government's liking.

Shortly after the May presidential elections, the NGO Memo, which had monitored

election coverage, issued a report indicating that the STV and TV Markiza both had given a disproportionate amount of broadcast time to the winning candidate, Rudolf Schuster, who was supported by the Government. According to Memo, TV Markiza's coverage of other candidates was largely negative. The Slovak Council for Radio and Television Broadcasting fined TV Markiza and required it to broadcast a notice that it had violated the law. In November the Supreme Court upheld the decision of the Broadcasting Council to fine TV Markiza more than \$23,000 (1 million SK) for broadcasting a speech by Prime Minister Dzurinda in the 48-hour period prior to the presidential election, when campaigning is prohibited (see Section 3).

On February 26, 26 journalists from the STV were fired by the new STV management due to their alleged biased reporting on behalf of former Prime Minister Meciar during his term in office. These journalists claim that they were fired due to their political beliefs and have pursued their case with human rights advocates. However, a number of these groups did not take up their case, because they do not believe that the journalists were fired for political reasons.

The Government did not use libel laws to suppress criticism of political or other leaders. In June former President Kovac won a libel suit against former editor in chief of the opposition Slovenska Republika, Jan Smolec, for publishing several false statements and slanderous articles that were aimed at damaging Kovac's personal and professional reputation. However, Slovenska Republika paid only approximately \$7,500 (SK 300,000) of the \$12,500 (SK 500,000) that it is required to pay in damages. The Government does not use tax laws or allocations of newsprint or advertising revenue to suppress criticism of political and other leaders or the expression of viewpoints not favored by the Government.

In June authorities charged Slovenska Republika editor in chief Jaroslav Reznik with violating the press law by publishing state secrets. In January Reznik had published an article about reorganization of the SIS, which included the names of the new SIS division directors. The crime is punishable by up to 3 years in prison or a ban on publishing. However, the case was closed after Reznik argued that the daily newspaper SME published the list before Slovenska Republika.

Three boards appointed by majority vote of Parliament supervise radio and television broadcasting. The Slovak Television Council and the Slovak Radio Council establish broadcasting policy for state-owned television and radio. The Slovak Council for Radio and Television Broadcasting issues broadcast licenses and administers advertising laws and some other regulations. The Radio and Television Council has made significant progress in fostering the spread of private broadcasting, for which it has issued 27 radio and 78 television and cable television licenses. TV Markiza, a private company with a signal covering two-thirds of the country, is the most watched station.

The Government does not censor books, films, or plays or limit access to the Internet.

Money has been reallocated to minority groups for the publication of minority language newspapers.

The law provides for academic freedom, and the Dzurinda Government took steps to reverse the restrictions on academic freedom that existed under the previous government. The Government no longer intervenes in the administration and funding of institutions of

higher education, nor does it approve all professors' appointments. Many of the school administrators who were appointed based solely on political favoritism during the previous regime have been replaced. The practice of diverting money from the older, then pro-opposition, universities largely has been reversed. However, the use of bribery by some students to increase their chances for acceptance into some more prestigious faculties is widely believed to result in unequal access for economically disadvantaged students.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for these rights, and the Government respects them in practice.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government respects this right in practice. Registration is not required, but under existing law, only registered churches and religious organizations have the explicit right to conduct public worship services and other activities, although no specific religions or practices are banned or discouraged by the authorities in practice. In order to register as a church, a religious organization must collect the signatures of 20,000 persons with long term residency in the country. The State provides financial benefits, including subsidies for clergy and office expenses, only to the 15 registered churches and religious organizations.

On February 1, police arrested two former high officials in the SIS for involvement in the 1995 effort to discredit the chairman of the Slovak Bishops Conference. Allegedly the SIS framed the Bishop for selling religious art for personal gain. If convicted, former Chief of the SIS Counterintelligence Unit Jaroslav Svehota and Deputy Director of the Surveillance Unit Robert Beno would face sentences of between 5 and 12 years in jail.

By law churches and religious organizations could apply for the return of their property that had been confiscated by the Communist government; the deadline for these claims was December 31, 1994. The property was returned by the State, by municipalities, by state legal entities, and under certain conditions even by private persons. The main obstacles to the resolution of outstanding restitution claims are the Government's lack of financial resources, due to its austerity program, and bureaucratic resistance on the part of those entities required to vacate restitutable properties. While the Orthodox Church reported that six of the seven properties on which it had filed claims already had been returned, the Catholic Church and the Federation of Jewish Communities (FJC) reported lower rates of success.

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

The Constitution provides for these rights, and the Government respects them in practice.

According to a legal rights NGO, although the law requires state administrators to register all citizens, some local police officers refused to give a registration stamp to Romani citizens, which prevents them from receiving social benefits and housing. In March a Roma rights NGO filed a complaint with the European Court of Human Rights in Strasbourg against city councils in Nagov and Rokytovec for passing regulations in 1997

prohibiting Roma from moving to the town and threatening to expel them. In April the two cities repealed the regulations in response to government pressure (see Section 5).

The law includes provisions for granting refugee/asylee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperates with the U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees. During the year, 1,320 persons applied for asylum. Of these cases and cases held over from previous years, 2 were granted citizenship, 27 were accepted as refugees, 176 claims were rejected, 1,034 persons terminated their cases, and the 349 cases were pending at year's end. Authorities granted 205 persons from Kosovo temporary protection during the year.

There were no reports of the forced expulsion of those having a valid claim to refugee status; however, some refugee claimants had difficulty in gaining access to initial processing.

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

Citizens have the constitutional right to change their government through the periodic free election of their national representatives. Citizens over the age of 18 are eligible to vote, and voting is by secret ballot. The Constitution reserves certain powers to the President as Chief of State (directly elected by the citizens), but executive power rests with the Prime Minister. Legislative power is vested in the National Council of the Slovak Republic (Parliament). The country was without a president for over 1 year until June 12, when Rudolf Schuster was inaugurated as the country's first directly elected president. On January 14, Parliament amended the Constitution to allow for direct elections of the President, who previously had been elected by the Parliament. Until Schuster's inauguration, the majority of the President's powers were delegated to the Prime Minister, and the rest to the Speaker of Parliament, in accordance with the Constitution.

The two-round direct presidential elections were held in May. OSCE observers monitored the elections and found them free of fraud. Voter turnout was 75 percent.

Domestic and international observers and the media monitoring NGO Memo criticized Prime Minister Dzurinda for a speech he gave on national television after the moratorium on campaigning had begun, 2 days before the elections. During this speech he encouraged citizens to visit the polls and make the democratic choice, which was seen by many as a call for citizens to vote for Schuster. The Radio and Television Broadcasting Council fined TV Markiza for broadcasting the speech and required it to broadcast a notice that it had violated the law (see Section 2.a.).

On March 1, authorities charged former Minister of Interior Gustav Krajci with abuse of power and forgery of ballots in the 1997 referendum on direct presidential elections. As Deputy Chairman of the Central Election Commission, Krajci allegedly deleted from the referendum ballot the question on holding direct elections for president and marked the new ballot with the Commission's official stamp, without notifying the Commission of the change.

Women are underrepresented in government and politics. There are 2 female ministers, 1 of the 9 Constitutional Court judges appointed in November is a woman, and women hold

21 seats in the 150-member Parliament.

The large ethnic Hungarian minority, whose coalition gained 15 seats in Parliament in the September 1998 elections, is well represented in Parliament and the government. One ethnic Hungarian sits on the Constitutional Court. Roma are not represented in Parliament, but a Rom holds the newly created position of Government Commissioner for Roma Issues.

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

A number of domestic and international human rights groups operate without government restriction, investigating and publishing their findings on human rights cases. Government officials generally are cooperative and responsive to their views. A 1996 law, requiring NGO's and foundations to reregister and have substantial financial resources in order to operate, eliminated some foundations, primarily dormant groups. However, no organization was denied registration or faced any other major problem in continuing to operate. The impact of another law setting limits on allowable administrative expenses has not created significant problems. Many NGO representatives believed that the previous Meciar government was hostile to NGO's. In contrast, the Dzurinda Government appointed many NGO representatives to government positions. However, some NGO leaders allege that the current Government at times is unresponsive to their requests.

In November 1998, the Government created the position of Deputy Prime Minister for Human and Minority Rights. The new Deputy Prime Minister, Pal Csaky, a member of the Party of the Hungarian Coalition, immediately opened a dialog with religious and minority groups. However, Minister Csaky has come under increasing criticism from the Romani community for spending the majority of his time dealing with issues concerning Hungarians. Many Roma leaders have called for his resignation in response to what they claim is his unwillingness and inability to address Roma problems.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The law prohibits discrimination and provides for the equality of all citizens. However, enforcement is uneven, with different minority groups reporting that their members often receive no government assistance with complaints about discrimination. Health care, education, retirement benefits, and other social services are provided regardless of race, sex, religion, disability, language, or social status.

Women

Violence, particularly sexual violence against women, remains a serious and underreported problem. According to Ministry of Interior statistics, both domestic and public violence against women has been increasing: 1,000 cases of public violence were registered in 1997, compared with 276 in 1985. Domestic violence in 1997 included 2,656 cases, compared with 1,874 in 1995 when statistics first were kept. One NGO's regional research showed that 38 to 40 percent of women were victims of domestic violence. Police estimate that two-thirds of female rape victims fail to report their cases. Police treat spousal abuse, other violence against women, and child abuse in the same way as other

criminal offenses; sections in the Criminal Code specifically address rape, sexual abuse, and trafficking in women.

Legislation has not yet recognized and specified the term domestic violence. There is one consulting center for abused women in the country. There is no shelter for battered women, but several NGO's continue to advocate the idea strongly. However, there is a family shelter for victims of child and spousal abuse. In the view of some NGO's, the lack of relevant data on domestic violence is used by police authorities to downplay the extent of domestic violence.

As a result of amendments to the Criminal Code that took effect in 1994, prostitution is not illegal. However, the code prohibits activities related to prostitution, such as renting apartments for conducting prostitution, spreading sexually transmitted diseases, or trafficking in women for the purpose of prostitution. Trafficking in women is a problem, and the Government views it with concern (see Section 6.f.).

Women are equal under the law. They have the same property, inheritance, and other legal rights as men. However, discrimination against women remained a problem. According to sociological studies, women receive approximately 85 percent of men's wages for similar work. However, the definition of similar work is not defined precisely. For example, women may have fewer years' experience on the job due to time spent out of the work force raising a family.

In December 1997, the Gender Center for Equal Treatment of Men and Women was founded. The Center is an independent NGO that cooperates with the U.N. Development Program and the Government. The Government's Coordinating Committee for Women's Affairs (including NGO's) drafted a national action plan for women that was adopted by the Government in September 1997. The plan presents a thorough analysis of the situation of women and proposes specific measures to resolve existing problems in the next decade, including reducing violence against women, protecting women's health, and reducing women's economic disadvantages. In contrast to the past, a number of organizations emerged in the past 10 years promoting women's issues and interests.

Children

The Government demonstrates its commitment to children's rights and welfare through its system of public education and medical care. The Ministry of Labor oversees implementation of the Government's programs for children. The Constitution, the law on education, the Labor Code, and the system of assistance payments to families with children each provide in part for children's rights. Education is compulsory for 9 years, or until the age of 15.

Abuse of children remains a problem and is underreported. Experts from various state institutions dealing with child abuse claim that there are significant discrepancies between official figures on child violence and the actual situation. A recent survey of over 7,000 children conducted by an NGO offering resources to abused children indicated that 12 percent of children are victims of sexual abuse, while 20 percent are victims of physical abuse. According to available police statistics, child beating and sexual abuse are on the rise. NGO's expect this trend to continue and worsen as the economic situation declines. In 1997 there were 1,083 reported cases of crimes against children. Among the most

frequent crimes committed against children are: Nonpayment of child support, sexual violence, and beatings.

Youth criminality has increased as well. Children under the age of 15 reportedly committed 226 crimes in 1990. In 1998 this number rose to 4,980. Juveniles (15 to 18 years of age) committed 5,191 crimes in 1998. According to the Ministry of Justice, 3,027 juveniles were convicted of crimes during 1998. Child prostitution is not addressed specifically in the Criminal Code, but is covered by more general provisions in the law. The Penal Code, was amended on September 1 to include a provision outlawing child pornography.

The U.N. Children's Fund (UNICEF), several NGO's, and other institutions dealing with children's issues have called for amendments to the law on families, particularly the part on relations between parents and children. UNICEF also has recommended creation of an ombudsman's office that would defend children's rights. There are two regional emergency hot line numbers for abused children and one counseling help line.

Existing legislation appears to place emphasis on parents over children's rights. Current legislation allows parents to place their child in a state-run institution for abandoned children, and as long as contact is maintained once every 6 months, the child remains in the custody of the parents and cannot be adopted.

NGO leaders claim that existing legislation protects aggressors before victims. If a husband or wife is guilty of child and/or spousal abuse it is often the victim who is forced to leave the family home. Furthermore, if children who are victims of physical or sexual abuse seek assistance or treatment, their parents must be informed.

People with Disabilities

The Constitution and implementing legislation provide for health protection and special working conditions for mentally and physically disabled persons, including special protection in employment relations and special assistance in training. A 1994 decree provides incentives to employers who create a "sheltered" workplace (i.e., a certain percentage of jobs set aside for the disabled). The law also prohibits discrimination against physically disabled individuals in employment, education, and the provision of other state services. Nevertheless, experts report discrimination in the accessibility of premises and access to education (especially higher education). Although not specifically required by law, another 1994 government decree mandates accessibility for new building construction. The decree provides for sanctions but lacks a mechanism to enforce them. A spokeswoman for an NGO dealing with the disabled said in 1997 that due to pressure from a number of NGO's, accessibility has been improving--particularly regarding new construction. NGO's complained that other legislation, including the provision of jobs for the disabled, while on the books, often is ignored.

Religious Minorities

Despite an order by former Prime Minister Meciar to withdraw a controversial history book entitled the "History of Slovakia and the Slovaks" by Milan Durica, it remains available in schools. The book has been widely criticized by religious groups and the Slovak Academy of Sciences for gross inaccuracies and distortions, particularly in its

portrayal of wartime Slovakia and the deportation of Jews and Roma.

Despite protests by the FJC, Slovak National Party members and the official Slovak cultural organization Matica Slovenska continued their efforts to revise the history of the pro-Nazi wartime Slovak state and to rehabilitate its leader Jozef Tiso. On March 14, a marginal nationalist party, Slovak National Unity (SNU), held a rally to commemorate the 60th anniversary of the wartime Slovak state. The rally was attended by approximately 300 persons, including a number of skinheads. The police kept the event under tight control to prevent any violence. Chairman of the SNU Stanislav Panis in his tribute to Tiso appealed to the Government to make March 14 an official national holiday. Anti-Fascist and anti-Tiso protesters concurrently held a counterdemonstration on another Bratislava square. The Young Democratic Left organizers criticized Tiso's regime, racism, and extremism.

On March 14, the Dzurinda Government released a statement in which it underlined that the current republic is not a successor of the wartime Slovak state, which was totalitarian and antidemocratic. The statement added that the Government considers the 1944 Slovak National Uprising against the wartime Tiso state one of the most significant events in putting the country back on the democratic track, and that the Government is committed to fight against any expression of intolerance, racism, nationalism, and xenophobia. However, the Slovak National Party also issued a statement in which it said that the anniversary of the wartime Slovak state marked "the most important step in the modern history of the Slovak nation."

The official Slovak cultural organization Matica Slovenska and the Confederation of Political Prisoners commemorated the 1939-1945 Slovak state at a meeting in which they emphasized the significance of March 14 as a symbol of Slovak statehood. Unlike previous years, prominent government officials did not attend.

On July 17, the FJC in Slovakia expressed its concern over the desecration of the monument to Holocaust victims located in the old city in Bratislava. Unknown culprits smashed and broke the marble base of the monument. There are no suspects in the case.

In May 1998, the Supreme Court upheld a prior verdict that the publisher of Zmena weekly had to publish an apology to the honorary chairman of the FJC for abusing his person and offending his religious feelings. The apology still was not published by year's end.

On November 3, Parliament passed legislation compensating Slovak citizens who were deported to German controlled concentration camps during World War II on the basis of their nationality, race, or religion. For each month of deportation, those eligible are to receive a cash sum of \$75 (SK 3,000), plus a \$.75 (SK 30) addition to their monthly pension. Direct heirs of deceased victims, who at the time of deportation were minors, are entitled to a lump sum of up to approximately \$2,500 (SK 100,000). The legislation disqualifies the nearly 700 Slovak Jewish survivors from southern Slovakia, which was under Hungarian control during World War II, because they received compensation from the Hungarian Government.

National/Racial/Ethnic Minorities.

The Constitution provides minorities with the right to develop their own culture, receive information and education in their mother tongue, and participate in decisionmaking in matters affecting them. The Government continued to provide funding for cultural, educational, broadcasting, and publishing activities for the major ethnic minorities, but at greatly reduced levels. However, there is no comprehensive law against discrimination.

The largest minority is the ethnic Hungarian minority. It is concentrated primarily in southern Slovakia, with a population registered at 567,756 (150,000 of whom are thought to be Roma who speak Hungarian and choose to declare themselves as ethnic Hungarian). Most ethnic Hungarians and ethnic Slovaks living in mixed areas continued to coexist peacefully, but in recent years there have been occasional expressions of anti-Hungarian sentiments by Slovak nationalists. In 1998 the Government and the Government of Hungary signed an implementation agreement for their 1996 bilateral treaty, which called for the establishment of commissions to deal with the treatment of ethnic minorities, and the commissions were established on February 8.

On July 11, Parliament passed a minority language law providing for the use of minority languages in official activities, and President Schuster signed the law on July 20. According to the law, in places where a minority group constitutes at least 20 percent of the population, the minority language can be used in contacts with government officials. The law was deemed acceptable by the OSCE High Commissioner on National Minorities and the European Union. The law was passed by a vote of 70 to 18 in Parliament. However, all members of the Hungarian coalition voted against the law because they felt that it did not ensure that the provisions in the new law would take precedence over the existing state language law. Furthermore, the Hungarian minority felt that a more comprehensive law was necessary, and that this law did not protect the use of Hungarian in cultural and educational activities.

The Parliament created a special Parliamentary Advisory Committee for Roma Issues in February.

On March 5, at a rally held by the opposition Slovak National Party (SNS) and HZDS, SNS chairman and mayor of Zilina Jan Slota appealed to participants to resist Hungarian irredentism and chauvinistic policies and accused the Government of giving over 444,600 acres of land to the Hungarians. He also uttered inflammatory remarks about Roma, whom he accused of "stealing, robbing, and looting." There was a motion in Parliament to strip Slota of his parliamentary immunity in order to prosecute him for making such public statements, but the motion did not pass.

During a November 9 ceremony at the grave of Hungarian national hero Gyorgy Lahner in the village of Necpaly, SNS deputy chairman Vitazoslav Moric and several other SNS members interrupted the proceedings by singing Slovak nationalist songs and shouted insults at participants. The Hungarian Ambassador to Slovakia was in attendance at the ceremony.

On January 13, Parliament amended three laws to permit bilingual recordkeeping at schools with Hungarian or other minority language instruction. As a result of these changes, the Ministry of Education was able to order some 55,000 bilingual report cards for elementary and high schools that were planned for distribution at midterm in the semester. The Ministry ordered report cards in both Hungarian/Slovak and

Ukrainian/Slovak versions.

Roma constitute the second largest ethnic minority, estimated to number up to 300,000 citizens, although the Government officially reports 89,434 Roma. Police on occasion beat Roma, and in one case during the year allegedly shot a Rom during questioning at the police station (see Sections 1.a. and 1.c.). They suffer disproportionately from high levels of poverty and unemployment. Credible reports by human rights monitors indicated that Roma continued to suffer from discrimination in employment, housing, schooling, and the administration of state services. Discrimination is most severe in the eastern part of the country, where unemployment is higher and the Romani population is larger. Among Roma living in settlements in the east, the unemployment rate is nearly 100 percent. In urban areas in the east, incidents of Roma being denied admission to certain hotels, restaurants, and swimming facilities are widely reported. According to press reports, unemployment offices identify Roma in their records by placing an "R" next to their name in the register. The General Director of the National Labor Bureau ordered an end to this practice after complaints from human rights organizations and the head of the Department for Human Rights and Minorities. Romani children disproportionately are placed in special schools for the mentally retarded in many cases due to their insufficient knowledge of the Slovak language. On August 18, the Government increased the budget for the office of Special Government Commissioner for Roma Issues Vincent Danihel. It also allocated about \$375,000 (approximately 15 million SK) for special projects aimed at improving the situation of Roma, including "Headstart" programs for Roma in 10 schools; training for Roma and non-Roma mayors, local government officials, and police officers; publication of two Romani textbooks in Slovak, Hungarian, and the Romani language; public television programs to educate the public about the Romani minority; support for the Kosice Roma secondary art school; and support for regional Roma cultural centers, social advisory bodies, and health care programs. On September 28, the Cabinet approved a new program, "The Strategy of the Slovak Republic for the Solution of the Problems of the Roma Minority," for addressing issues of the Romani minority. While many Romani leaders and experts on Roma issues believe that the strategy is a positive step, they also criticized it for lacking specific proposals, being formulated with limited input from Roma, and not allocating sufficient resources.

During the year, approximately 4,680 Slovak citizens applied for asylum in West European countries. In July over 1,600 Roma applied for political asylum in Finland, followed by smaller migrations to Norway, Denmark, Switzerland, Belgium, the Netherlands, and Austria for the same purpose. This resulted in July in the Finnish and Norwegian Governments imposing 4-month suspensions of their visa waiver agreements with Slovakia, which elapsed by year's end. On November 30, Denmark also imposed a temporary entry visa requirement, to be lifted after the wave of Romani immigrants decreased. By year's end there were no official reports that any of these asylum cases had been adjudicated successfully. Many Romani families who return after applying for asylum in West European countries were not able to return to their apartments because they owed city authorities back rent. These families then were housed in temporary quarters provided through the social benefits system. The children of these families faced difficulties in enrolling in school because they did not have permanent addresses. Romani activists believe that as a result of these ongoing housing and education problems, these families were likely to leave the country again and apply for asylum in another country.

A Rom, Marion Bily, was elected mayor of Petrova in the November 1998 local elections.

However, immediately after the elections non-Roma members of the city council initiated a petition and gathered enough signatures to call new elections. Bily was prevented from taking office, and the former mayor remained in office until new elections were held. These elections were held in late September, and Bily was not reelected.

President Schuster commented during a trip to Berlin on November 29 that Roma are "profiting from state help but are neither willing nor capable of assuming responsibility for the improvement of their own situation." Miroslav Lacko from the Office for the Protection of Romani Rights criticized the President's statements.

Skinhead violence against Roma was a serious problem, and human rights monitors reported that police remain reluctant to take action. Police also beat Roma and infringe on their rights to social benefits and housing (see Sections 1.c. and 2.d.). According to the Office of Legal Protection (KPO), there were more attacks on Roma during the year compared to 1998, and these cases received more media attention. However, the authorities tended to tolerate such attacks and accepted them as "normal." In almost no case did the police categorize the incidents as racially motivated. In fact, a Banska Bystrica court ruled in May that a crime that was committed by a skinhead against a Rom could not be racially motivated since they are of the same race.

On June 11, a Romani student waiting for a bus in Banska Bystrica was attacked by skinheads. After passersby did little to assist him, he was admitted to the hospital for medical treatment for his injuries. He filed a complaint against the perpetrators, and the judge of the district court classified the case as infliction of bodily harm rather than a racially motivated assault. The Rom appealed the decision to a regional court, which confirmed the district court's ruling. The Rom appealed the decision to the Supreme Court, but no decision was made in the case by year's end.

In June a group of Romani citizens including a 6-year-old child were visiting a restaurant in Kamenec pod Vtacnikom. A group of skinheads attacked the Roma with large sticks. The owner of the restaurant refused to allow them to telephone the police while the skinheads were still present but did allow them to use the telephone after they left. The police initiated an investigation into the case, but there was no further progress by year's end.

On July 12, a Romani citizen was attacked by three men with large sticks in Ziar nad Hronom and suffered a brain concussion, which required him to be hospitalized for 21 days. The three men then attempted unsuccessfully to break into a Roma apartment and broke all of the windows. The men were charged with rioting and creating physical harm, but the crime was not classified as racially motivated.

On May 7, 1998, 16-year-old Rom Branislav Baranyi was attacked and beaten by a non-Romani adult in Lucenec while attempting to intervene in a fight between his Romani friend and an intoxicated non-Romani adult. Branislav Baranyi suffered a concussion and lost three teeth as a result of the attack. On May 7, 1998, Baranyi's father filed a complaint against the alleged attacker, but a policeman reportedly refused to issue a confirmation of the complaint. He then filed a complaint with the prosecutor's office in Lucenec, which passed it on to the regional office. On August 28, 1998, that same regional office charged Branislav Baranyi with disorderly conduct and attacking the non-Roma who allegedly had initiated the fight. Before the first hearing, the lawyer representing Baranyi lodged a

formal objection against the regional court in Banska Bystrica, based on the fact that one of the judges was a relative of one of the defendants. The objection was sustained and the case against Baranyi was transferred to a municipal court in Zvolen. No further information was available in the case at year's end.

In December a 21-year-old Rom was beaten by two skinheads in Car. Immediately following the incident several Roma retaliated and attacked the skinheads in a local pub instead of going to the police; they claimed that the police had been unresponsive to their complaints in the past.

In September in Kosice skinheads reportedly distributed racist materials to the mailboxes of Romani families, and racist materials also were distributed in Trebisov.

There was no progress during the year in a number of cases of violence against Roma in 1998.

In March a Romani human rights NGO filed a complaint in the European Court of Human Rights against regulations passed in 1997 preventing Roma from entering or residing in Nagov and Rokytovce, after attempts to overturn the decrees in Slovak courts failed. In April the two cities repealed the regulations in response to government pressure (see Section 2.d.). Starting in late 1998, authorities in Jelsava refused to grant residence permits to Roma who bought homes with the intention of moving there. However, in early 1999, the mayor of Jelsava issued the residence permits. A public opinion poll conducted in November found that only some 2 percent of those polled would accept Roma as neighbors, while some 87 percent said that they would dislike having Romani neighbors. A December poll indicated that some 60 percent of those polled would support measures that would segregate the Romani population.

On June 6, a British citizen of Indian origin was assaulted by skinheads in Bratislava. He was hospitalized with serious injuries. The results of the investigation are pending.

On July 21, two British citizens of Asian origin were assaulted by skinheads at a Bratislava pub. They escaped without serious injuries.

On July 26, one Chinese diplomat and another Chinese citizen were attacked by a group of eight skinheads in Bratislava. One of the victims required hospitalization for a brain concussion and head and chest injuries. On August 20, authorities charged three skinheads in the attack, one with assault and a racially motivated crime, the other two with hooliganism. The three face prison sentences ranging from 6 months to 3 years. Reportedly one of the skinheads is the son of a high-ranking police officer in Bratislava.

On October 10, four assailants attacked a 39-year-old Vietnamese man at the train station in Prievidza. The victim sought medical treatment for injuries to his face and head. Police were investigating the incident, although there were no witnesses.

During the most recent census (1991), 14,000 citizens registered themselves as Ukrainians, and 17,000 registered themselves as Ruthenians. However, the statistical office does not differentiate between Ruthenian and Ukrainian and records 32,747 persons in the Ruthenian/Ukrainian ethnic group. The current Government also considers the Ruthenian and Ukrainian minorities as a single group. However, about 50,000 persons

listed Ruthenian as their native language in the 1991 census. Ruthenians disagree that they are Ukrainians, and that their language is only a Ukrainian dialect. In September 1998, Slovak State Radio started broadcasting a long-promised daily regional program for the Ruthenian minority in Presov. However, after the 1998 parliamentary elections this broadcasting was discontinued, and the broadcast is now in Ukrainian. However, there is a television broadcast in Ruthenian on STV, which is aired once every 2 months. In addition, the Ruthenian minority receives state funding to publish a biweekly newspaper in Ukrainian. A representative of the Ruthenian Revival Organization stated that Ruthenian language instruction is provided in two schools in the northeast. There is an Institute for Minority Languages at Presov University in the northeast. Two instructors at the Institute teach Ruthenian culture and language.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right to form and join unions, except in the armed forces. Approximately 45 percent of the work force is unionized. Most unions are independent of the Government and political parties but lobby those entities in order to gain support for union positions on key labor issues.

The Constitution provides for the right to strike, and there are no restrictions on this right. The National Statistical Office officially reported no strikes during the year.

However, an increasing number of strike alerts and unofficial strikes were reported during the year. Many of these actions anticipated layoffs or protested the nonpayment or partial payment of salaries due to restructuring of the company or insolvency.

On September 25, the Confederation of Trade Unions (KOZ) sponsored an antigovernment demonstration that was attended by approximately 40,000 labor sympathizers to protest the Government's failure to meet its 20 demands.

On November 9, the KOZ blocked major intersections in five cities to protest the Government's failure to increase wages and reduce taxes and unemployment.

On December 8, the KOZ held a protest in response to the Government's draft budget for 2000.

Local unions also held strike alerts. On November 10, workers held a 15-minute warning strike at PPS Detva Holding to protest a planned layoff of 500 employees. On November 18, almost 60 percent of schools joined a 1-hour strike alert sponsored by the Education Union to protest the Government's failure to fulfill its promises in education policy.

There were no instances of retribution against strikers or labor leaders. However, on October 22, unknown assailants attacked textile union vice president Otto Kremer. Labor leaders alleged that the attack was retribution for his assisting workers at the Prutex Cadca factory in the northwest region of the country in recovering unpaid wages. Relevant legislation on collective bargaining prohibits the dismissal of workers legally participating in strikes. However, according to this law, a strike is legal and official only if it is for the purpose of collective bargaining; if it is announced in advance; and if a list of strike

participants is provided. If the strike is not considered to be official, strikers are not ensured protection.

Unions are free to form or join federations or confederations and to affiliate with and participate in international bodies.

b. The Right to Organize and Bargain Collectively

The law provides for collective bargaining. Following the September 1998 parliamentary election the KOZ decided to reenter tripartite negotiations with employers and the Government. However, unions have expressed dissatisfaction with the Government, claiming that it has not included them in important decisionmaking and does not give adequate attention to their demands. The KOZ held a public demonstration on September 25 and threatened a general strike if the Government continued to be unresponsive to its demands.

The law on citizens' associations prohibits discrimination by employers against union members and organizers. Complaints may be resolved either in collective negotiations or in court. If a court rules that an employer dismissed a worker for union activities or for any reason other than certain grounds for dismissal listed in the Labor Code, the employer must reinstate the worker. There were no reports of abuses targeted against unions or workers.

The 1996 Customs Act regulates free customs zones and customs warehouses. Firms operating in such zones must comply with the Labor Code; to date there have been no reports of special involvement by the trade unions. No special legislation governs labor relations in free trade zones.

c. Prohibition of Forced or Compulsory Labor

Both the Constitution and the employment act prohibit forced or compulsory labor, including that performed by children, and generally there were no reports of violations; however, trafficking in women and girls for the purpose of forced prostitution is a problem (see Section 6.f.). The Ministry of Labor, Social Affairs, and Family, as well as district and local labor offices, have responsibility for enforcement.

d. Status of Child Labor Practices and Minimum Age for Employment

The law sets the minimum employment age at 15 years. Children must remain in school for 9 years, or until the age of 15, although it is not enforced strictly, particularly for the Romani minority. Workers under the age of 16 may not work more than 33 hours per week; may not be compensated on a piecework basis; may not work overtime or night shifts; and may not work underground or in specified conditions deemed dangerous to their health or safety. Special conditions and protections, though somewhat less stringent, apply to young workers up to the age of 18. The Ministry of Labor enforces this legislation. There were no reports of violations. The law and the Constitution prohibit forced and bonded child labor, and the Government generally enforces these prohibitions effectively; however, trafficking in girls for the purpose of forced prostitution is a problem (see Sections 6.c. and 6.f.).

e. **Acceptable Conditions of Work** The minimum wage in 1999 was \$86 (SK 3,600) per month. Even when combined with special allowances paid to families with children it did not provide a decent standard of living for a worker and family. The Ministry of Labor is responsible for enforcing the minimum wage. No violations were reported. The standard workweek mandated by the Labor Code is 42.5 hours, although collective bargaining agreements have achieved reductions in some cases (most often to 40 hours). For state enterprises the law requires overtime pay up to a maximum of 8 hours per week, and 150 hours per year, and provides 5 weeks of annual leave. Private enterprises can compensate their employees for more hours of overtime than stipulated by the law. There is no specifically mandated 24-hour rest period during the workweek. The trade unions, the Ministry of Labor, and local employment offices monitor observance of these laws, and the authorities effectively enforce them.

The Labor Code establishes health and safety standards that the Office of Labor Safety effectively enforces. For hazardous employment, workers undergo medical screening under the supervision of a physician. They have the right to refuse to work in situations that endanger their health and safety and may file complaints against employers in such situations. Employees working under conditions endangering their health and safety for a certain period of time are entitled to paid "relaxation" leave in addition to their standard leave.

e. **Trafficking in Persons**

The law specifically prohibits trafficking in persons; however, there were instances of trafficking in women and girls. The country is a source country, a transit country, and a destination country for such victims of trafficking. According to the Ministry of Interior, there have been 11 documented cases of Slovak women being forced into prostitution in other countries or foreign women being forced into prostitution in Slovakia. The problem receives very little public attention, and therefore it is likely that there are more cases than those that are documented.

A new report issued by the Ministry of Interior's report on trafficking states that the country is only a transit country for persons being trafficked mainly to Austria, the Czech Republic, and Germany for the purpose of forced prostitution. There were four prosecuted cases of forced prostitution in 1998 and nine cases in 1999. There were also reports of Slovak women being trafficked to Western Europe with promises of work as models, waitresses, and au pairs. Their passports were allegedly confiscated, and they were allegedly forced to work in adult entertainment clubs or as prostitutes. According to the report, 3 cases of trafficking were prosecuted in 1998 and 11 in 1999.

Some women from Russia and Ukraine reportedly are trafficked through the country on their way to countries such as Turkey, Greece, Italy, Germany, and Serbia, where they are forced to work as prostitutes. According to a report on trafficking in women issued by the Swedish National Criminal Investigation Department in March, women from Slovakia work in Sweden as prostitutes. In four 1998 court cases involving women trafficked to Sweden, some women came from Slovakia, among other countries. Although previously Slovakia was primarily a source country, increasingly women from less prosperous eastern countries (including the Russian Federation, Belarus, Ukraine, Romania, and Bulgaria) find themselves trafficked through and to Slovakia.

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