

# **SLOVAKIA 2020 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 Igor Matovic heads a four-party coalition that secured a majority of seats in parliament following free and fair parliamentary elections on February 29. In 2019 voters elected Zuzana Caputova to a five-year term as president and head of state in free and fair elections.

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, under the authority of the Ministry of Interior, is responsible for external security, including border control and preventing illegal migration, human smuggling, and trafficking in persons, and conducts investigations of related criminal activities. The Bureau of Border and Alien Police also exercises limited powers in asylum proceedings. Civilian authorities maintained effective control over security forces.

Significant human rights issues included: high-level corruption; violence and threats of violence against Roma and members of other ethnic and racial minorities, including violence by security forces; and violence and threats of violence targeting lesbian, gay, bisexual, transgender, and intersex 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**

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### **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. The Police Inspectorate, which falls under the state police, would investigate whether security force killings were justifiable. The prosecution service would then conduct a prosecution.

### **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.

In August a Bratislava district court acquitted a police officer in the 2017 case of alleged police abuse during witness interrogation at the Senec police station. The court concluded that the witness was apparently subjected to brutal physical violence but that evidence against the police officer was insufficient. An appeal was pending. During the investigation of the incident, a leaked recording revealed that the head of the criminal investigation unit advised his subordinates to coordinate their testimony to present a consistent narrative of the event. Police inspectors charged the police unit head with abetting the crime. Court proceedings were pending.

A report released in June 2019 by the Council of Europe's Committee for the Prevention of Torture (CPT) found 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.

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Impunity was a problem in the security forces. The Control and Inspection Service of the Ministry of Interior still dismissed or discontinued most investigations into cases involving injuries allegedly caused by police.

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

There were no significant reports regarding the physical condition of prison or detention centers that raised human rights concerns.

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

The CPT's June 2019 report noted that prisoners sentenced 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 an annual report released in March, the ombudsperson repeated previous findings that police units had established unauthorized spaces where police detained individuals under conditions not always in line with the law, citing usage of wall or radiator restraints. The ombudsperson also confirmed establishment of a working group at the Interior Ministry tasked with amending legislation to prevent the violation of rights of detained individuals.

The ombudsperson noted a decrease in the number of complaints by prisoners but reported complaints by individuals concerning insufficient health-care provision in prison centers. In one case a prisoner suffering from severe visual impairment waited eight months for an ophthalmologist appointment. The ombudsperson further criticized undue interference into the privacy of male prisoners, who were subjected to forced haircuts and shaving.

In 2019 the Police Inspection Service dealt with 141 complaints of excessive use of police force against persons in detention. According to police statistics, 82 percent

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of the complaints were dismissed, 10 percent saw further disciplinary or criminal proceedings, and the remaining 7 percent of cases were pending.

In May 2019 a trial court convicted and sentenced one of two former prison guards in Ilava Prison to seven years' imprisonment for beating a 21-year-old man in 2016, causing irreversible brain damage. The former prison guard appealed, and in October the court of appeal upheld the judgment. The ombudsperson requested several measures be taken at the prison to prevent repetition of such incidents, and prison authorities reportedly instituted them.

**Administration:** While prisoners were able to file complaints without censorship and a prosecutor or ombudsperson was available to review and act on 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.

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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.

### **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 2019 the Constitutional Court declared 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.

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. Leaked mobile telephone communications of businessman Marian Kocner, who was accused of ordering the 2018 murder of investigative journalist Jan Kuciak and his fiancée, highlighted continuing corruption in the justice system, including the judiciary. Allegations of bribery in exchange for manipulated court decisions and personal influencing of judges were subjects of a continuing police investigation.

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### **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. Investigations into judicial corruption, including individual testimonies of former judges, showed that in individual cases, judges failed to act impartially and violated 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.

### **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

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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 European Court of Human Rights (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 (\$2.2 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 2018 the ombudsperson presented to parliament a special report that listed 9,198 unresolved cases. In a 2019 report, the ombudsperson pointed to long-lasting inactivity of the Slovak Land Office, resulting in individual violations of property rights. Several measures were 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 broadly complied with the declaration and made progress on resolution of Holocaust-era claims, including for foreign citizens.

For information regarding Holocaust-era property restitution and related issues please see the Department of State's Justice for Uncompensated Survivors Today

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(JUST) Act report to Congress, released publicly on July 29, at <https://www.state.gov/reports/just-act-report-to-congress/>.

### **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 continuing investigation into violations related to the 2018 murder 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, and the government generally respected these rights.

**Freedom of Speech:** 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.

**Freedom of 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 criminal court

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proceedings were pending against a journalist who was sentenced for libel after he published a 2015 article concerning alleged corruption by former speaker of parliament Jaroslav Paska involving his health-care business.

In June 2019 a Bratislava district court issued a preliminary measure 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. Petkova informed media outlets that Dano had not complied with the court decision. Appeal proceedings were pending. In December 2019 an investigator pressed charges against Dano and his YouTube partner, Rudolf Vasky, for hooliganism after they allegedly incited violence against several political, judicial, and media personalities. In January a Bratislava district court issued a similar ruling against Dano and ordered him to remove his online videos targeting a journalist. Criminal proceedings were pending.

The majority of media are privately owned or funded from private sources. Radio and Television Slovakia 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, are controlled by relatively few financial conglomerates or wealthy individuals.

**Violence and Harassment:** In 2018 investigative journalist Jan Kuciak and his fiancée, Martina Kusnirova, were murdered in their home. Kuciak regularly reported on allegations of high-level corruption and documented tax-fraud schemes. In 2019 authorities arrested and indicted four suspects in the case, including businessman Marian Kocner, who was charged with ordering the murder. In January the Specialized Criminal Court sentenced Zoltan Andrusko and in April sentenced Miroslav Marcek to prison sentences of 20 and 23 years, respectively, for their involvement in the murders. In September the Specialized Criminal Court acquitted both Marian Kocner and indicted collaborator Alena Zsuzsova of ordering the murder, citing a lack of evidence. The prosecutor

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appealed the acquittals to the Supreme Court. The court sentenced Tomas Szabo to 25 years in prison as an accessory to the murder.

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. In June a court took into custody the former chief of the Financial Intelligence Unit, Pavol Vorobjov, who was accused of unlawfully accessing police databases. Investigations into the surveillance and intimidation cases involving unlawfully collected personal data of 140 individuals, including 28 journalists, 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.

### **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,

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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.

In March the government introduced sweeping restrictions on the freedom of movement in response to the COVID-19 pandemic, including closing borders for all but exempted foreign nationals, imposing a mandatory 14-day isolation period for all citizens arriving from abroad in government-run quarantine centers, and sealing off entire marginalized Romani settlements under quarantine for COVID-19. Human rights activists and the ombudsperson questioned whether the extraordinary measures and restrictions introduced to contain the spread of COVID-19, particularly the 14-day quarantine of arrivals from abroad in state-run facilities, were proportionate, had a valid legal basis, or violated the constitution. As of September the Constitutional Court continued to review the legality of the government measures after several citizens lodged official complaints, citing violations of their fundamental rights and freedoms.

### **e. Status and Treatment of Internally Displaced Persons**

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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. During the year, for example, the government had received 249 asylum applications and granted asylum to 10 individuals. The government granted asylum to nine individuals in 2019.

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).

**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 for lacking the information necessary to determine whether a country would be safe for persons facing deportation there.

**Freedom of Movement:** NGOs reported that the Bureau of Border and Alien Police unnecessarily detained migrants on badly founded or arbitrary detention orders, including asylum seekers who police believed made false asylum claims, and that police failed adequately to use alternatives to detention, such as supervised release or financial bonds. NGOs reported it was routine practice to issue

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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 health care, 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 permanent resettlement to a third country. The refugees were moved to Slovakia from other countries due to security and humanitarian concerns. The center was able to accommodate up to 250 refugees at a time but operated at near zero occupancy throughout the year.

**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 during the year granted it to 21 persons. Subsidiary protection is initially granted for one year, with possible extensions. NGOs asserted this approach created uncertainty regarding the individual’s status in the country and significantly hindered their employment and overall 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.

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

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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:** Observers from the Organization for Security and Cooperation in Europe considered parliamentary elections held on February 29, as well as presidential elections held in 2019, to have been free and fair.

**Participation of Women and Members of Minority Groups:** No laws limit the participation of women and members of minority groups in the political process, and they did participate. In 2019 the country elected its first female president. Women constituted slightly more than 21 percent of the parliament elected in the February elections, a slight increase compared with the previous election period.

While there were small but increasing numbers of Romani mayors and members of local councils, few Roma were in communal, provincial, and national elective bodies. In February, three Romani candidates were elected to parliament, the highest number to date.

The Hungarian minority, the largest in the country, was proportionately present at the local and regional levels and participated actively in the political process. In the February parliamentary elections, none of the ethnic-Hungarian parties crossed the threshold to enter parliament for the first time since the country's independence in 1993.

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

The law provides criminal penalties for corruption by officials, but the government did not always implement the law effectively. There were reports of government corruption during the year, and some officials engaged in corrupt practices with impunity.

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According to a special 2019 Eurobarometer report on corruption, 87 percent of the country's citizens perceived corruption as widespread, particularly in political parties, the health sector, and the courts. 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.

**Corruption:** The police initiated a series of interconnected, high-level, and unprecedented corruption investigations beginning in March and continuing through December, leading to the arrests of more than 30 current and former officials as well as notable members of the business community. In October, for example, police arrested the head of the Special Prosecution Service, Dusan Kovacik, for accepting bribes, supporting an organized criminal group, and covering up the attempted murder of a police officer. In November, as part of the same operation, police arrested several former high-level law enforcement officials for operating a criminal organization, including former police president Tibor Gaspar. Former police president Milan Lucansky was arrested in December for accepting bribes and committed suicide while in custody. Police launched an inquiry into Lucansky's death, but there was no credible evidence suggesting foul play. Also in December billionaire cofounder of Penta Investments Jaroslav Hascak was arrested for corruption and money laundering. These cases all remained underway.

Investigations into judicial corruption widened as well. In August 2019 police seized mobile phones of several judges and prosecutors allegedly involved in encrypted telephone conversations with Kocner. In March, based on the seized conversations, a special prosecutor charged 13 judges with corruption. The investigation was pending as of October with some judges confessing to being part of corruption scheme and some judges remanded in custody.

**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, experts, and some politicians maintained the financial disclosure forms

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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 members of parliament 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.

Throughout the year member of parliament (MP) and chair of the opposition Smer-SD Party, Robert Fico, 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.

Several members of parliament from both the coalition and opposition criticized the ombudsperson’s attempts to raise awareness of lesbian, gay, bisexual, transgender, and intersex (LGBTI) issues. In May parliament refused to recognize formally the ombudsperson’s annual report, with several coalition and opposition MPs criticizing the ombudsperson on the floor of parliament for her outspoken defense of 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

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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. The committee remained without a chairperson due to disputes between the opposition and coalition. NGOs consistently criticized the committee for failing to address serious human rights issues. Committee members included far-right People's Party-Our Slovakia (LSNS) MP Milan Mazurek 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, causing him to lose his parliamentary mandate in the previous term.

The Slovak National Center for Human Rights acts as the country's national human rights institution and as the dedicated equality body but was criticized for inactivity by NGOs and members of the Government Council on Human Rights and National Minorities. Between December 2019 and September 2020, the institution remained without an officially appointed director after the management board failed on multiple occasions to elect new leadership. On September 25, the board elected new director Silvia Porubanova, a sociologist and expert on gender equality.

## **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

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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 problem. 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.

The General Prosecution Service reported that the incidence of domestic violence increased rapidly during the COVID-19 pandemic and associated restrictions on free movement, with the number of recorded cases in the four-month period between April and June increasing by 47 percent compared with the same period in 2019. The number of calls to a national helpline for domestic violence victims increased fourfold in April compared with previous years. NGOs providing victim care services confirmed the deteriorating trend and reported difficulties in assisting victims because of a government-issued ban on admitting new clients into accommodation facilities during the early stages of the pandemic, insufficient testing capabilities, and a shortage of personal protective equipment.

In April, President Caputova, responding to reports of the unprecedented increase in domestic and gender-based violence cases during the COVID-19 pandemic, requested the police president to increase attention paid to the problem; rigorously enforce existing rules, including the authority of police officers responding to domestic disturbance calls to expel the abusive party from the household for up to 10 days; and improve police cooperation with NGOs providing victim-care services. In July police began testing a new smartphone application that would allow victims secretly to place distress calls to them.

In one example, in August a man attacked his partner with a knife just days after being sentenced to house arrest for causing a traffic accident while under the influence of alcohol. Following the attack, the man forcibly removed an electronic ankle monitor and fled the scene of the crime. Police held him in custody pending

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charges for aggravated assault and obstructing a court decision that carry a five- to 10-year prison sentence. Prosecution of the case continued as of September. Experts questioned whether the man's psychological state had been considered by the court that originally sentenced him to house arrest.

**Sexual Harassment:** The law defines sexual harassment as unlawful discrimination, which is 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 policies to prevent and eliminate violence against women, including sexual harassment, and coordinates education and training efforts for the public and professionals. The government operated a 24/7 hotline for women subjected to violence.

**Reproductive Rights:** Couples and individuals generally have the right to decide the number, spacing, and timing of their children, and most individuals had access to the information and means to do so, free from discrimination, coercion, or violence. NGOs reported that Romani women from marginalized communities in Eastern Slovakia at times faced reproductive health-care discrimination and a general lack of information on reproductive health. Authorities also required persons seeking a legally recognized sex change to undergo permanent sterilization, effectively ending their ability to reproduce.

While contraception was widely available, NGOs reported that a lack of reimbursement from the national health system (unless used for health-related reasons) constituted a significant barrier to access, especially for young and vulnerable populations.

In 2020 the Public Defender of Rights expressed concerns about some practices imposed on women in childbirth, including medically unjustified separations of mothers and new-born babies or refusal of a birth companion's presence, notably due to measures implemented by health-care providers in response to the COVID-19 pandemic. Media and NGOs also reported some cases in which health-care providers refused reproductive health services to patients due to the COVID-19 pandemic.

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The country does not have a national sexual and reproductive health program to provide dedicated access to sexual and reproductive health services for survivors of sexual violence. Victims approached their general practitioners, emergency rooms, or, less frequently, their gynecologists. Survivors generally had access to legal abortion and emergency over-the-counter contraception. The government runs a 24/7 national multilanguage helpline for women experiencing violence, and the Coordinating Methodical Centre for Prevention of Violence against Women offered emergency help to victims of sexual violence.

**Coercion in Population Control:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities, 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 also did little to investigate cases of involuntary sterilizations of Romani women reported in the past or provide restitution to the victims.

In April the regional court in Kosice upheld a lower court ruling that awarded compensation to an illegally sterilized Romani woman. The woman was sterilized without informed consent in 1999 in Krompachy Hospital in eastern Slovakia during the birth of her second child by Caesarean section. She was not informed about the sterilization procedure by the hospital staff and did not give informed consent to this intervention. She became aware that she had been sterilized only after the procedure. The ensuing court case continued for more than 15 years.

**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 (also see section 7.d.).

### 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.

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**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.

The new government, coalition MPs, and civil society experts criticized the ombudsperson for child rights for her inactivity and failure to protect the best interests of children; there were also allegations that she employed family members without necessary professional qualifications at her institution.

**Child, 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.

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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 March the prosecution service opened three new criminal investigations and prosecutions related to the scandal-ridden private juvenile rehabilitation facility Cisty den (Clean Day), which lost its official accreditation in 2017 after a series of allegations of severe malpractice and misconduct. In 2018 and 2019, courts convicted a former therapist and cook employed at the facility and sentenced them to a three-year suspended sentence and a five-year prison sentence, respectively, for sexual abuse of underage clients at the facility. In 2019 the prosecution service exonerated the former manager of the facility from accusations of battery and assault of a minor but continued investigating him for alleged fraud. New investigations opened during the year focused on suspicions of obstruction of justice, abuse of power, and unlawful use of personal data after leaked text messages between jailed businessman Marian Kocner and Cisty den managers showed the latter sharing sensitive client information with Kocner, who allegedly intervened on behalf of Cisty den through his network of corrupt police officials, prosecutors, and judges.

**International Child Abductions:** The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. 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, there were 2,000 persons in the Jewish community.

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Organized neo-Nazi groups with an estimated 500 active members and several thousand sympathizers occasionally spread anti-Semitic messages. Latent anti-Semitic stereotypes characterizing Jews as greedy or secretly influencing world affairs were widespread, even beyond neo-Nazi groups and their sympathizers. The neo-Nazi LSNS received 7.97 percent of the vote in the February parliamentary elections, securing 17 of 150 seats in parliament. Among the elected representatives for LSNS were several individuals prosecuted or convicted of hate crimes, including party chair Marian Kotleba, who was convicted for giving a charitable donation with Nazi symbolism; Andrej Medvecký, convicted of attacking a foreigner because of race; Stanislav Mizik, acquitted for lack of evidence of posting an anti-Semitic message on his Facebook profile criticizing the president for giving state awards to citizens of Jewish origin; and Milan Mazurek, convicted for anti-Romani statements made in a public radio broadcast.

In August the National Criminal Agency announced it would bring extremism-related charges against nine individuals suspected of disseminating extremist materials and collecting Nazi paraphernalia. Three members of the extremist musical group Krátky Proces (Short Process) were taken into custody during related police raids on charges of producing an extremist musical album. The detained singer of the band, who also repeatedly ran for the LSNS, faced three to eight years in prison.

In October the Specialized Criminal Court convicted LSNS chairman Marian Kotleba of supporting and promoting groups aimed at suppressing fundamental rights and freedoms for a March 2017 ceremony where Kotleba handed over three checks to families with children with disabilities, each worth 1,488 euros (\$1,790). Experts provided by the prosecution testified that the amount was a well known neo-Nazi cypher, representing the white supremacist “14-word” slogan and a numerical representation of “Heil Hitler.” Witnesses also testified that organizers played the unofficial anthem of the wartime Slovak State, an ally of Nazi Germany, at the handover ceremony of the charitable donation and pointed out the event was held on March 14, the anniversary of the founding of the Slovak State. The ceremony concluded with a concert by neo-Nazi singer Reborn, who himself faced prosecution on extremism charges. The court sentenced Kotleba to four

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years and four months in prison. The case remained pending at year's end following the defense's appeal to the Supreme Court.

In May former LSNS candidate Marian Magat, labelled by media as a far-right extremist, published a blog questioning the existence of the Holocaust on the disinformation outlet Kulturblog. Magat summarized known conspiracy theories claiming that people did not die in concentration camps due to systemic extermination by the Nazis, but rather due to bombing by allied forces, typhoid outbreaks, or the interruption of supplies of food and medicine caused by the bombardment. Magat also presented claims that gas chambers at concentration camps were used for delousing. The National Criminal Agency opened an investigation on suspicion of denying the crimes of totalitarian regimes, a crime that carries a sentence of up to three years in prison. The case remained pending.

In January the Specialized Criminal Court convicted LSNS regional chairman Anton Grno of supporting a movement aimed at suppressing fundamental rights and freedoms for shouting the greeting of the World War II-era Slovak fascist state's paramilitary force during a 2018 Supreme Court hearing. Grno was fined 5,000 euros (\$6,000) and sentenced to six months in prison should he fail to pay the fine. Media reported that Grno's social media profiles contained several openly racist and anti-Semitic posts.

While direct denial of the Holocaust was relatively rare, expressions of approval of 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, the Slovenske Hnutie Obrody or SHO (Slovak Renewal Movement), a far-right political party, which ran in the February parliamentary elections but did not win any seats, organized a commemoration of the 1939 creation of the fascist Slovak state, laying wreaths at a statue of Jozef Tiso in the village of Cajakovce. On April 18, the LSNS commemorated the anniversary of the execution of Tiso through a post on its website, stating that April 18 marks the "sad day of the judicial murder of the first Slovak president, Jozef Tiso."

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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 Matovic, and Speaker of Parliament Kollar, denounced the anti-Semitic rhetoric of the far right.

In January, President Caputova attended the Fifth World Holocaust Forum in Israel where she stated, “Fascism is still alive in our society, that’s why I think it’s very necessary that we...do our utmost to prevent it from getting back to power.” She also highlighted that racial hatred always starts with words and cautioned against increasing hatred over the internet and discrimination against some parts of the population.

### **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. The antidiscrimination law does not qualify the denial of reasonable accommodation as discrimination on the basis of disability.

NGOs reported that persons with disabilities continued to experience a number of challenges, particularly in access to education, employment, and government as well as private services.

According to the government’s Commissioner for Disabled Persons, while a few children with disabilities were able to participate in mainstream education, most were educated separately in so-called “special” schools that further contributed to their social isolation and stigmatization. Among the main reasons for the separate

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schooling of children with disabilities were physical barriers at state schools, lack of qualified support staff, and reluctance from teachers and parents of children without disabilities.

NGOs and municipalities continued to report problems, including excessive administrative burden and red tape, in applying the law on opening and operating “social enterprises” that could serve to employ persons with 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.

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. Civil society organizations and the disability rights commissioner noted that navigating most cities with a visual impairment or on a wheelchair remained difficult due to the many obstacles and barriers on sidewalks and in public transport.

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. The disability rights commissioner presented an annual report to parliament summarizing progress in implementing the human rights strategy and the Convention on the Rights of Persons with Disabilities; containing recommendations for legislative and policy changes, based on the commissioner’s own monitoring and complaints lodged by citizens; and providing recommendations for legislative and policy changes, based on the commissioner’s own monitoring and complaints lodged by citizens.

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### **Members of National/Racial/Ethnic Minority Groups**

Segregation and societal discrimination against Roma and individuals of non-European ethnicity was common. A 2019 study by the UN Development Program (UNDP) and the Ministry of Interior, the most recent available, found that as much as 49 percent of the Romani population resided in marginalized communities, a slight decrease compared with the previous iteration of the study in 2013, which estimated that 53 percent of Roma resided in settlements. According to the same study, only 19 percent of the Romani minority lived integrated among the majority population. The UNDP identified 180 segregated rural settlements located outside municipalities and 418 communities on the outskirts of municipalities. The UNDP study found that 61 percent of inhabitants in the 100 largest concentrations of Romani citizens had access to drinking water, compared with 48 percent in 2013.

There were reports of harassment of members of ethnic minorities during the year and reports of violence and excessive use of force by members of the police against Romani citizens.

In April police officers allegedly beat a group of five Romani children trying to leave a marginalized Romani settlement that was placed under quarantine due to a COVID-19 outbreak in the community. According to the Union of Roma in Slovakia, the officers first threatened the children with a gun and then beat them using batons, causing bruises and other injuries. The ombudsperson, the government plenipotentiary for Romani communities, and the Slovak National Center for Human Rights condemned the incident and called for a thorough investigation. The Ministry of Interior's inspection service launched an investigation into possible abuse of power by a public official.

Ahead of the February parliamentary elections, the LSNS party organized meetings and gatherings in areas with higher concentrations of Romani citizens, rallying voters from the majority against "asocial Gypsies" and "parasites" and promising to "restore order." There were reports of small clashes between LSNS supporters and antifascist protesters at some of the LSNS rallies, but police mostly prevented an escalation of violence.

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

There were instances of public officials at every level defaming minorities and making derogatory comments about Roma. In April former prime minister and chair of the opposition Smer Party Robert Fico criticized Prime Minister Matovic for his handling of the COVID-19 pandemic, asserting that Matovic was “the prime minister of gypsies” and claiming the COVID tests were made available for Roma but not senior citizens or homes for the elderly.

In August, President Caputova, Prime Minister Matovic, Interior Minister Roman Mikulec, Human Rights Ombudswoman Maria Patakyova, and other government officials attended a Romani Holocaust remembrance ceremony in Banska Bystrica. Media highlighted that this was the first time the Romani Holocaust Remembrance Day was marked by such high-level government attendance.

In February the Slovak Academy of Sciences released a representative survey of majority attitudes toward Romani citizens. When examining stereotypes about Roma, the survey found that most respondents (80 percent) tended to agree with a statement that Roma in the country received undeserved benefits from the social system, and almost two-thirds of respondents tended to identify with openly negative stereotypes of Roma. Only half of the respondents tended to agree with the statements that highlighted the value of Romani culture. The survey also found that respondents identified most with a so-called hostile political discourse, where politicians referred negatively to Romani citizens, particularly regarding work habits and crime rates in Romani communities.

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

In April the government began blanket testing for the presence of COVID-19 in chosen marginalized Romani settlements with a higher recorded number of persons returning from abroad. The government used the military to assist in the testing, arguing the process was necessary to protect public health and safety. Human

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rights NGOs reported the targeted testing contributed to further stigmatization and anti-Romani prejudice and that there were reports of increased hate speech against Roma on social media. The targeted testing contributed to further stigmatization and anti-Romani prejudice and there were reports of increased hate speech against Roma on social media.

Based on the result of COVID-19 testing in marginalized Romani communities, the government's chief medical officer ordered mandatory full-area quarantines in five settlements, with armed police and military guards stationed at the entrances to the settlements. Quarantines lasted up to one month in some of the settlements. NGO Amnesty International spoke to residents of the quarantined settlements, who confirmed that no one informed them about the duration and conditions of the quarantine. Authorities reportedly did not isolate persons who tested positive for COVID-19 from other persons in the community. In addition human rights watchdogs reported that authorities did not ensure a sufficient supply of food and medical supplies to the sealed-off settlements, forcing impoverished inhabitants to procure grossly overpriced supplies from vendors offering delivery services. Amnesty International considered the conduct of the government a violation of human rights.

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.

Members of the Romani minority continued to experience obstacles and discrimination in the access to quality health care. A government report released by the Ministry of Finance in January 2019, the latest available, estimated life expectancy within the marginalized Romani population at 69.6 years, nearly seven years less than 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

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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 2019, the latest available, 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 intellectual 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 Romani children had received preschool education, compared with 75 percent for the general population, and one-third of Romani children dropped out of the education system before completing elementary school.

School closures during the COVID-19 pandemic deepened the educational gap between children from disadvantaged socioeconomic backgrounds, particularly children from marginalized Romani settlements, and children from more affluent families, educational experts pointed out. According to a study conducted by NGO EduRoma, 70 percent of marginalized Romani children did not participate in distance learning, and 60 percent of them had no contact with their teachers whatsoever during the nearly four-month-long closure of primary and secondary schools, mainly because they did not have access to a computer or the internet. Educational professionals warned this interruption in the education of children from disadvantaged backgrounds would have lasting impacts on their future educational and career prospects.

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 the regional court in Bratislava upheld a 2016 trial court ruling dismissing an antidiscrimination lawsuit against the segregation of Romani children at an elementary school in the town of Stara Lubovna. The court determined Romani children were not segregated in education even though the school was ethnically

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homogenous and attended exclusively by Romani children from a nearby marginalized settlement. The human rights NGO Poradna, which initiated the lawsuit, considered the court's judgment in breach of international human rights law and planned to file an extraordinary appeal to the Supreme Court.

The government's 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. Since 2017 "extremist" crimes, including incitement towards racial, religious, and ethnic hatred; discrimination on the basis of a deliberate hate motive; defamation of race, nation or belief; founding, supporting and expressing sympathy towards movements aimed at suppressing fundamental rights and freedoms; and producing and disseminating "extremist" materials, fall under the purview of the National Counter-Terrorism Unit at the National Crime Agency and are prosecuted by the Specialized Prosecution Service at the Specialized Criminal Court. Experts credited these specialized law enforcement and prosecution agencies for increasing the number of cases and the conviction rate for perpetrators of "extremist" crimes as well as for raising the profile of the issue in Slovak society.

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

### **Acts of Violence, Criminalization, 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.

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NGOs reported violence and online harassment of LGBTI persons. Due to COVID-19 and associated restrictions on public gatherings, annual LGBTI Rainbow Pride celebrations in Bratislava and Kosice moved online. While there were no reports of physical altercations, organizers reported online hate speech directed at their virtual programs.

Ahead of the February parliamentary elections, several political parties, notably the LSNS and the Vlast (Homeland) Party of former Supreme Court judge Stefan Harabin, campaigned on anti-LGBTI platforms, presenting sexual minorities as “sick,” “decadent,” or “perverted.” In June during a debate about the ombudsperson’s annual report in parliament, LSNS MP Milan Mazurek stated that according to him, “there are no transgender people, there are some fools who say from day to day that I am no longer a woman, I am a man, I am no longer a man, I am a woman.”

According to an EU Fundamental Rights Agency (FRA) survey released in June, more than three-quarters of Slovak same-sex couples reported fears of holding hands in public. The survey also indicated only 26 percent of members of the LGBTI community openly declared their orientation and that 36 percent were afraid to visit certain sites for fear of being attacked. In total, 46 percent of members of the LGBTI community felt discrimination in at least one area and at least one in five transgender and intersex persons reported being physically assaulted in the five years prior to the survey, double the number of other LGBTI persons. The FRA survey found that only 8 percent of victims reported such an attack to the police and 6 percent alerted an equality body or other organization to discrimination.

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.

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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, and several political parties used antimigrant rhetoric in their parliamentary election campaign messaging. In January the political party Smer released a cartoon campaign video that mocked former president Andrej Kiska and his Za ludi political party and spread false statements that Kiska and his party intended to introduce legislation obliging each family in the country to take in one migrant family. In February, 12 major human rights organizations working with refugees and migrants in the country addressed an open letter to politicians urging them to refrain from spreading unfounded fear of migrants and using dehumanizing statements against migrants and refugees; the letter called for consistency and caution in the use of migration-related terms.

### **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 commensurate with penalties for other laws involving the denial of civil rights. These procedures were, however, occasionally subject to delays and appeals.

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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 the government did not effectively enforce 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. These penalties were commensurate with those for other serious crimes, but were not fully applied. 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 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 and forced labor. Courts continued to issue light and suspended sentences for the majority of convicted traffickers that failed to deter trafficking offenses or protect victims.

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

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work more than 30 hours per week on average and restricts children younger than age 18 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 younger than age 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 commensurate with penalties for other serious crimes, 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 are 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 commensurate with those for other civil rights laws. The government did not consistently enforce the law.

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Employers discriminated against members of the Romani minority. 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. A January 2019 government report prepared by the Ministry of Finance, the latest available, showed that Romani jobseekers were less likely to benefit from effective active labor market measures, particularly further training and requalification, compared with 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, the proceedings resulted in excessive and undue delays; even successful cases awarded minimal financial compensation. Human rights NGOs noted that Romani employees from marginalized settlements were disproportionately affected by the economic downturn and subsequent layoffs caused by COVID-19 and were usually among the first employees to be let go when companies began downsizing.

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

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year, except for 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 wage and overtime rules face fines that were commensurate with those for similar 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. Penalties were commensurate with those for similar crimes. 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. There were 88 accidents during the year that caused serious workplace injuries or death and 8,934 workplace accidents that resulted in less severe injuries.