

EN | DE

- **Source:**  
USDOS - US Department of State
- **Title:**  
Country Report on Human Rights Practices 2014 - Slovakia
- **Publication date:**  
25 June 2015
- **ecoi.net summary:** Annual report on human rights in 2014 [ID 306407]
- **Countries:**  
Slovakia
- **Original link** <http://www.state.gov/j/drl/rls/hrrpt/2014/eur/236576.htm>

**Recommended citation:**

USDOS - US Department of State: Country Report on Human Rights Practices 2014 - Slovakia, 25 June 2015 (available at ecoi.net)

[http://www.ecoi.net/local\\_link/306407/429790\\_en.html](http://www.ecoi.net/local_link/306407/429790_en.html) (accessed 14 September 2015)



## Country Report on Human Rights Practices 2014 - Slovakia

### EXECUTIVE SUMMARY

The Slovak Republic is a multi-party parliamentary democracy led by a prime minister and a 150-member parliament (Narodna Rada). Prime Minister Robert Fico heads the Smer-SD (Direction-Social Democracy) party, which secured a majority of seats in the 150-member National Council in the 2012 parliamentary elections. Voters elected Andrej Kiska to a five-year term as president and the head of state on March 29. Authorities maintained effective control over security forces.

Notable human rights problems included abuse of power by judicial figures, a lack of checks and balances within the judicial system, low public trust in the judiciary, and societal discrimination and violence against Roma.

Other human rights problems included targeting of the press for civil defamation suits by members of the political and judicial elite.

The government investigated reports of abuses by members of the security forces and other government institutions, although some observers questioned the thoroughness of these investigations. Some officials engaged in corrupt practices with impunity.

### Section 1. Respect for the Integrity of the Person, Including Freedom from:

#### a. Arbitrary or Unlawful Deprivation of Life

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

#### b. Disappearance

There were no reports of politically motivated disappearances, abductions, or kidnappings.

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

The constitution and the law prohibit such practices, and the government mostly respected these provisions.

Nongovernmental organizations (NGOs) and members of the Romani community cited a continuing trend of mistreatment of Romani suspects by police officers during arrest and while in custody. NGOs and the ombudswoman reported excessive use of force, intimidation, and property damage by masked police officers during a raid on a Romani settlement in Moldava nad Bodvou in June 2013.

The Council of Europe's Committee for the Prevention of Torture (CPT) 2013 country report on Slovakia found that while most prisoners and detained individuals made no complaints of physical mistreatment, the report identified a number of credible allegations, including from several detained juveniles, of physical mistreatment consisting mostly of slaps, punches, and kicks to various parts of the body.

## **Prison and Detention Center Conditions**

Conditions at prison and detention centers generally met international standards.

Physical Conditions: Authorities appeared to have eliminated in most cases earlier overcrowding in prisons. From January to June, there were on average 10,093 persons in prison, 1,420 of whom were in pretrial detention. The capacity of the prisons was 11,302, indicating an occupancy rate of approximately 90 percent. From January through June, there were on average 644 female and 64 juvenile prisoners. Authorities held men and women separately. Juvenile prisoners were held separately from adults unless there was a reasonable justification, such as familial connections, for placing adults and juveniles together. There was sufficient access to potable water and adequate food; there were no reports of food shortages.

Administration: Recordkeeping on prisoners was adequate. The law provides for alternative punishments to incarceration for those convicted of a crime that carries a maximum sentence of five years or less. Authorities rarely used two alternative forms of punishment--house arrest and community service work. During 2013 courts sentenced 21 individuals to house arrest and imposed a total of 3,581 hours of community service. Authorities often used conditional termination of criminal prosecution. Prisoners were able to file complaints without censorship, and a public defender of rights, or ombudswoman, was available to deal with prisoners' complaints. Authorities investigated credible allegations of inhuman conditions. Authorities allowed prisoners' access to visitors and allowed prisoners to practice their religion freely.

Independent Monitoring: The government permitted visits by independent human rights observers. In November 2013 the ombudswoman conducted an independent monitoring visit aimed at investigating prisoners' access to medical care and adequate nutrition. According to her findings, current practice allowed a request for medical care to be rejected without prior medical assessment. The ombudswoman's report revealed that the system did not provide for thorough and objective examination of complaints about the provision of medical care. In addition the ombudswoman found prisoners were fed at vaguely defined intervals, which in some cases led to prisoners going hungry.

## **d. Arbitrary Arrest or Detention**

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

### **Role of the Police and Security Apparatus**

The national police force has sole responsibility for internal and border security and reports to the Ministry of Interior. The head of the police force reports directly to the minister of interior, who has the authority to expel any member of the police. A special anticorruption police department, a special prosecution unit, and a specialized criminal court address corruption cases.

In 2013, the most recent year for which data were available, authorities charged 146 police officers for 187 crimes; in 65 of these cases, the crime was abuse of power. In 2013 eight police officers were charged with bribery and two with indirect bribery.

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

### **Arrest Procedures and Treatment of Detainees**

The constitution and law stipulate authorities may take a person into custody only for explicit reasons and must inform the detainee immediately of the reasons for detention. A court must hear a detainee within 48 hours or the detainee must be released. A 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 carrying a sentence of at least eight years) and either release or remand the individual. A bail system functioned effectively. The law gives detainees the right to consult an attorney immediately after authorities submit charges, and authorities must inform them of this right. The government provides free counsel to indigent detainees. The law allows attorneys to visit detainees as frequently as necessary and allows monthly family visits upon request. Authorities respected these provisions.

In the past the CPT noted that the majority of persons interviewed claimed they were informed of their right to an attorney only at the time of the first court hearing, when an ex officio counsel was appointed. The CPT found that in very few cases did detained persons have an opportunity to consult an attorney from the outset of their police detention or to request that an attorney be present during the interrogation or initial questioning.

Police detained a Romani man with an intellectual disability for two and one-half months following a June 2013 police raid in the Moldava nad Bodvou Romani settlement. The European Roma Rights Center claimed the man's detention had no legal basis. Authorities released the man after an NGO intervened. An investigation into the detention remained pending.

Pretrial Detention: Criminal court procedures mandate that the total time of detention (pretrial plus trial) cannot exceed 12 months in the case of minor offenses, 36 months for regular crimes, 48 months for severe crimes, and five years for crimes in which the expected sentence is 25 years to life. In addition pretrial detention cannot exceed seven months for minor offenses, 19 months for regular crimes, and 25 months for severe crimes. In cases with extenuating circumstances, the Supreme Court may extend pretrial detention to four years. Criminal court proceedings, including the review of the legality of detention, were lengthy in some cases.

## **e. Denial of Fair Public Trial**

The law provides for an independent judiciary; however, problems with corruption, official intimidation of judges, inefficiency, and a lack of integrity and accountability undermined judicial independence. In some cases judges claimed they were subjected to pressure aimed at influencing their decisions as well as to intimidation through disciplinary actions.

In June the parliament adopted a constitutional amendment that requires all sitting judges and candidates for judicial positions to receive security clearances from the government that attest to their suitability for public office. The measure was widely criticized by judicial associations, NGOs, and legal experts, who asserted the security clearance process was nontransparent, could be abused for political purposes, and would limit judicial independence. The head of the Judicial Council challenged the law at the Constitutional Court. In September the Constitutional Court issued a preliminary injunction against implementation of the law. The challenge remained pending before the court.

Disciplinary actions against judges for delays in completing cases appeared to be highly inconsistent. In several cases authorities clearly used disciplinary action to intimidate judges into making judicial decisions favored by their superiors or to punish them for critical statements. These practices led to an atmosphere of general mistrust in the judiciary.

In May then supreme court president Stefan Harabin withdrew disciplinary actions against Judge Miroslav Gavalec, spokesperson for the organization For Open Judiciary, which calls for judiciary reforms. Gavalec faced two disciplinary actions for "insufficient education" and for writing critical articles on the state of the judiciary. Harabin originally proposed Gavalec be removed from his position.

With the exception of the Constitutional Court, courts employed a computerized system for random case assignment to increase fairness and transparency. There were reports, however, that this system was subject to manipulation. The former justice minister filed a case against then supreme court president Harabin for allegedly manipulating the electronic random case-assignment system. In October 2013 the Constitutional Court dismissed the case. There were also reports that persons at higher levels of the judicial hierarchy exerted undue influence over the composition of judicial panels. For example, NGOs criticized changes made by Harabin to the composition of judicial panels that decide on fines imposed on state-owned companies.

## **Trial Procedures**

Defendants enjoy a presumption of innocence. They are also presumed innocent during the appeals process, thus a person found guilty by a court does not serve a sentence or pay any fine until the final decision on appeal has been reached. Persons charged with criminal offenses have the right to be informed of the charges against them and are entitled to fair and public trials. NGO observers stated that judicial corruption often

resulted in lengthy court delays and improper handling of police investigations. The law does not provide for jury trials. A panel of three judges is obligatory in criminal cases and in civil cases at the regional court and Supreme Court levels. Defendants have the right to adequate time and facilities to prepare a defense, to be present at their trial, consult in a timely manner with an attorney (at government expense if indigent), access government-held evidence, confront prosecution witnesses, and present witnesses and evidence on their behalf. Defendants have the right to refuse self-incrimination and may appeal adverse judgments.

The law allows plea bargaining, which reduced the backlog of court cases. In 2013 plea bargaining resolved 9,913 cases.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

Citizens had unrestricted access to courts to file lawsuits in civil matters, including human rights violations. Courts that hear civil cases, as with criminal courts, were subject to delays. The judiciary suffered from very low public trust and an apparent lack of accountability, and the public often perceived it as corrupt.

Administrative remedies were available in certain cases. The National Center for Human Rights has the authority to provide mediation for cases of discrimination and to represent claimants in court. Human rights organizations criticized the center for lack of activity and ineffectiveness.

The ombudswoman reported denial of the right to a speedy trial remained one of the most frequent violations. During 2013 out of 266 complaints addressed to the Office of the Ombudswoman concerning delays in proceedings, 98 were found to be violations of the complainant's rights, 62 concerned delays by courts, and 36 concerned delays by administrative bodies.

### **Regional Human Rights Court Decisions**

In 2013 there were 464 new complaints filed against the country with the European Court of Human Rights (ECHR). The court dealt with 700 cases and declared 684 cases inadmissible or otherwise struck them out of the list of cases. In each of the 16 admissible cases on which the ECHR ruled in 2013, the court found one or more violations of the European Convention on Human Rights. The court found 21 violations, including one regarding the right to liberty and security, one regarding the right to a fair trial, 12 regarding the length of proceedings, one involving nonenforcement of a court decision, five relating to the lack of an effective remedy, and one involving freedom of expression.

On January 7, the ECHR ruled in two cases involving a publishing company, Ringier Axel Springer, which complained that its freedom of expression was infringed by domestic court decisions ordering it to pay compensation and publish an apology for articles it published. The ECHR found the company's freedom of expression was violated and the courts failed to consider sufficiently available facts, evidence, and relevant arguments. In October 2013 the ECHR also ruled in favor of Slovak journalist Arpad Soltesz, who was convicted of libel and fined by domestic courts after writing an article about the disappearance of an entrepreneur during the era of Vladimir Meciar. The ECHR found the domestic courts failed to assess carefully the public interest in having the information published.

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

The constitution and law prohibit such actions, and there were no reports the government failed to respect these prohibitions.

Police must present a warrant before conducting a search or within 24 hours afterwards. A report by the ombudswoman concluded that in June 2013 police violated individuals' right to privacy when police entered the homes of Romani families in Moldava nad Bodvou without a prior warrant or the occupants' permission.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The constitution and law provide for freedom of speech and press. While the government generally respected these rights, in some instances it impeded criticism and limited the speech and activities of groups it considered extremist.

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

Press Freedoms: The independent media were active and expressed a wide variety of views. The majority of media were privately owned or funded from private sources. Radio and Television Slovakia and the TASR news agency received state funding for specific programming.

Libel Laws/National Security: While courts rarely imposed criminal penalties for defamation, members of the government, judiciary, and political elites targeted the press in a number of civil defamation lawsuits, which often required the press to pay large sums of money. The International Press Institute (IPI) Slovakia and other observers expressed concern this financial risk could lead to media self-censorship. IPI Slovakia expressed "deep concern" about cases in which, in its words, members of the judiciary acted as though "they were a class of 'untouchables.'"

In June a lower-level court ordered the tabloid *Novy Cas* to apologize to Supreme Court judge Daniel Hudak for publishing pictures and a video that appeared to show him and other judges mimicking a notorious mass shooting. The plaintiffs maintained the photographs had been altered. The judges claimed damages totaling 940,000 euros (\$1.18 million), and a decision on compensation remained pending. In July the Banska Bystrica District Court ordered the publishing house Petit Press to pay Special Court judge Michael Truban 90,000 euros (\$113,000) in compensation for an article published in the *SME* newspaper alleging the judge was allowed to hunt at no charge during a 2008 trip. Truban claimed the newspaper had infringed on his privacy and impugned his honor, dignity, and reputation.

## Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority. Police monitored websites containing hate speech and attempted to arrest or fine the authors, however. According to the International Telecommunication Union, approximately 80 percent of the country's population used the internet in 2013.

## Academic Freedom and Cultural Events

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

## b. Freedom of Peaceful Assembly and Association

The constitution and law provide for the freedoms of assembly and association, and the government generally respected these rights.

## c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

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

The constitution and the law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

### Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has an established system for providing some protection to refugees.

NGOs were critical of procedures used to determine the age of undocumented migrants who claimed to be minors. The Border and Alien Police used X-rays of applicants' wrists to decide whether an applicant was below

the age of 18. Several NGOs asserted this procedure could not confirm with sufficient accuracy an applicant's age and that more-accurate procedures should be implemented.

Some NGOs criticized the Bureau of Border and Alien Police (BBAP) for detaining some potential asylum seekers in detention facilities, rather than transferring them to the specialized facility for asylum seekers in Humenne. According to the NGOs, detention facilities did not provide the support and services that asylum seekers had access to at the Humenne facility.

The government provided "subsidiary protection," which is granted if asylum is denied but 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.

Some organizations criticized the Migration Office for granting asylum only in a very limited number of cases. As of October authorities granted asylum in three cases and rejected 136 asylum requests.

The Migration Office accommodated refugees who were being processed for resettlement to a permanent host country in its Emergency Transit Center. The refugees were moved to Slovakia from other countries due to security and humanitarian concerns. The center could accommodate up to 150 refugees for a period of up to six months.

Safe Country of Origin/Transit: The law requires authorities to provide for the well-being of individual asylum seekers is not threatened if deported to a non-EU "safe third country." Some observers criticized the BBAP for lacking the information necessary to determine whether a country would be safe for persons facing deportation there.

Refoulement: There were no reports of new cases of refoulement, but monitoring of returns remained uncertain. The government claimed NGOs monitored returns, while NGOs working with migrants noted they implemented projects only to monitor access to asylum and did not have the capacity to monitor returns.

Employment: Some organizations criticized the subsidiary protection system for the short length of time protection was granted. The law requires aliens with subsidiary protection to renew their status every year. Critics asserted the uncertainty created by the relatively short periods of temporary residence granted made it more difficult for aliens with subsidiary protection to find stable employment. As of September, 67 individuals were granted subsidiary protection.

Access to Basic Services: NGOs had access to refugees and asylum seekers residing in Interior Ministry facilities and participated in the provision of social and support services. NGOs also provided legal support and representation to irregular migrants and persons in the asylum process.

There were reports of aliens granted subsidiary protection having only limited access to health care. The Ministry of Interior issued health insurance documentation directly to aliens with subsidiary protection, which created some instances of confusion among health-care providers who often did not know which medical procedures the policy would cover.

In October 2013 the BBAP selected a new NGO to provide free legal assistance to migrants in administrative detention. For much of 2013, there was a gap in the provision of free legal assistance after the BBAP refused to grant detention facility access to the NGO that it had previously selected to provide such assistance. Rules that came into effect at the end of 2012 mandated that only attorneys-at-law could provide legal assistance to detained migrants; previously, legal experts who were not necessarily attorneys could provide legal services to migrants. NGOs criticized the change, pointing to a lack of attorneys who specialize in migration and asylum proceedings.

Some NGOs noted that while in general the government was able to provide services for migrants through projects awarded to individual organizations, some gaps in service provision remained and some organizations were unable to provide services at an adequate level. For example, NGOs expressed concern asylum seekers accommodated in some government facilities lacked access to effective legal assistance and representation.

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

The constitution and the law provide citizens the ability to change their government through free and fair elections, which they exercised through elections based on universal suffrage.

## Elections and Political Participation

Recent Elections: The most recent parliamentary elections were in 2012. Citizens voted six political parties into parliament in free and fair elections. One of the six parties (Smer-SD) commanded a parliamentary majority (holding 83 of 150 seats) and therefore governed alone, marking the first time since the Velvet Revolution a single party gained enough seats to form a government alone. Smer-SD party leader Robert Fico led the government as prime minister.

Provincial elections occurred in November 2013. The head of the far-right People's Party Our Slovakia (LSNS), Marian Kotleba, known for his inflammatory views and remarks against Roma, was elected governor of Banska Bystrica province.

In March, Andrej Kiska was elected as president in a run off against Prime Minister Robert Fico.

In May voters elected 13 members of the European Parliament; voter turnout for the elections was slightly more than 13 percent.

Participation of Women and Minorities: There were 28 women in the 150-seat National Council, 44 women on the 84-seat Supreme Court, and one woman in the 15-member cabinet.

The party Most-Hid (Bridge), which promoted greater cooperation between the country's Hungarian minority and ethnic Slovaks, held 13 seats in parliament. The 2012 parliamentary elections brought in the first Romani member of parliament since the country gained independence. There were small numbers of Romani mayors and members of local parliaments, but they were severely underrepresented in communal, provincial, and national elective bodies. NGOs expressed concerns over vote-buying tactics targeting marginalized Romani communities during the 2012 parliamentary elections, as well as anti-Romani rhetoric by extremist and some mainstream political parties.

## Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials. The government did not always implement the law effectively, however, and some officials engaged in corrupt practices with impunity. There were also concerns, particularly in the business sector, about private sector influence over judicial decisions, and some NGO governance experts reported court proceedings had become a contest between vested interests and persons with connections to the judicial powers. The World Bank's Worldwide Governance Indicators also reflected corruption remained a problem.

According to a Transparency International survey, authorities rarely punished corruption. Between 2012 and, half of the upheld sentences for bribery involved fines of up to 20 euros (\$25), while the total annual monetary value of bribes for which the courts issued sentences averaged 120,000 euros (\$150,000). Transparency International estimated actual levels of corruption to be much higher.

Corruption: Headed by a director who reports directly to the interior minister, the Bureau of Inspection Service of the Police Force is responsible for investigating police abuses. The inspection service, the police corps, the police department's organized crime unit, and individual citizens, among others, may initiate cases.

The Ministry of Interior is responsible for developing the government's overall strategy for combating corruption, with a specific focus on investigation and enforcement. The Specialized Criminal Court is responsible for most corruption-related prosecution, while the general prosecutor, who is elected by parliament, appointed by the president and independent of the executive and judicial branches, played a leading role in prosecuting corruption. The Government Office of the Slovak Republic, which oversees administration and answers to the prime minister, is instrumental in developing anticorruption legislation and regulations.

In July 2013 President Ivan Gasparovic appointed Jaromir Ciznar as prosecutor general after the Smer-SD-controlled parliament nominated him.

On May 15, parliament re-elected Dusan Kovacik for the third time as the head of the Specialized Prosecutor's Office, which primarily deals with corruption. NGOs and the media criticized Kovacik for being reluctant to prosecute high-profile corruption cases.

As of October there had been no prosecutions from the 2011 "gorilla" scandal of leaked wiretap files that allegedly implicated politicians, officials, and business executives in discussing kickbacks in return for procurement and privatization contracts. There also were no prosecutions from the "CO2 emissions scandal," in which the company Interblue Group, while serving as a mediator for sales of the country's CO2 emission

quotas, allegedly bought quotas worth approximately 47 million euros for below-market value and then resold them to a Japanese company in 2008 for a significant profit. The NGO community pointed to the involvement of an official at the Environment Ministry at the time of the sale and urged the Office of the Prosecutor General to proceed with its investigation. In June the prosecutor general closed the investigation, claiming it was not possible to establish the damages caused by the sale.

Financial Disclosure: The law requires income and asset disclosure by appointed and elected officials and mandates a parliamentary conflict of interest committee to monitor and verify such disclosures. The government makes a general summary of the declarations publicly available, and there were penalties for noncompliance. Concerned NGOs observed that the declaration forms did not clearly identify the value of the assets, liabilities, and interests declared. The assets and incomes of spouses and dependent children must be filed periodically when changes occur in their holdings.

Public Access to Information: The public had good access to government information, and authorities implemented related laws effectively. The list of exceptions to public disclosures was short, time limits for providing information were brief, and fees for processing information were low. A mechanism for appeals, including judicial review, was available. Authorities imposed sanctions, including administrative sanctions against individual officials, in cases of significant noncompliance.

## Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were usually cooperative, although NGOs reported that at times government officials appeared to view their activities with suspicion or mistrust. Government officials appeared to obstruct the ombudswoman's attempts to raise awareness about human rights abuses against Romani individuals and members of other disadvantaged groups.

Government Human Rights Bodies: Jana Dubovcova headed the Office of the Public Defender of Rights (ombudswoman) and submitted an annual report on human rights problems to the parliament. In contrast to her predecessor, Dubovcova was outspoken on abuses faced by the Romani community, often directly challenging official government narratives. Human rights activists considered the ombudswoman effective at raising the profile of fundamental rights problems throughout the country.

The country has an 11-member parliamentary Human Rights and National Minorities Committee, which held regular sessions during the year. The committee convened a session in July 2013 to question the interior minister and police president about the Moldava nad Bodvou police raid. In September 2013 however, the committee rejected, and parliament refused to discuss, an extraordinary report by the ombudswoman that identified human rights abuses against Romani individuals.

Many human rights organizations criticized the 2012 decision to abolish the position of deputy prime minister for human rights, divide the human rights portfolio among several ministries, and transfer the main parts of the portfolio to the Ministry of Foreign and European Affairs without clearly stating overall responsibility for coordinating human rights policy. Human rights organizations asserted that the ministry lacked relevant expertise and that its diplomatic responsibility to present a positive image of the country abroad conflicted with the need to objectively report on the internal human rights situation. NGOs pointed to the ministry's unwillingness to raise in public concerns about the Moldava nad Bodvou police raid, allegedly because at the same time the Foreign Ministry acted as a mediator for the Ministry of Interior in explaining the police raid to the Organization for Security and Cooperation in Europe. NGOs also expressed misgivings about the 2012 transfer of responsibility for Romani issues to the Ministry of Interior.

The government's Council on Human Rights, National Minorities, and Gender Equality fulfills an advisory role on human rights problems. The minister of foreign and European affairs chaired the council, which consists of representatives from the government and civil society. It may issue statements or recommendations on problems relevant to human rights. Council members from civil society were able to influence statements issued by the council. The council continued to prepare the country's first-ever National Human Rights Strategy, despite strong opposition from conservative groups, who objected to its inclusion of lesbian, gay, bisexual, and transgender (LGBT) rights and gender equality.

In 2012 Prime Minister Fico approved the creation of a government committee dealing exclusively with LGBT rights. The committee was a standing expert body of the Council on Human Rights, National Minorities, and Gender Equality and was chaired by Minister of Justice Tomas Borec.



## Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and the law prohibit discrimination based on race, gender, disability, language, sexual orientation or gender identity, or social status; the government made efforts to enforce these prohibitions.

### Women

**Rape and Domestic Violence:** The law prohibits rape and sexual violence, which carry a penalty of five to 25 years in prison. The law does not specifically define spousal rape, but the criminal code covers spousal rape and spousal sexual violence under the crime of rape and sexual violence. NGOs and rape victims criticized police for sometimes failing to enforce the law effectively and for often failing to communicate appropriately with rape victims. NGOs and academics believed that rape was an underreported problem. As of September authorities recorded 70 cases of rape and 42 cases of sexual violence. Rape survivors had access to shelters and counseling offered by NGOs and government-funded programs.

Domestic violence against women continued to be a problem and is punishable by three to eight years' imprisonment. The law provides stricter sentences for violence directed toward members of the same household and allows for criminal prosecution even when a spouse drops charges. The law specifically prohibits suspected offenders from reentering the victim's home for 48 hours after an incident was reported. While the law prohibits domestic violence, it was widespread, and activists claimed the government did not enforce the law effectively. As of September authorities recorded 215 cases of abuse of a member of household. According to a European Union Agency for Fundamental Rights (FRA) survey published in March, 23 percent of Slovak women suffered physical or sexual violence at the hands of their partners. According to local NGOs, domestic violence often was underreported due to the social stigma associated with being a victim, and crime statistics did not adequately reflect the extent of the problem.

The media highlighted cases that raised doubts about the government's ability to protect reliably women who previously suffered violent abuse or who were threatened with violence. In August a man shot and killed two women in Liptovska Luzna after the court failed to order his detention, despite the fact that he had made threats against one of the women.

**Female Genital Mutilation/Cutting (FGM/C):** The law does not explicitly prohibit FGM/C, but other crimes in the criminal code, including serious bodily harm, which carries a five- to 12-year prison sentence, could apply to FGM/C. The authorities or NGOs did not report any cases of the practice.

**Sexual Harassment:** The law defines sexual harassment as unlawful discrimination. There were few statistics available to measure the frequency or severity of the problem. According to the FRA survey, 29 percent of Slovak women reported facing sexual harassment during the previous 12 months.

**Reproductive Rights:** The government recognized the basic right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children and the right to attain the highest standard of reproductive health, free from discrimination, coercion, and violence. While contraceptive means were widely available, however, individuals had to pay for them. According to NGOs the high cost of oral contraception in the country and the lack of public subsidization constituted a significant barrier to access. According to the UN Population Fund's 2012 *State of World Population Report*, 66 percent of married women between the ages of 15 and 49 used modern methods of contraception. Women between the ages of 15 and 18 must have the approval of their parents to obtain a prescription for oral contraceptives. Women had access to extensive reproductive health services.

Involuntary sterilization is against the law. Two cases of involuntary sterilization of Romani women remained pending in the national courts. In 2011 and 2012, the ECHR ruled against the country in three cases of sterilization of Romani women, which were performed between 1999 and 2002. Advocacy groups criticized the government for failing to improve the way doctors communicated with patients from marginalized communities regarding sterilization, pointing out that while they were a positive development, government initiatives to provide disclaimer forms in minority languages were not sufficient.

**Discrimination:** Women and men are equal under the law, including family law, property law, and in the judicial system. Discrimination against women remained a problem, however. The Gender Equality Committee of the Government Council on Human Rights had not dealt with substantive gender-related problems by year's end. The National Center for Human Rights received a limited number of gender discrimination cases. Underreporting, however, remained a problem.

According to a 2013 European Commission report on gender equality in the country, the gender pay gap remained at 20.5 percent. The report also noted that women held only 22 percent of management positions at private companies. According to outside experts and the Ministry of Labor, Social Affairs, and Family, the reported wage differences were in part due to a lack of an efficient network of preschool facilities, job-sharing practices, and part-time employment opportunities. Many women worked in low-paid occupations, such as education, health care, social work, and light industry, although they also accounted for 60 percent of professional and technical workers.

NGOs advocated for increased opportunities for the political participation of women, who were underrepresented in all spheres of public life. In the March 2012 parliamentary elections, women made up 26 percent of the candidates and 16 percent of elected members of parliament. In the November 2013 regional elections, 16 percent of candidates were women. Women occupied four of country's 13 seats in the European Parliament. There was one female member of cabinet, and 64 percent of judges were women.

## Children

Birth Registration: Children acquire citizenship by birth to at least one citizen parent, regardless of where the child is born. Each domestic birth is recorded at the local vital statistics office, including for children born to asylum seekers, stateless persons, and detained migrants. If the child is born in a foreign country, the foreign birth certificate must be notarized, translated, and submitted to a special vital records office administered by the Ministry of Interior.

Child Abuse: Child abuse remained an underreported problem according to child advocates. According to a 2013 NGO survey, 36 percent of children suffered physical abuse. A 2012 government study showed that 23.2 percent of 13- to 15-year old persons suffered physical abuse and 7.1 percent suffered sexual abuse. Domestic abuse carries basic penalties of three to eight years' imprisonment. As of June police reported 339 cases of sexual abuse of minors.

The government continued implementing the National Action Plan for Children for 2013-2017, funded through the government budget. It involved activities aimed at preventing crimes against children, including measures to counter child trafficking and provide care for children in crisis. Government bodies provided financial support to crisis centers for abused children and NGOs that worked on child abuse. The Labor and Social Affairs Office had dedicated departments for overseeing childcare and monitoring child abuse.

Early and Forced Marriage: The legal minimum age for marriage is 18. In exceptional cases, based upon request of one of the marrying couple, a competent court may allow marriage of a person as young as 16, if both parents consent. According to the latest data available from 2012, 199 women and 25 men under the age of 18 were married in the country. The government provided victim care services to seven individuals who had been subjected to forced marriage. Women from marginalized Romani communities were transported to the United Kingdom by force or deception to marry foreign citizens attempting to avoid deportation by marrying an EU citizen.

Female Genital Mutilation/Cutting (FGM/C): The law does not explicitly prohibit FGM/C, but the practice may be covered by other provisions of the criminal code. The authorities or NGOs did not report any FGM/C cases.

Sexual Exploitation of Children: Rape and sexual violence carry basic penalties of five to 10 years' imprisonment and up to 25 years' imprisonment, depending upon the injury or harm caused the victim and the motive. The law establishes 15 as the minimum age for consensual sex. In addition to prohibiting human trafficking, the law prohibits child prostitution, a form of trafficking in persons. The criminal code law sets a stricter sentence of seven to 12 years' imprisonment if the victim is younger than 15.

The production, distribution, or possession of child pornography is a crime with penalties ranging from two to 20 years' imprisonment.

Institutionalized Children: Reports published by the Office of the Public Defender of Rights during the year and in 2013 found that juvenile offenders at educational rehabilitation centers regularly endured hunger and were subjected to degrading treatment, including compulsory gynecological examinations carried out on girls following trips outside the facility. The reports also found substandard levels of education at the centers.

An investigation carried out by the Office of the Public Defender of Rights in 2012 found that the government did not always provide for the child's right to be heard during legal or public proceedings, either directly or through an intermediary.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at [travel.state.gov/content/childabduction/english/legal/compliance.html](http://travel.state.gov/content/childabduction/english/legal/compliance.html), as well as country-specific information at [travel.state.gov/content/childabduction/english/country/slovakia.html](http://travel.state.gov/content/childabduction/english/country/slovakia.html).

## Anti-Semitism

Jewish community leaders estimated, and the 2011 census data indicated, the size of the Jewish community at approximately 2,000 persons.

The law provides for penalties of two to six years' imprisonment for membership in an extremist group and three to eight years for production of extremist materials.

Organized neo-Nazi groups with an estimated 500 active members and several thousand additional sympathizers spread anti-Semitic messages.

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

Throughout the year far-right groups organized small events to commemorate important dates associated with the Slovak fascist state and its president, Jozef Tiso.

The Nation's Memory Institute provided access to previously undisclosed records of Slovak regimes from 1939 to 1989. Jewish community leaders criticized the institute for paying too much attention to the persecution of prominent figures of the fascist Slovak state after the war and playing down their role in supporting anti-Semitic policies.

The Ministry of Interior monitored violent extremist groups, and police monitored websites posting hate speech.

## Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

## Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, air travel and other transportation, or the provision of other public services. Persons with disabilities were able to vote and participate in civic affairs. Experts reported, however, that access to buildings and to higher education remained problems, and laws to improve students with disabilities' access to school facilities or educational materials were not implemented.

NGOs reported limited resources for persons with mental disabilities outside of Bratislava, a lack of community-based support, and an absence of mechanisms to monitor human rights abuses against persons with mental disabilities. Psychiatric institutions and hospitals, which fall under the purview of the Ministry of Health, used cage beds to restrain patients. The law prohibits both physical and nonphysical restraints in social care homes managed by the Ministry of Labor, Social Affairs, and Family.

No broadcaster complied with legislation requiring television stations to provide audio descriptions for viewers who are blind or have impaired vision. While the law defines mandatory standards for access to buildings, NGOs noted they were not fully implemented, although access to privately owned buildings improved more rapidly than access to public buildings.

The government's Council on Human Rights, National Minorities, and Gender Equality operated a committee on persons with disabilities. The council served as a governmental advisory body and included representation from NGOs working on disability problems. The council continued deliberations on the country's first National Human Rights Strategy, which includes a chapter on the rights of persons with disabilities. In January the cabinet approved the new National Program for the Development of Living Conditions of Persons with Disabilities 2014-20, which supersedes a similar document in place between 2001 and 2014.

## National/Racial/Ethnic Minorities

Societal discrimination against Roma and individuals of non-European ethnicity was common. According to the 2011 census, Roma were the second largest ethnic minority with a population of 105,000, a slight increase from the 2001 census. Experts estimated that the Romani population was actually between 350,000 and 500,000, with an atlas compiled by the UN Development Program (UNDP) in 2012 placing the number at 402,000. Observers attributed the discrepancy to self-identification by many Roma as Hungarians or Slovaks. As much as 53 percent of the Romani population resided in marginalized communities. The UNDP atlas identified 231 segregated rural settlements located, on average, less than one mile from neighboring municipalities.

According to the 2011 census, there were approximately 458,000 ethnic Hungarians living in the country, a decrease from the 2001 census.

NGOs reported racially motivated attacks on minorities (Roma and others) throughout the year, but authorities' investigation of such incidents varied by jurisdiction.

Extreme rightist, nationalist, and neo-Nazi groups held events designed to intimidate minority groups. In addition to commemorating historical events and figures associated with the World War II fascist state, the LSNS and other far-right groups organized anti-Romani gatherings at locations where there were tensions between Rom and non-Rom populations.

In July far-right groups organized the "For a Decent and Safe Life" protest march in Bratislava. Organizers claimed the event was in response to growing attacks by Roma against non-Roma. The march was a show of support for a television presenter who was dismissed from her job after posting a text on a social media site asking why Roma cannot be shot like pests. In August far-right groups organized the "Against Gypsy Terror in Eastern Slovakia" gathering in Gelnica, allegedly in response to recent killings of non-Roma by Romani individuals.

In November 2013 far-right LSNS Party leader Marian Kotleba was elected governor of Banska Bystrica province. In the past Kotleba praised the World War II-era fascist Slovak state, made frequent anti-Romani remarks, and organized anti-Romani protests. In the period preceding the elections, Kotleba promised to end the "unjust preferential treatment for not only gypsy parasites" and hinted at the creation of militia-style groups to provide security near Romani communities. Following his victory an article in the LSNS newsletter announced that Kotleba's victory had initiated "real change," which would not be complete until the country was Slovak, Christian, and white.

Police generally responded quickly to gatherings targeting the Romani community and prevented crowds from entering Romani communities or inciting confrontations.

In June 2013 approximately 60 police officers raided Romani settlements in the town of Moldava nad Bodvou, allegedly resulting in multiple injuries to residents, including children, and property damage. NGOs and residents complained that police carried out property searches without warrants. The ombudswoman expressed doubts over an initial Ministry of Interior inspection report, which concluded that the police raid was lawful. On January 8, after inviting her to one of its sessions, the cabinet refused to allow the ombudswoman to speak about the Moldava nad Bodvou raid and concluded that the ombudswoman did not follow the necessary procedures in approaching the government with her complaints. The ombudswoman's investigation found that police violated the rights of individuals in conducting the raid. Following the cabinet session, the deputy prime minister and interior minister chastised a journalist for treating Roma as equally credible as police officers after the journalist noted that testimonies by the alleged Romani victims contradicted testimonies by police officers.

On January 30, the speaker of parliament threatened to relocate the office of the ombudswoman to Eastern Slovakia (where the majority of nonintegrated Roma reside) after parliamentarians from the governing Smer party approved the cabinet's decision not to hear the ombudswoman regarding the Moldava nad Bodvou raid. The speaker insisted that the ombudswoman should experience for herself the problems associated with "unadaptable."

In mid-January the regional prosecutor's office in Presov launched an investigation into the raid. In February the Government Council on Human Rights and National Minorities, an advisory body to the government, expressed support to the Office of the Public Defender of Rights but did not issue a stance on the police raid itself while an investigation into the raid was pending.

In February, Prime Minister Robert Fico visited police officers in Moldava nad Bodvou and stated that he wanted "police officers in Slovakia to know that the Slovak government simply stands behind them." In August the Moldava nad Bodvou municipality banned the "Moldava Together" music festival, which was organized to promote solidarity with the inhabitants of the Romani settlement. The municipality asserted that the settlement did not meet the necessary health and safety standards for such an event. Event organizers rejected the claims, noting that the municipality waited until the last minute to object to the festival, thereby making it impossible for the organizers to address any of the alleged shortcomings.

While the law prohibits defamation of nationalities in public discourse, authorities generally enforced it only when other offenses, such as assault or destruction of property, were also committed.

There were instances of public officials at every level defaming minorities and making derogatory comments about Roma.

During the January parliament session that focused on the ombudswoman's report on the Moldava nad Bodvou police raid, governing Smer party member of parliament Dusan Munko accused Roma of conceiving children as their main source of income and claimed that 90 percent of Roma were dependent on welfare and crime for

their livelihoods. He also suggested that due process was not required during police raids on Romani settlements and compared some of the alleged behavior of Roma to that of animals.

During his campaign for the presidency, Prime Minister Robert Fico highlighted alleged Romani criminality during a radio interview, insisting that more than half of all prisoners were Roma and that Roma often perpetrated violent crimes. Fico also argued that the “extraordinary situation of the Roma needs extraordinary measures,” but that “human rights saints” would impede the implementation of such measures. He also complained about media criticism of the Moldava nad Bodvou police raid.

NGOs engaged in monitoring activities noted that media reports concerning Roma overwhelmingly focused on crime or other problems associated with socially excluded communities. Media reporting on crime also referred to the ethnicity of alleged perpetrators when they were Roma but did not give the ethnicity of alleged perpetrators of similar crimes when they were not Roma. A website devoted to issues concerning the Romani community, launched in 2013 by the prominent daily *Sme*, provided generally balanced reporting.

Widespread discrimination against Roma continued in employment, education, health care, housing, and loan practices. Roma faced discrimination in accessing a wide variety of commercial services, including restaurants, hair salons, and public transportation. In April the Spisska Nova Ves District Court ruled in the 2009 case of a Romani couple that were refused service at a bar because of their ethnicity, awarding them 600 euros (\$750) in damages. The NGO representing the victims welcomed the decision to issue damages but concluded that the sum was too low to serve as a deterrent and did not reflect the extent to which the act of discrimination harmed the victims' dignity. NGOs asserted that the cases of discrimination reported to legal help lines represented only a fraction of discrimination cases that occurred. In many cases Romani individuals from socially excluded communities did not report discrimination. NGOs reported cases of police harassment based on ethnicity.

Activists frequently alleged that employers refused to hire Roma, and an estimated 80 to 90 percent of Roma from socially excluded communities were unemployed. NGOs working with Roma from socially excluded communities reported that while job applications by Roma were often successful during the initial phase of selection, in a majority of cases employers excluded these applicants once they found them to be Roma. Rejected job applicants rarely pursued cases of discrimination through the courts.

Local authorities forced evictions of Romani inhabitants, demolished their improvised housing, or blocked them from obtaining construction permits or purchasing land. In April 2013 the Kosice municipality evicted a Romani settlement in the district of Tahanovce. In August the Kosice municipality demolished apartment buildings in the Lunik IX housing project, which was home to a considerable marginalized Romani community. Former residents relocated to nearby improvised settlements or moved in with relatives. The municipality provided alternative accommodation only to residents who were not in arrears in their payments to the municipality.

NGOs reported persistent segregation of Romani women in maternity wards in several hospitals in the eastern part of the country, where hospital management accommodated them separately from non-Romani women and did not permit them to use the same bathrooms and toilets. Hospitals claimed they grouped persons according to their levels of hygiene and adaptability, not by race.

Romani children from socially excluded communities faced educational segregation in terms of their disproportionate enrollment in special schools or their placement in segregated classrooms within mainstream schools.

While education is universal and free through the postsecondary level and compulsory until the age of 15, Romani children exhibited a lower attendance rate than other children. Authorities disproportionately enrolled Romani children in “special” schools for children with mental disabilities. Later re-evaluations often revealed those same students would have likely succeeded in mainstream educational institutions. A special school education did not provide Romani children the knowledge or certification necessary to pursue higher education. Transfer from a special school to a regular educational track was difficult or impossible.

The government did not provide data on the percentage of Romani students in special schools nor did it collect data on ethnicity.

NGOs implemented educational programs through community centers, operated by local councils, to reduce the number of Romani children enrolled in special schools or special classes. These programs included preschool and after-school programs to improve basic motor skills and introduce behaviors often lacking in neglected children. These programs aimed to decrease the number of children referred to diagnostic centers and ultimately to special schools. Social workers also worked with parents in socially excluded families to help them understand the importance of their children attending a regular school, since authorities often placed Romani children in special schools with the agreement or at the request of their parents.

Romani children from socially excluded communities also faced segregation in regular educational establishments. There were reports of schools having predominantly or almost exclusively Romani pupils from

several surrounding municipalities, resulting in non-Romani children often attending a different school than Roma from the same area.

Segregated classrooms within mainstream schools were common. Schools often justified the segregation as being in the children's best interest and often claimed that Romani parents preferred their children to attend segregated classrooms. After a regional court in 2012 confirmed an earlier court decision ordering desegregation of a school in Sarisske Michalany, an NGO worked with the school director to begin desegregating the school, train teachers, and provide support staff and volunteers. The school director desegregated the playground and the first Romani children enrolled in non-Romani classes. Despite limited progress most classrooms and certain other parts of the school remained segregated due to opposition from teaching staff.

Amnesty International Slovakia reported that a school in Levoca segregated Romani children in separate classrooms. The municipality denied that any of its schools were segregating Romani children.

The Government Council on Human Rights, National Minorities, and Gender Inequality operated a Committee for the Prevention and Elimination of Racism, Xenophobia, Anti-Semitism, and Other Forms of Intolerance.

The law provides for the imposition of fines on government institutions, civil servants, and legal entities that do not provide information required by law in Slovak. The law authorizes the Ministry of Culture to levy fines of up to 5,000 euros (\$6,250) for noncompliance. Members of the ethnic Hungarian minority criticized the provision as discriminatory and a restriction on their right to free speech. Members of the community complained that authorities did not always implement provisions that enabled the use of minority languages in official settings. They also objected to the refusal by the railways to allow for dual-language train station signs.

An alleged 2006 attack and subsequent perjury charges against ethnic Hungarian Hedviga Malinova drew media attention and raised questions about due process. In April the general prosecutor charged Malinova with perjury. Her attorney described the charge as an act of intimidation, noting that authorities did not inform Malinova about how she had supposedly lied. NGOs and human rights groups criticized the re-opening of charges against Malinova. The previous government of Iveta Radicova apologized to Malinova in 2011.

## **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law prohibits discrimination based on sexual orientation and gender identity. Persons intending to change their legal gender status need to obtain medical approval, which usually requires undergoing gender-reassignment surgery. According to LGBT rights advocates, prejudice and official and societal discrimination persisted, although no official cases were reported.

The fifth Bratislava gay pride parade, held in June, demonstrated good cooperation between police and organizers, and no major incidents were reported. The second Kosice gay pride parade was held in September, and no major incidents were reported.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law, including related regulations and statutory instruments, provides for the right of workers to form and join independent unions of their choice except in the armed forces. The law also provides for unions to conduct their activities without interference, including the right to organize and bargain collectively, and workers exercised these rights. The law recognizes the right to strike with advance notice, both when collective bargaining fails to reach an agreement and in support of other striking employees' demands (solidarity strike). Civil servants in essential services, judges, prosecutors, and members of the military do not have the right to strike. The law prohibits dismissing workers who legally participate in strikes but does not offer such protection if a strike was illegal or unofficial. The law does prohibit antiunion discrimination.

The government effectively enforced applicable laws and remedies, and penalties for violations were effective. These procedures were, however, occasionally subject to delays and appeals.

Workers and unions generally exercised these rights without restrictions. Worker organizations were independent of the government and political parties. There were no reported violations related to collective bargaining rights nor any indications that employers refused to bargain or bargained with unions not chosen by workers. There are no reports of employers using hiring practices to avoid hiring workers with bargaining rights. There were no reports of antiunion discrimination or other forms of employer interference in union functions.

## **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor. Police are responsible for investigating forced labor but faced challenges in effectively enforcing the law. There were reports of Ukrainian, Moldovan, Bulgarian, Romanian, and potentially Vietnamese men and women forced to work in the country. Underemployed and undereducated Roma from socially segregated rural settlements were disproportionately vulnerable to human trafficking. Resources, inspections, and remediation were generally adequate, but penalties for violations were insufficient to deter violations. The Ministry of Interior, together with the International Organization for Migration, trained government officials in identifying trafficking victims. Civil society groups identified more trafficking victims than government officials did.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

## **c. Prohibition of Child Labor and Minimum Age for Employment**

The minimum age for employment is 15, although younger children may perform light work in cultural or artistic performances, sports events, or advertising activities if it does not affect their health, safety, personal development, or schooling. The National Labor Inspectorate (NLI) and Public Health Office must approve, determine the maximum hours, and set conditions for work by children younger than 15. Children younger than 16 may not work more than 20 hours per week on average. This applies to all children who are high school or full-time university students. Part-time university students older than 18 are excluded from this provision. The law does not allow children under 18 to work underground, work overtime, or perform labor inappropriate for their age or health.

Regional inspection units, which were under the auspices of the NLI, received and investigated child labor complaints. Apart from regional inspection units, the state Social Insurance Company was also responsible for monitoring child labor law compliance. If a unit determined that a child labor law or regulation had been broken, it transferred the case to the NLI. Enforcement was consistent across all communities. The NLI enforced this penalty. It may also impose fines on employers and individuals that fail to report such incidents adequately. Resources, inspections, and remediation were generally adequate. The law defines sufficient penalties for violations, but the application of those penalties was not always sufficient to deter violations.

There were reports that Romani children in some settlements were exploited for commercial sex (see section 6, Children). NGOs reported that family members or other Roma exploited Romani victims, including children with disabilities. Child labor in the form of forced begging was a problem in some communities.

## **d. Discrimination with Respect to Employment or Occupation**

The law prohibits discrimination regarding race, sex, gender, disability, language, sexual orientation, social status or "other status" but does not specifically prohibit discrimination based on HIV status. The government generally enforced these laws and regulations, except with regard to the Romani minority.

Discrimination in employment and occupation occurred with respect to the Romani minority (see section 6).

## **e. Acceptable Conditions of Work**

The minimum wage was 352 euros (\$440) per month. The minimum living standard (an estimate of the poverty income level) was 198.09 euros (\$248) per month.

The law mandates a maximum workweek of 48 hours, including overtime, except for employees in the health-care sector, whose maximum workweek is 56 hours, including overtime. Worker overtime generally could not exceed 150 hours per year, with the exception of health-care professionals, who in specific cases and under an agreement with labor unions could work up to 250 hours overtime. Employees who worked overtime were entitled to an additional 25 percent of their premium hourly rate. Employers were obliged to provide 30-minute breaks after six hours of work, or after four hours for employees younger than 18, and rest periods of at least 12 hours between shifts, or 14 hours for employees younger than 18. Employees who work under conditions that endanger their health and safety are entitled to "relaxation" leave in addition to standard leave and an additional 35 percent of their hourly rate. Employees who work during government holidays were entitled to an additional 50 percent of their hourly rate.

The labor code mandates at least four weeks of annual leave for every employee; those older than 33 receive five weeks of annual leave. Those employed in the education sector receive at least eight weeks of annual leave.



Trade unions, local employment offices, and the Ministry of Labor, Social Affairs, and Family monitored observance of these laws, and authorities effectively enforced them.

The law establishes health and safety standards that the Office for Labor Safety generally enforced. Approximately 290 labor inspectors investigated companies for compliance with the law. The Ministry of Labor, Social Affairs, and Family may impose financial penalties on companies found to be noncompliant. If there are safety and security concerns at a workplace, the inspectors may require companies to stop using equipment that poses risks until safety requirements are met. In cases of "serious misconduct" at a workplace, the law permits labor inspectors to impose additional financial penalties.

In 2012 the NLI conducted 18,469 inspections, including a number of spot inspections that were held without warning and could be used to investigate charges of companies being in violation of Occupational Safety and Health (OSH) regulations.

Apart from the inspections, the NLI coordinated with regional educational institutions to host OSH-related conferences and training sessions and provided more than 28,000 consultations.

In 2012 the NLI issued decisions in more than 2,056 cases, amounting to 1.84 million euros (\$2.3 million) in fines. The most significant problems were in the areas of employee remuneration (1,272 decisions), safety and health regulation (421 decisions), and illegal employment (240 decisions). Seven of these cases were in connection with work by irregular migrants. Most labor law and OSH standards violations were in the transportation and infrastructure sectors. Workers could generally remove themselves from situations that endangered health or safety without jeopardy to their employment and authorities effectively protected employees in this situation.