

# SLOVAKIA 2019 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The Slovak Republic is a multiparty parliamentary democracy led by a prime minister and a 150-member parliament (Narodna Rada or National Council). Prime Minister Peter Pellegrini heads a three-party coalition that secured a majority of seats in parliament following free and fair parliamentary elections in 2016. On March 16 and 30, voters elected Zuzana Caputova to a five-year term as president and head of state in elections that were considered free and fair.

The national police force has sole responsibility for internal and border security and reports to the Ministry of Interior. A special anticorruption police department, special prosecution unit, and specialized criminal court address corruption cases. The Bureau of Border and Alien Police (BBAP), under the authority of the Ministry of Interior, is responsible for external security, including border control and preventing illegal migration and people smuggling, and conducts investigations of related criminal activities. BBAP also exercises limited powers in asylum proceedings. Civilian authorities maintained effective control over security forces.

Significant human rights issues included: corruption; violence and threats of violence against Roma and other ethnic and racial minorities, including violence by security forces; and violence and threats of violence targeting lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons.

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 Deprivation of Life and Other Unlawful or Politically Motivated Killings**

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

In December 2018 the European Court of Human Rights (ECHR) awarded 25,000 euros (\$27,500) in compensation to two surviving Romani family members, who were seriously injured in a 2012 attack on their home by a municipal police officer in Hurbanovo in which three other Romani family members died. The ECHR found that the Slovak court's nine-year sentence for the triple homicide neglected the attack's racial motive, highlighting that the attacker had confirmed during the investigation he had armed himself with a gun and driven to the house with the intention of "dealing with" the Roma. The ECHR concluded that Slovak authorities violated the two victims' rights to nondiscrimination in enjoyment of their right to life.

### **b. Disappearance**

There were no reports of politically motivated disappearances.

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

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

Proceedings were ongoing against the head of the criminal investigation unit in the southwestern town of Senec charged with obstruction of justice after a leaked recording showed that he had advised his subordinates to coordinate their testimony to present a consistent narrative of the incident.

A report released on June 19 by the Council of Europe's Committee for the Prevention of Torture (CPT) found there were a number of credible allegations of deliberate physical mistreatment consisting of kicks and baton blows prior to or immediately following police arrest. The report also cited allegations of threats and verbal abuse by police officers. The CPT criticized the continuing practice of handcuffing detained persons to wall fixtures or similar objects in police establishments for several hours and occasionally overnight. The Control and Inspection Service of the Ministry of Interior still dismissed or discontinued most investigations into cases involving injuries allegedly caused by police.

As of August there was no progress in the prosecution of a police officer who commanded a 2015 raid on a Romani community in the village of Vrbnica. The Ministry of Interior inspection service pressed charges against the man for alleged abuse of power in 2016. There continued to be no resolution of a 2009 incident

during which a group of police officers abused a group of six Romani boys between the ages of 11 and 15. In May 2018 the Kosice regional court overturned a lower court ruling that acquitted all of the officers and returned the case to the Kosice district court. The court had yet to schedule hearings.

### **Prison and Detention Center Conditions**

There were no significant reports regarding prison or detention center physical conditions that raised human rights concerns.

Physical Conditions: In several facilities, juveniles shared cells with adult inmates. Conditions varied by gender.

CPT's June 19 report criticized the situation of two prisoners with severe learning disabilities at the Leopoldov Prison, where they were held under conditions amounting to solitary confinement. The CPT report noted sentenced prisoners under the strictest confinement regime were offered extremely limited daily out-of-cell time. The ombudsperson also challenged inadequate air circulation in prison cells, insufficient lighting, and inappropriate toilet placement. There were reports of very small and inadequately equipped facilities, which authorities continuously used for prolonged or overnight detention, for the temporary detention of arrested persons at police stations.

In March the ombudsperson, in her annual report, repeated previous findings that police units had established unauthorized spaces where police detained individuals under conditions not always in line with the law. The report noted police detained individuals in these spaces for several hours. The ombudsperson concluded the unofficial detention spaces, which often lacked running water, toilets, or means to request assistance, were degrading.

In 2018 the Police Inspection Service dealt with 151 complaints of excessive use of police force against persons in detention. According to police statistics, 84 percent of the complaints were dismissed, 12 percent saw further disciplinary or criminal proceedings, and the remaining 4 percent of cases were pending.

In May a trial court convicted one of two former prison guards in Ilava Prison who in 2016 beat a 21-year-old man, causing serious injuries. The former prison guard appealed, and proceedings were ongoing. The ombudsperson requested several measures be taken at the prison to prevent repetition of such incidents, and prison authorities instituted them.

Administration: While prisoners were able to file complaints without censorship and a prosecutor or ombudsperson was available to deal with them, several prisoners claimed they were reluctant to complain about mistreatment due to fear of reprisals or because they believed authorities would not act on their complaints.

Independent Monitoring: The government permitted visits by independent human rights observers and the CPT.

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

The constitution and the law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government generally observed these requirements.

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

The constitution and law stipulate that authorities may take a person into custody only for explicit reasons and must inform a detainee immediately of the reasons for detention. Persons are apprehended only with warrants issued by a judge or prosecutor based on evidence, and there were no reports of individuals detained without judicial authorization. Suspects in terrorism cases can be held for 96 hours. In other cases a court must grant a hearing to a person accused of a crime within 48 hours (or a maximum of 72 hours in “serious cases,” defined as violent crimes, treason, or other crimes carrying a sentence of at least eight years’ imprisonment) and either release or remand the individual into custody.

The bail system rarely was used. The law gives detainees the right to consult an attorney immediately after authorities submit charges, and authorities must inform them of this right. The law provides counsel to indigent detainees free of charge. This right, however, was not fully respected in practice and authorities did not systematically inform detainees of their right to access a lawyer or right to an ex officio lawyer free of charge. The law allows attorneys to visit detainees as frequently as necessary and allows two-hour monthly family visits upon request. There were no reports of suspects detained incommunicado or held under house arrest.

Arbitrary Arrest: The ombudsperson and Bratislava regional court criticized police for unlawfully and arbitrarily detaining Filip Rybanic, the assistant to an opposition member of parliament (MP), in a high-profile corruption case. The

court concluded police had manipulated Rybanic to incriminate himself, prevented him from contacting a defense attorney, and violated his right to due process. The court described the initial conduct of police as “fraudulent.”

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

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence and impartiality, but alleged corruption, inefficiency, and a lack of integrity and accountability undermined public trust in the judicial system.

In February the Constitutional Court declared as unconstitutional a constitutional amendment requiring that all sitting judges and candidates for judicial positions receive security clearances from the government that attest to their suitability for public office. Some legal experts criticized the decision as resting on weak legal arguments and asserted that it harmed the separation of powers by infringing on the legislature’s ability to amend the constitution.

Except for 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. A criminal investigation that started in August 2018 into alleged manipulation of the case assignment system at the Supreme Court was ongoing.

### **Trial Procedures**

The constitution and law provide for the right to a fair and public trial without undue delay, and an independent judiciary generally enforced this right. There were reports, however, that in individual cases judges failed to act impartially and did not respect basic principles for conducting fair trials.

Defendants enjoy a presumption of innocence, and a person found guilty by a court does not serve a sentence or pay a fine until a final decision on his or her appeal has been reached. Persons charged with criminal offenses have the right to be informed promptly of the charges against them with free interpretation as necessary. 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), and to obtain free interpretation as necessary from the moment of being charged through all appeals. They can confront prosecution and plaintiff witnesses and can 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 was often applied in practice.

Unpredictability of court decisions and inefficiency remained major problems in the country's judiciary, leading to long trials, which in civil cases discouraged individuals from filing suit. Cases involving violation of the right to trial without undue delay continued to dominate the Constitutional Court agenda. In February, nine of 13 constitutional judges' terms ended. The parliament failed to immediately elect the necessary number of candidates to replace the outgoing judges, and the Constitutional Court was unable to fully process incoming cases until the remaining six seats were filled in September.

### **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. Public trust in the judiciary continued to be low, with domestic surveys measuring it at 34 percent. According to the surveys, the public perceived corruption as the judiciary's most urgent problem, followed by delays in proceedings.

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. Individuals and organizations may appeal domestic court decisions with respect to alleged violations of human rights to the ECHR.

### **Property Restitution**

Rent-control regulations for apartment owners whose property was restituted after the fall of the communist regime remained a problem. The state has regulated rents in these properties at below-market rates since 1992. In 2017 the ECHR ordered the state to pay property owners 1.87 million euros (\$2 million) in compensation for damages. Although authorities took legislative steps to eliminate

the discriminatory treatment of the owners, according to the ECHR, property owners should receive specific and clearly regulated compensatory remedies.

The ombudsperson reported excessive delays in numerous land property restitution proceedings that have remained unresolved since the fall of the communist regime. In February 2018 the ombudsperson presented to parliament a special report that listed 9,198 unresolved cases. Several measures have been implemented at land offices to resolve the problem, although lack of land office staff and insufficient training remained challenges.

The country is a signatory to the Terezin Declaration on Holocaust restitution. The government has laws and mechanisms in place, and nongovernmental organizations (NGOs) and advocacy groups reported the government made some progress on resolution of Holocaust-era claims, including for foreign citizens.

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

The constitution and law prohibit such actions, and police must present a warrant before conducting a search or within 24 hours afterwards. There were reports the government failed to respect these prohibitions in some cases. In one example, proceedings remained pending against the commanding officer of a 2015 police raid in the Romani community in Vrbnica, which included house-to-house searches without warrants and complaints of excessive use of police force.

The ongoing investigation into violations related to the 2018 killing of journalist Jan Kuciak and his fiancée involved allegations of illegal information collection on journalists and their family members by law enforcement bodies (see section 2.a.).

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

#### **a. Freedom of Expression, Including for the Press**

The constitution and law provide for freedom of expression, including for the press. While the government generally respected these rights, it limited access to information to press outlets critical of the government.

Freedom of Expression: The law prohibits the defamation of nationalities and race, punishable by up to three years in prison, and denial of the Holocaust and

crimes committed by the fascist and communist regimes, which carry a prison sentence of six months to three years.

Press and Media, Including Online Media: The prohibitions against defamation of nationalities and denial of the Holocaust and crimes committed by the fascist and communist regimes also applied to the print and broadcast media, the publication of books, and online newspapers and journals. According to media organizations, criminal libel provisions restrict freedom of expression, including freedom of media. In one instance, a Bratislava district court issued a preliminary measure in June ordering former presidential candidate Martin Dano to withdraw his online videos targeting investigative journalist and anticorruption NGO director Zuzana Petkova. The court ruled Dano's videos incited hatred and defamed Petkova and other investigative journalists. Zuzana Petkova informed media outlets that Dano had not complied with the court decision. Appeal proceedings were pending.

The majority of media were privately owned or funded from private sources. Radio and Television Slovakia (RTVS) and the TASR news agency received state funding for specific programming. Observers expressed concern, however, about the increasing consolidation of media ownership and its potential long-term threat to press freedom. NGOs reported most of the country's private media outlets, including television stations and print publications, were controlled by relatively few financial conglomerates or wealthy individuals.

Members of the cabinet intermittently refused to communicate with two major daily newspapers, claiming their reporting was biased and that the newspapers had refused to apologize for publishing information government officials claimed was untrue.

Violence and Harassment: In February 2018 investigative journalist Jan Kuciak and his fiancée, Martina Kusnirova, were killed in their home. Kuciak regularly reported on allegations of high-level corruption and documented tax-fraud schemes. As of November authorities had arrested and indicted four suspects in the case, including businessman Marian Kocner, who was charged with ordering the killing. Nationwide public protests in 2018 following the killings prompted the resignation of then interior minister Robert Kalinak, then prime minister Robert Fico, and then police president Tibor Gaspar. Since the resignations, Fico on multiple occasions accused media outlets and NGOs of using the killings to foment a "coup."



The investigation into the Kuciak murder led to allegations that Kocner and his collaborators conducted surveillance of selected investigative journalists, allegedly with the assistance of law enforcement. According to media reports, the investigation revealed that police representatives illegally accessed government databases to collect information on journalists and their family members. Information collected through surveillance and from state databases was allegedly used to intimidate individual journalists. Investigations into the surveillance and intimidation cases were pending (see section 4, “Corruption”).

Libel/Slander Laws: Libel and slander are treated as criminal offenses. Media organizations criticized a criminal libel provision in the criminal code as restricting freedom of expression.

Financial elites targeted the press in several civil defamation lawsuits, which often required the press to pay large sums of money in penalties or legal costs. The International Press Institute Slovakia and other observers expressed concern this financial risk and the administrative burden of constantly contesting lawsuits could lead to media self-censorship. In December 2018 a trial court dismissed one of numerous libel lawsuits by financial group Penta Investment against daily newspaper *DennikN* over an article implying then prime minister Robert Fico accepted bribes from Penta leader Jaroslav Hascak through his personal assistant.

### **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, however, monitored websites containing hate speech and attempted to arrest or fine the authors.

### **Academic Freedom and Cultural Events**

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

### **b. Freedoms of Peaceful Assembly and Association**

The constitution and law provide for freedoms of peaceful 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 <https://www.state.gov/religiousfreedomreport/>.

#### **d. Freedom of Movement**

The constitution and the law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

#### **e. Internally Displaced Persons**

Not applicable.

#### **f. 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. Some organizations criticized the Migration Office for applying a restrictive asylum policy and granting asylum only in a very limited number of cases. As of August, for example, the government had received 108 asylum applications and granted asylum to three individuals. The government granted asylum to five individuals in 2018.

NGOs reported asylum seekers had only limited access to qualified, independent legal advice. The contract for legal assistance to asylum seekers did not cover asylum seekers in detention, so these persons could access free legal assistance only in the second, appellate-level hearing on their asylum application process. Migration Office staff allegedly endeavored to provide legal advice to some asylum applicants, even though they were also interviewing the asylum seekers and adjudicating their asylum applications.

There was no independent monitoring by local NGOs of access to asylum procedures on the country's borders and only limited monitoring of access to asylum by the Office of the UN High Commissioner for Refugees (UNHCR).

In February a German court ruled that a Slovak government aircraft operated by the Ministry of Interior had been used to smuggle an abducted Vietnamese refugee claiming asylum in Germany out of the Schengen area in 2017. The court found that the asylum seeker, who was abducted by Vietnamese intelligence services in

Berlin, was taken on board the Slovak government jet immediately following an official meeting in Bratislava between then Slovak Interior Minister Robert Kalinak and the Vietnamese minister of public security, and subsequently flown to Moscow. Slovak NGOs criticized the Slovak interior ministry inspection service for terminating in August its investigation into alleged government involvement, ostensibly for a lack of evidence.

Safe Country of Origin/Transit: The country denied asylum to applicants from a safe country of origin or transit. The law requires authorities to ensure the well-being of individual asylum seekers is not threatened if deported to a non-EU “safe country.” Some observers criticized the Bureau of Border and Alien Police (BBAP) for lacking the information necessary to determine whether a country would be safe for persons facing deportation there.

Freedom of Movement: NGOs reported that BBAP unnecessarily detained migrants, including asylum seekers whom police believed made false asylum claims, and that police failed to adequately use alternatives to detention, such as supervised release or financial bonds. NGOs reported it was routine practice to issue detention orders and place asylum seekers with children in the immigration detention center in Secovce, where they often faced degrading treatment.

Access to Basic Services: NGOs reported schools generally did not make use of available government support for language and integration assistance for foreign students.

The human rights organization Marginal stated that integration of approved asylum seekers in the country was hampered by the absence of a comprehensive government-funded and -operated integration program. These services had to be provided by NGOs and funded through a patchwork of domestic and international sources.

Human rights organizations reported that asylum seekers placed in immigration detention did not have adequate access to quality healthcare, contributing to the spread of contagious diseases in detention facilities.

Durable Solutions: The Migration Office accommodated refugees processed at the UNHCR emergency transit center in Humenne for resettlement to a permanent host country. The refugees were moved to Slovakia from other countries due to security and humanitarian concerns. The center was permitted to accommodate up to 250 refugees at a time for up to six months.

Temporary Protection: The government provided temporary “subsidiary protection” to individuals who might not qualify as refugees but could not return to their home countries and granted it to 11 persons as of August. Subsidiary protection is initially granted for one year, with possible extensions. NGOs asserted this approach created uncertainty regarding the refugee’s status in the country and significantly hindered their integration prospects. There were reports persons granted subsidiary protection had only limited access to health care. The Ministry of Interior issued health coverage documentation directly to persons with subsidiary protection without clear explanation of benefits.

### **g. Stateless Persons**

Not applicable.

## **Section 3. Freedom to Participate in the Political Process**

The constitution and the law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

### **Elections and Political Participation**

Recent Elections: OSCE observers considered the presidential elections held on March 16 and 30 as well as parliamentary elections held in 2016 to have been free and fair.

Participation of Women and Minorities: No laws limit the participation of women and members of minorities in the political process, and they did participate. During the year the country elected its first female president. Women constituted slightly more than 21 percent of the parliament.

While there were small but increasing numbers of Romani mayors and members of local councils, Roma were severely underrepresented in communal, provincial, and national elective bodies. In May the first Romani candidate from the country was elected to the European Parliament.

The Hungarian minority, the largest in the country, was proportionately represented at the local, regional, and national levels and participated actively in the political process.

## 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, and some officials engaged in corrupt practices with impunity. According to a special 2017 Eurobarometer report on corruption, 85 percent of the country's citizens perceived corruption as widespread, particularly in the health sector, political parties, and the courts. The business sector perceived nepotism in public institutions, financing of political parties in exchange for future government contracts, and bribery and kickbacks as the most widespread corruption problems. High-level officials rarely were prosecuted for corruption, despite a series of high-profile corruption cases involving government officials.

Corruption: Investigative journalists and NGOs documented cases of well connected businesspersons siphoning off state finances through tax fraud. Observers blamed political influence over police and the prosecution services for blocking or hampering anticorruption investigations.

In the last article written by investigative journalist Jan Kuciak and published after his murder in February 2018, Kuciak documented Italian mafia connections to high-level politicians that were allegedly designed to abuse EU agricultural subsidies. On October 21, businessman Marian Kocner was indicted on charges of ordering Kuciak's murder. In August, four of Kocner's collaborators all of whom were already in jail on charges related to the Kuciak murder were charged with conspiracy to murder former first deputy prosecutor general Peter Sufliarsky, Special Prosecutor Maros Zilinka, and former minister of justice and interior Daniel Lipsic. The potential victims were all reportedly involved in criminal investigations affecting Kocner; a criminal investigation was pending. In August, September, October, November, leaked transcripts of text messages from Kocner's telephone communications revealed extensive relations between Kocner and high-level state officials, police, prosecutors, and judges. In the messages, Kocner discussed attempts to manipulate political, administrative, and judicial decisions to support both his personal financial interests and representatives of the ruling Smer party. According to the special prosecution service, numerous criminal investigations based on the messages were pending. In August police seized mobile phones of several judges and prosecutors allegedly involved in encrypted telephone conversations with Kocner.

In December 2018 a third fact-finding mission from the European Parliament followed up on the subsidy misuse accusations after farmers' protests. The delegation reported that it found evidence of "intimidation and physical violence" against small farmers, who claimed that large financial groups were siphoning off subsidies and that state authorities did not address these abuses. The farmers alleged that EU agricultural subsidies were not reaching the right beneficiaries due to widespread corruption and weak rule of law.

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 made a general summary of the declarations publicly available, and there were penalties for noncompliance. NGOs and some politicians maintained the financial disclosure forms were vague and did not clearly identify the value of the declared assets, liabilities, and interests. Limited authority and inadequate human and technical resources made financial disclosure processing ineffective for the purpose of transparency.

Enforcement of financial disclosure violations was not effective and enabled MPs to block sanctions against violators. Criminal sanctions for noncompliance were not applied in practice.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses 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 sometimes cooperative, although NGOs reported that at times some government officials disseminated conspiracy theories presenting civil society organizations as "foreign agents" and appeared to view their activities with suspicion or mistrust.

Throughout the year Robert Fico, MP and chair of the coalition Smer-SD party, continued to claim that countrywide public protests in 2018 that led to the resignation of his cabinet when he was prime minister were financed and organized from abroad as part of a "coup" against his government.

Some government officials, including Andrej Danko, the speaker of parliament and chair of the coalition-member Slovak National Party (SNS), criticized the ombudsperson's attempts to raise awareness about the rights of LGBTI persons.

Government Human Rights Bodies: The justice minister headed the Government Council on Human Rights and National Minorities, an advisory body including government officials and civil society representatives.

Maria Patakyova headed the Office of the Public Defender of Rights (ombudsperson) and submitted an annual report on human rights problems to the parliament. Human rights activists credited Patakyova with raising the profile of fundamental rights problems in the country, despite criticism, obstruction, and a lack of interest from politicians.

Parliament has a 12-member Human Rights and National Minorities Committee that held regular sessions during the year. NGOs criticized it for failing to address serious human rights issues. Committee members included an MP from the far-right People's Party-Our Slovakia (LSNS) party who participated in a 2015 attack against a Saudi family during antirefugee demonstrations, denied the legitimacy of the Holocaust, and praised Hitler on social media. He also made defamatory statements against the Romani minority and Muslim refugees for which he was convicted and fined. The committee also included an MP who was fired as a television news presenter in 2015 for posting antirefugee content on social media.

The Slovak National Center for Human Rights acted as the country's national human rights institution and as the dedicated equality body, but it was criticized for inactivity by NGOs and members of the Government Council on Human Rights and National Minorities.

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

### **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. Rape and domestic violence victims had access to shelters and counseling offered by NGOs and government-funded programs. NGO service providers complained that authorities provided only a small portion of necessary funding, forcing many centers to close or fundraise additional resources from private and international donors.

Domestic violence against women is punishable by three to eight years' imprisonment. Domestic violence was widespread, and activists claimed official statistics failed to capture the magnitude of the issue. NGOs also asserted the government did not enforce the law effectively. Experts complained there were no written procedures for referring battered women to counselling centers or shelters and no services for batterers. The lack of affordable public housing or rent-controlled housing often forced victims to return to abusive households.

In June the minister of interior announced the launch of a nationwide campaign against domestic violence. As part of the campaign, the ministry planned to train officers on responding to domestic disturbance calls, supply interview rooms at police stations with equipment necessary to implement a victim-centered and trauma-informed approach, provide social housing for victims, and streamline cooperation between law enforcement, prosecution, and the courts in cases of domestic violence. The campaign also involved a webpage with information and practical tips for victims and television advertisements featuring well known personalities.

In July police closed a year-long investigation into a case of domestic violence in which a man threw his minor daughter against a table for being too loud while unloading the dishwasher and attacked his wife who tried to protect the child, beating her head against a wall. The police concluded that the man had committed a misdemeanor and charged him a 200-euro (\$220) fine. The victim claimed she had reported her husband for domestic violence repeatedly in the past, but police always dropped investigations or let the aggressor off with a warning.

In May the regional prosecutor's office in Banska Bystrica relaunched criminal proceedings against a 22-year-old man who attacked his girlfriend and her three friends in March 2018, breaking her nose and causing other injuries. The man originally was ordered to pay a fine. After intense media coverage and reports by the victim that the assailant continued to stalk and intimidate her, the regional prosecutor's office announced it would reexamine the case to appeal the sentence. Media outlets and civil society asserted that the original lead prosecutor and police officers who answered the victim's distress call had failed to protect the interests of the victim and should face disciplinary proceedings for negligence.

Sexual Harassment: The law defines sexual harassment as unlawful discrimination, subject to civil penalties. Victims usually avoided legal action due to fear of reprisal, lengthy court proceedings, and lack of accessible legal services. A coordination center for gender-based and domestic violence under the Labor,



Social Affairs and Family Ministry implements and coordinates countrywide policy to prevent and eliminate violence against women (including sexual harassment) and coordinates education and training efforts for the public and professionals. The government operates a 24/7 hotline for women subjected to violence.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization, although human rights organizations maintained that medical personnel often asked Romani women to sign consent forms for these procedures without fully explaining their meaning or providing them in the women's language. The government had also done little to investigate reported cases of involuntary sterilizations of Romani women in the past or provide restitution to the victims.

Discrimination: The law provides the same legal status for women as for men. Discrimination against women remained a problem, particularly in the labor market, where women were less likely to be offered employment than men with equal qualifications and faced a 20 percent gender pay gap.

## **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.

Child Abuse: Domestic abuse carries basic penalties of three to eight years' imprisonment. Child abuse remained a problem according to child advocates. A 2017 government study (the latest available) indicated that 70 percent of 13- to 15-year-olds had experienced some form of physical, emotional, or sexual violence or parental neglect.

The government continued implementing and annually updating the *National Action Plan for Children* for 2013-22, funded through the government budget. Government bodies provided financial support to crisis centers for abused children and to NGOs that worked on child abuse. The Labor and Social Affairs Office had dedicated departments for overseeing childcare and operated a national coordination body for dealing with violence against children, which collected data, provided information on domestic violence and abuse of minors, helped refer victims to service providers, and ran a national helpline.

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. Law enforcement authorities reported a growing number of cases of Slovak children of Romani descent being subjected to forced marriage, often by their legal guardians who sought financial benefit. 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 and might consequently have been subjected to trafficking in persons.

Sexual Exploitation of Children: Rape and sexual violence against a child carry basic penalties of five to 10 years' imprisonment. The law establishes 15 as the minimum age for consensual sex. In addition to prohibiting trafficking in persons, the law criminalizes the prostitution of children. These abuses were not common, and there were no obstacles to enforcement of the law.

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 ombudsperson 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 of girls after their trips outside the facility. The reports also found substandard levels of education at the centers.

In February the prosecution service exonerated representatives of the private juvenile rehabilitation facility Cisty Den from accusations of battery and assault of a minor, but the facility continued to be investigated for alleged fraud and a former employee faced charges of sexual abuse and causing bodily harm to a minor. The facility lost its official Ministry of Labor, Social Affairs, and Family accreditation in 2017 after a series of allegations of severe malpractice and misconduct. Experts criticized the labor minister for failing to protect the children housed in Cisty Den after suspicions regarding the facility first surfaced more than a year before the center's accreditation was revoked.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. In March the parliament overrode a presidential veto to adopt a legislative amendment to the code of noncontentious civil procedure that would allow the "taking party" in

parental abduction cases to file indefinite appeals against the return of children to the country of their habitual residence for a final custody determination in Hague Convention cases. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

### **Anti-Semitism**

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

Organized neo-Nazi groups with an estimated 500 active members and several thousand sympathizers occasionally spread anti-Semitic messages. Latent anti-Semitic attitudes characterizing Jewish people as greedy or secretly influencing world affairs were widespread, even beyond neo-Nazi groups and their sympathizers. Polls revealed increased support for the neo-Nazi LSNS, polling at 11 percent or higher.

In July the Supreme Court upheld the July 2018 Specialized Criminal Court acquittal of LSNS MP Stanislav Mizik of extremism charges in a case concerning a 2017 Facebook post in which he criticized President Kiska for giving state awards to persons of Jewish origin. The Supreme Court accepted the argument there was insufficient evidence to prove Mizik wrote the statement.

In May police arrested Mizik's defense attorney, Frantisek Polak and six other individuals on extremism charges after uncovering a vast collection of Nazi paraphernalia during a search of their homes. The case remained pending. In December 2018 an investigator of the National Crime Agency pressed charges against an LSNS regional chairman, Anton Grno, for shouting the greeting of the World War II-era Slovak fascist state's paramilitary force during a Supreme Court hearing. The investigator charged Grno with the crime of "supporting a movement aimed at suppressing fundamental rights and freedoms." Media reported that Grno's social media profiles contained several openly racist and anti-Semitic posts. The case remained pending as the prosecution service analyzed whether to seek an indictment.

While direct denial of the Holocaust was relatively rare, expressions of approval for the World War II-era Slovak fascist state, which deported tens of thousands of Jews, Roma, and others to death camps, occurred frequently. Throughout the year,

far-right groups organized small events to commemorate dates associated with the Slovak fascist state and its president, Jozef Tiso. On March 14 and April 19, the LSNS organized commemorations of the creation of the fascist Slovak state in 1939 and Tiso's execution in 1947. On April 18, one of the city boroughs of Bratislava played the unofficial national anthem of the fascist Slovak state, "Rez a rubaj do krve" (cut and strike with an axe until blood flows), through a public announcement system. In 2016 the same borough played "Hej, Slovaci" (Hey, Slovaks), another nationalist song associated with the fascist regime, on the anniversary of Tiso's execution. Both events were organized by a local councilor, Radoslav Oleksak.

On September 9, government officials commemorated the Day of the Victims of the Holocaust and of Racial Violence at the Holocaust Memorial in Bratislava. The coalition government undertook initiatives to promote Holocaust education in schools and funded school field trips to Auschwitz and the Slovak Holocaust Museum in Sered. Government leaders, including President Caputova, Prime Minister Pellegrini, and Speaker of Parliament Danko, denounced the anti-Semitic rhetoric of the far right.

In February the government organized an international conference on anti-Semitism as part of its 12-month Chairmanship-in-Office of the Organization for Security and Cooperation in Europe, which included a series of expert panels on the security of Jewish communities, Holocaust remembrance initiatives, media and social media, and cooperation with civil society.

Representatives of the Central Union of Jewish Religious Communities in Slovakia noted that efforts to combat anti-Semitic comments and hate speech on the internet and social media were undermined by the repeated statements of former prime minister Robert Fico (Smer-SD), in which he accused philanthropist George Soros, who is Jewish, of instigating a coup against his government. Security analysts noted that social media content posted by parliamentary European Affairs Committee chairman Lubos Blaha (Smer-SD), including a posting in which he alluded that the campaign of presidential candidate Zuzana Caputova was secretly funded by Jews, condoned anti-Semitic hate speech on the internet and contributed to the spread of anti-Semitic conspiracy theories. In June, Blaha released a video on his Facebook page attacking a foreign diplomat serving in the country, using language that security analysts described as an "anti-Semitic dog whistle." The video provoked hundreds of anti-Semitic comments and posts, some of them openly calling for violence. The administrators of Blaha's Facebook page did little to remove inappropriate content or report abusers.

In January, on the occasion of International Holocaust Remembrance Day, the prime minister and culture minister opened a new exhibition at the Sered Holocaust Museum, which was supported by a one-million-euro (\$1.1 million) government subsidy.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, the judicial system, other transportation, or the provision of other public services. According to the UN Committee on the Rights of Persons with Disabilities, the antidiscrimination law is not fully in line with the Convention on the Rights of Persons with Disabilities, as it does not qualify the denial of reasonable accommodation as discrimination on the basis of disability.

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.

Broadcasters complied with laws requiring television stations to provide audio descriptions for viewers who are blind or have impaired vision only to a limited extent. 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 country's national human rights strategy included a chapter on the rights of persons with disabilities.

### **National/Racial/Ethnic Minorities**

Societal discrimination against Roma and individuals of non-European ethnicity was common. A 2013 study by the UN Development Program (UNDP), the most recent available, found that as much as 53 percent of the Romani population resided in marginalized communities. The UNDP identified 231 segregated rural settlements located, on average, less than one mile from neighboring municipalities.

There were reports of harassment of members of ethnic minorities during the year. In June a 39-year-old man verbally abused a group of three Kenyan nationals in Bratislava. The police arrested the man on charges of defaming one's race or nationality. The case remained pending.

In May the Bratislava district court sentenced a man to six years in a minimum-security prison for brutally attacking and killing a Filipino man in Bratislava in May 2018. Despite media statements by witnesses who reported the attacker was likely motivated by the victim's skin color and perceived sexual orientation, the court applied a sentence below the legal threshold for aggravated assault and manslaughter, citing the attacker's decreased level of consciousness caused by excessive use of alcohol in combination with prescription medicine. The Office of the Prosecutor General appealed the verdict and pursued a stricter sentence. The case remained pending.

Six victims of a controversial 2013 police raid in the marginalized Romani community in Moldava nad Bodvou stood trial on perjury charges for reporting and testifying about police brutality and abuse of power during the raid. The court repeatedly failed to observe procedural requirements, delivering paperwork past legal deadlines or failing to deliver it altogether, refusing to provide interpretation and translation of documents, including the indictment, to defendants who did not speak or understand Slovak, and refusing to allow evidence submitted by the defense. As of November, Kosice district court judges, handling five out of the six cases, adjourned proceedings until the ECHR delivered its verdict as to whether the rights of the Romani citizens had been violated by the 2013 raid. Proceedings with the remaining defendant was pending.

The LSNS continued to organize marches and gatherings against "asocial Gypsies." In March, LSNS representatives and supporters marched in the town of Dobsina, officially in commemoration of a local non-Romani inhabitant who was beaten to death by a Romani person released from prison three days prior to the incident. There were no reports of violence during or after the march.

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

In January, Interior Minister Denisa Sakova (Smer-SD) announced the opening of a special police operations center tasked with monitoring the situation in the eastern Slovak town of Krompachy through a network of more than 50 closed-circuit television cameras installed predominantly in parts of the town inhabited by Roma. The minister claimed the project was necessitated by what she called “unadaptable Roma” living in the town. NGOs criticized the interior minister, releasing an open letter claiming that Sakova’s labelling of Romani persons as “unadaptable” criminalized the entire ethnic group.

There were instances of public officials at every level defaming minorities and making derogatory comments about Roma. In January speaker of parliament and chair of the coalition SNS party, Andrej Danko, used derogatory language against his fellow MP and deputy speaker Lucia Duris Nicholsonova calling her a “little gypsy.” Representatives of LSNS, including party chairman Marian Kotleba, publicly and routinely referred to the Roma as “gypsies,” “parasites,” or “antisocial individuals.” In September the Supreme Court upheld MP Milan Mazurek’s (LSNS) 2018 conviction for anti-Romani hate speech and fined him 10,000 euros (\$11,000). As a result of the conviction Mazurek automatically lost his parliamentary seat. Former prime minister and chair of the Smer-SD party, Robert Fico, released a Facebook video in reaction to Mazurek’s conviction, saying that Mazurek was sentenced for saying what the majority of the Slovak population thinks about the Roma.

Widespread discrimination against Roma continued in employment, education, health care, housing, loan practices, restaurants, hair salons, religious services, and public transportation.

In June media outlets reported that Roma in the eastern village of Sarisske Jastrabie had to attend religious services in a warehouse at a local farm. Media outlets reported that when a local Greek-Catholic priest tried to invite Roma to worship in his church, his car was vandalized, and parishioners lodged a complaint with the archbishop asking for the priest to be replaced. Parishioners argued they were afraid of contracting diseases from Roma. A spokesperson for the diocese claimed the situation in the parish was “calm” and the Romani citizens were content with the separate arrangement.

In May a Romani girl was told she would not be allowed to sit with the rest of the children during her first communion in a Roman Catholic Church in Trnava, allegedly at the request of the children's parents. The church argued the mother of the child had signed her up late and refused to contribute to the preparations of the ceremony, allegations which the woman denied. Following broad media coverage and an intervention by the Trnava regional governor Jozef Viskupic, the girl was allowed to sit with her peers. Police opened investigations into whether the church had committed a crime of racial discrimination. The case remained pending.

In August the Constitutional Court compensated four Romani individuals for unnecessary delays and procedural mistakes made by general courts in a discrimination suit they filed in 2005. The claimants filed a lawsuit after they were refused service by the staff of a local bar in a village near Vranov nad Toplou in the eastern part of the country.

Local authorities continued to use regulatory obstacles, such as withholding of construction permits, to discourage the legal establishment of Romani settlements. Media reported cases where non-Romani persons tried to prevent Romani customers from buying or renting property in "their" neighborhood. In July unknown perpetrators vandalized a private home in Polomka (central Slovakia) with graffiti "we don't want them here," and punctured the tires of a vehicle belonging to an owner who agreed to show his real estate to an interested Romani family.

Members of the Romani minority continued to experience obstacles and discrimination in the access to quality healthcare. A government report released by the Ministry of Finance in January estimated life expectancy within the marginalized Romani population at 69.6 years, nearly seven years below the general population, and infant mortality at three times the country average. NGOs reported Romani women faced multiple forms of discrimination in reproductive health care, including segregation in maternity departments, verbal harassment, and maltreatment by medical personnel. The hospitals claimed they grouped persons according to their levels of hygiene and adaptability, not by race. NGOs continued to express concerns over the way medical personnel obtained informed consent from Romani patients.

Romani children from socially excluded communities faced educational discrimination and segregation and were disproportionately enrolled in "special" schools or placed in segregated classrooms within mainstream schools. A government review released by the Ministry of Finance's analytical unit in January



confirmed earlier reporting from the ombudsperson that Romani children received an inferior education compared with their non-Romani peers. The report found a disproportionately high share of Romani children in “special” schools for children with mental disabilities (42 percent of all children enrolled) and schools with special classes for Romani children (63 percent). According to the review, only 32 percent of all Romani children had received preschool education, compared with 75 percent for the general population, and a third of all Romani children dropped out of the education system before completing elementary school.

There were reports of racial discrimination and inappropriate language being used against members of the Romani minority at all levels of the education system. In April a Bratislava kindergarten teacher accidentally sent a text message to a parent of one of the enrolled children referring to the woman as a “gypsy.” The mayor of the municipality operating the kindergarten publicly apologized to the mother and called the communication “unacceptable.” The school council disciplined the teacher with a warning.

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

The law bans the spreading of profascist propaganda and hatred in public, including on social media.

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

LGBTI organizations reported the law requires that persons seeking legal gender recognition provide confirmation from a medical practitioner that a person has undergone a “gender change” to obtain new identity documents. The law, however, does not define “gender change.” In practice authorities required confirmation that a person had undergone permanent sterilization before issuing new identity documents.

The law does not allow educational establishments to reissue educational certificates with a new first name and surname to transgender individuals after they have transitioned. The law does allow institutions to issue such individuals new birth certificates reflecting the name with which they identify.

NGOs reported violence and online harassment of LGBTI persons. In July and August, during annual LGBTI Rainbow Pride parades in Bratislava and Kosice, small groups of LSNS supporters heckled parade marchers.

In July, SNS deputy chair Jaroslav Paska issued a press release criticizing Slovak former European Commission vice president Maros Sefcovic and calling on him to stop “supporting ethically unacceptable manipulations of the homosexual community with newborns.” Paska’s statement was a reaction to a published story about an employee of Sefcovic’s office, who had contracted a surrogate mother to bear twin children for him and his husband. In May, Culture Minister Lubica Lassakova (Smer-SD) refused to approve eight government grants to LGBTI organizations that had been recommended for approval by an expert panel. In February, Marian Kotleba (LSNS) put up dozens of billboards across the country stating, “Family is a man and a woman: Stop LGBT!” as part of his presidential campaign. A local human rights NGO filed a criminal complaint arguing the billboards incited violence against LGBTI individuals. In August there were dozens of SNS billboards across the country stating, “Stop Rainbow Demands on the Family.”

The law prohibits discrimination based on sexual orientation and gender identity in employment, education, state social services, health care, and access to goods and services and identifies sexual orientation as a hate crime motivation that warrants stiffer sentences. NGOs reported the government did not always actively enforce these laws.

### **Other Societal Violence or Discrimination**

NGOs reported online hate speech towards refugees.

Government officials at all levels and leaders from across the political spectrum, including the opposition, engaged in rhetoric portraying refugees and Muslims as a threat to society. In December 2018 several coalition and opposition politicians made antimigrant and anti-Muslim statements in parliament during a debate about the UN Global Compact on Migration.

## **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. 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 prohibits antiunion discrimination. The law does not state whether reinstatement of workers fired for union activity is required.

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

Workers and unions generally exercised these rights without restrictions. The government generally respected their rights.

#### **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. The law provides strong penalties for labor traffickers, including imprisonment for terms of four to 25 years, depending on the seriousness of the case. The Ministry of Interior, together with the International Organization for Migration, trained government officials in identifying victims subjected to trafficking for forced labor.

There were reports by NGOs of male and female migrants forced to work in the country under conditions of forced labor, including nonpayment of wages. Migrant workers in the retail and construction sectors or employed as household help were considered particularly vulnerable. Underemployed and undereducated Roma from socially segregated rural settlements were disproportionately vulnerable to trafficking in persons for forced labor. The government carried out extensive awareness raising campaigns on the dangers of trafficking in persons with a focus on forced labor and organized joint inspections of business entities to identify illegal employment, forced labor, and trafficking in persons. Courts

continued to issue light and suspended sentences for the majority of convicted traffickers that failed to deter trafficking offenses or protect victims.

In May the Banska Bystrica regional court confirmed a lower court ruling sentencing a man to eight years and eight months in a minimum-security prison for exploiting the poor social situation of three homeless persons and trafficking them to Germany for the purposes of forced begging.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **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 Inspection Service (NLI) and the Public Health Office must approve, determine the maximum hours, and set conditions for work by children younger than 15. The law does not permit children younger than 16 to work more than 30 hours per week on average and restricts children under 18 years of age to 37.5 hours per week. The law applies to all children who are high school or full-time university students. The law does not allow children under the age of 18 to work underground, work overtime, or perform labor inappropriate for their age or health. The violation of child and juvenile labor rules is punishable by penalties which are sufficient to deter violations, although application of those penalties was not always sufficient to deter violations. The NLI did not report serious violations of laws relating to child labor.

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, which may also impose fines on employers and individuals that fail to report such incidents adequately.

The government generally enforced the law effectively. Resources, inspections, and remediation were generally adequate.

There were reports Romani children in some settlements were subjected to trafficking for commercial sex or forced marriage (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 and Occupation**

The law prohibits discrimination regarding age, religion, ethnicity, race, sex, gender, disability, language, sexual orientation, social status, or “other status” but does not specifically prohibit discrimination based on HIV status. Relevant inspection bodies provide for the protection of migrant workers against abuses from private employment agencies. The Central Office of Labor, Social Affairs and Family and the Trade Business Office may cancel or suspend the business license of violators and impose penalties which are sufficient to deter violations. Employers discriminated against members of the Romani minority.

In May the Constitutional Court awarded 2,000 euros (\$2,200) in compensation to a Romani man who since 2016 had sought redress for racial discrimination in employment after an employment agency specifically told him they were not hiring Roma. The Constitutional Court ruled proceedings were unduly delayed and criticized the district court in Trnava for not setting the first court hearing until almost four years after the lawsuit was originally filed.

The government continued implementing a program to increase the motivation of the long-term unemployed Roma to find jobs. The *Operational Program--Human Resources* for 2014-20 included as one of its priorities the integration of marginalized Romani communities in the labor market through educational measures. In January the government released a report prepared by the Ministry of Finance showing that Romani jobseekers were less likely to benefit from effective active labor market measures, particularly further training and requalification, compared to the non-Romani population of jobseekers. Activists frequently alleged that employers refused to hire Roma, and an estimated 70 percent of Roma from socially excluded communities were unemployed. NGOs working with Roma from such communities reported that, while job applications by Roma were often successful during the initial phase of selection, in a majority of cases employers rejected the applicants once they found they were Roma. Rejected job applicants rarely pursued discrimination cases through the courts, and if they did, these proceedings resulted in excessive and undue delays; even successful cases awarded minimal financial compensation, as in the May Constitutional Court ruling noted above.

Despite having attained higher levels of education than men, women faced an employment gap of approximately 13 percent and only 33 percent of entrepreneurs were women. Experts noted motherhood negatively affected career prospects due to long maternity and parental leave and a lack of preschool facilities and flexible work arrangements. Women earned on average 18 percent less than their male colleagues according to a 2017 survey by the personnel agency Trexima.

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

The minimum wage exceeds the minimum living standard (an official estimate of the poverty income level).

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 a 25 percent premium on their hourly rate. 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 wage rate. Employees who work during government holidays are entitled to an additional 50 percent of their hourly rate. Employers who fail to follow overtime rules face fines that were adequate to deter violations. If employers fail to pay an employee, they may face imprisonment of one to five years.

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 occupational safety and health standards that the Office for Labor Safety generally enforced. 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.

Minimum wage, hours of work, and occupational safety and health standards were appropriate for the main industries and effectively enforced. The number of labor inspectors was sufficient to ensure compliance with the law. The Ministry of Labor, Social Affairs, and Family may impose financial penalties on companies found to be noncompliant. In serious cases of labor rights violations, the NLI may

withdraw an employer's license. If there are safety and security concerns found at a workplace, the inspectors may require companies to stop using equipment that poses risks until they meet safety requirements. In cases of "serious misconduct" at a workplace, the law permits labor inspectors to impose additional financial penalties.