

# **SLOVAKIA 2022 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). Following a December 15 no-confidence vote, Prime Minister Eduard Heger heads a provisional government until elections scheduled for September 30, 2023 occur. Since September, three of the four parties that secured a majority in parliament following free and fair parliamentary elections in 2020 have made up the ruling coalition. 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 Foreign Police, under the authority of the Ministry of Interior, is responsible for external security, including border control and preventing illegal migration, human smuggling, trafficking in persons, and conducts investigations of related criminal activities. The Bureau of Border and Foreign Police also exercises limited powers in asylum proceedings. Civilian authorities maintained effective control over security forces. There were no reports that members of security forces committed abuses.

Significant human rights issues included credible reports of: high-level corruption; violence and threats of violence against Roma and members of other ethnic and racial minorities; and violence and threats of violence targeting lesbian, gay, bisexual, transgender, queer, and intersex persons.

The government investigated reports of abuses by members of the security forces and other government institutions, as well as reports of government corruption, although some observers questioned the thoroughness of these investigations.

## **Section 1. Respect for the Integrity of the Person**

### **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.

### **b. Disappearance**

There were no reports of politically motivated disappearances by or on behalf of government authorities.

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

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

In 2021 the ombudsperson inspected a case of excessive use of force against a prisoner allegedly committed by Prison and Court Guard Service members while the prisoner was being escorted to a court hearing. Following the ombudsperson's inquiry, the Director General of the Prison and Court Guard Service issued an internal order preventing contact with persons in custody with guards accused of having used force against them until the incident is investigated.

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

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

guards. The number of complaints, however, filed against police to this end has gradually decreased over the past five years: 87 complaints were filed in 2021, a decline from 184 complaints in 2016. Complaints filed against prison and court guards dropped from 44 in 2020 to 25 in 2021. Both police and the Prison and Court Guard Service attribute this trend to regular training sessions including human rights awareness, prevention activities, and increased internal control.

The ombudsperson and NGOs criticized the independence of the Inspection Service as insufficient by international standards. Members of the Inspection Service are formally part of the Police Corps, the institution they are also tasked to investigate. In 2021 the former head of the Inspection Service, Adrian Szabo, was arrested and dismissed from his position. He confessed to accepting bribes in exchange for leaking information from ongoing high-profile criminal investigations to a police official and took a plea bargain. Since then, the institution has had three different acting directors, and as of year's end, no permanent director had been named. A 2021 legal amendment strengthened the powers of the minister of interior concerning appointment and dismissal of the Police Corps president as well as the Inspection Service head and introduced an indefinite (instead of the four-year) mandate for these positions. Civil society actors and the ombudsperson criticized these changes for increasing political influence over police. The ombudsperson repeatedly suggested strengthening the independence of the Inspection Service as well as implementing the use of cameras to monitor police interventions and use of force.

In 2021, the former police president reintroduced the compulsory use of body cameras during police interventions under “unified command.” However, this obligation did not apply to the use of cameras during all police interventions using coercive measures. A preliminary market consultation for the purchase of body cameras was ongoing as of year's end.

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

There were few significant reports regarding the physical condition of prison or detention centers that raised human rights concerns.

**Abusive Physical Conditions:** The CPT's 2019 report noted that prisoners

sentenced under the strictest confinement regime were offered extremely limited daily out-of-cell time. The ombudsperson previously noted inadequate air circulation in prison cells, insufficient lighting, and inappropriate toilet placement. There were reports of very small and inadequately equipped facilities at police stations that authorities used for the temporary detention of persons.

In an annual report released in February, 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 overnight or extended detention in an inadequately equipped room. A legislative amendment aimed at implementing the CPT's recommendation defines the legal framework for police authorization to place detained persons in a "designated area," including the limits restricting such authorizations to the "necessary extent" only, and the requirement of an official record of each such case. The amendment, however, does not introduce the standards of "designated areas," nor the maximum length of detention.

The ombudsperson noted an increase in the number of complaints by prisoners, including persons placed in remanded custody, concerning conditions in prison centers.

In 2021 the police Inspection Service dealt with 148 complaints of excessive use of police force against persons in detention by police or prison and court guards. According to these statistics, 67 percent of the complaints were dismissed, 14 percent saw further disciplinary or criminal proceedings, and the remaining 19 percent of cases were pending.

The 2020 suicide of former police president Milan Lucansky, who was in detention awaiting trial for allegedly accepting bribes, triggered a society-wide discussion on conditions in the country's prisons. Some, including political figures and public commentators, questioned whether the suicide was the result of misconduct by prison guards. An ad-hoc, multiparty committee set up by the minister of justice found neither evidence contradicting the officially reported course of events nor any misconduct by prison guards. In November the police and the prosecution service concluded the investigation, excluding murder and any criminal liability of the prison service, the violation of the guards' duties, or their failure to take

adequate measures.

**Administration:** While prisoners were able to file complaints without censorship and a prosecutor or ombudsperson was available to review and act on them, according to a government human rights watchdog, several prisoners claimed they were reluctant to complain concerning mistreatment due to fear of reprisals or because they believed authorities would not act on their complaints.

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

**Improvements:** In October parliament passed a legislative amendment to pretrial detention conditions, effective as of January 1, 2023. This limits the conditions for placing an individual into solitary confinement, mandates an increase in the prison cell area per detainee in line with international standards, expands the limits for visits and phone calls, and effectively increases the basic remuneration for detainees' work by defining it as a percentage of the minimum wage.

In December, 14 years after its construction had been approved, authorities opened the first psychiatric detention center in Slovakia for prisoners suffering from mental health conditions requiring treatment as well as for noncriminal, dangerous patients, if a court orders their detention. The new center, operated jointly by the Ministry of Health and the Ministry of Justice, should accept its first patients in March 2023.

#### **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. 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.

A bail system exists but was rarely 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, 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.

**Pretrial Detention:** A 2021 amendment to the criminal procedure code introduced changes to collusive custody, the strictest type of pretrial detention designed to prevent defendants from tampering with evidence and influencing witnesses. The law shortens the duration of collusive custody from seven to five months and strengthens the rights of detainees by raising the evidentiary bar for implementation of collusive custody. The length of pretrial detention did not frequently equal or exceed the maximum sentence for the alleged crime. According to European Commission findings published in December, Slovakia is among the EU member states with the shortest maximum time limit for pretrial detention as well as the shortest average length of pretrial detention, amounting to 3.9 months in 2020.

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

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence and impartiality. Alleged corruption, inefficiency, and a lack of integrity and accountability undermined public trust in the judicial system. According to the European Commission’s 2022 *EU Justice Scoreboard* report, only 25 percent of respondents and 29 percent of companies in the country rated the independence of courts and judges as “very good” or “fairly

good.”

Courts employed a computerized system for random case assignment to increase fairness and transparency. There were reports, however, that the system was subject to manipulation in the past. Allegations of bribery in exchange for manipulated court decisions and personal influencing of judges were subjects of a continuing police investigation.

A 2021 constitutional law introduced as a part of a comprehensive judicial reform addressed these allegations. The law was aimed at increasing the efficiency, integrity, and trustworthiness of the justice system. In particular, the law reformed the composition of the Constitutional Court and the Judicial Council, added a new level of scrutiny of judges’ asset declarations and competence, introduced a retirement age for judges, and established a Supreme Administrative Court to also function as a disciplinary court for judges and other legal professions.

In April the parliament passed a comprehensive judicial map reform reducing the number of courts and aiming to improve their efficiency, especially in terms of the speed and quality of court decisions. The government will establish a separate system of administrative courts. By increasing the number of judges per court, the reform aims to facilitate increased specialization of judges while improving their working conditions. Government and civil society believe this will limit opportunities for corruption and will increase trust in the judiciary. The reform divided the expert community and has met with strong criticism from many judges and court staff, who complained they were not sufficiently involved in the reform’s drafting. In November the parliament postponed the launch of the reform until June 1, 2023.

## **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.

In its December 15 judgment, the ECHR found the 2010-2019 proceedings against

two Slovak citizens, found guilty of contract killing, were unfair and grounded “essentially on the basis of prosecution evidence.” Despite the applicants’ consistent requests throughout the proceedings at all stages, Slovak courts did not admit the examination of the evidence from 12 defense witnesses. The applicants turned to the ECHR after they had exhausted all appeal options in Slovakia, once the Specialized Criminal Court, the Supreme Court, as well as the Constitutional Court declared their complaint inadmissible. The ECHR noted that finding a European Convention on Human Rights violation in the case does not imply that the applicants were wrongly convicted. While the ECHR rejected their compensation claims, it noted that Slovak law entitles the applicants to challenge the conclusions of the domestic courts by applying for the reopening of the proceedings.

Unpredictability of court decisions and inefficiency remained major problems in the country’s judiciary, leading to long trials. Cases involving abuse of the right to trial without undue delay continued to dominate the Constitutional Court agenda, and several cases have been examined by the European Court of Human Rights (ECHR).

### **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 abuses. Courts that hear civil cases, as with criminal courts, were subject to delays. Public trust in the judiciary continued to be low, with a European Union Eurobarometer survey during the year measuring it at 31 percent. According to 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 Slovak National Center for Human Rights, a government-supported but independent body, has the authority to provide mediation for cases of discrimination and to represent claimants in court. Individuals and organizations may appeal domestic court decisions on alleged abuses of human rights to the ECHR.



## **Property Seizure and Restitution**

The ombudsperson reported excessive delays in numerous land property restitution proceedings that 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 subsequent reports the ombudsperson pointed to the long-term inactivity of the Slovak Land Fund, an office administering state-owned land and real estate under the purview of the Ministry of Agriculture, that resulted in individual abuses of property rights as well as the right to a hearing without undue delay in restitution and compensation proceedings. In a March report summarizing her tenure, the ombudsperson concluded that, despite reinforced capacities of the land and forestry departments, she did not notice any significant progress in addressing this problem. Inadequate processes, lack of staff, and insufficient training remained problems, as was corruption. In the audit results scrutinizing the Fund's 2014-2020 activities published in March, the Supreme Audit Office found suspected corruption as well as nonsystemic and nontransparent functioning of the Fund and recommended a reform of the Fund's operation in addition to the legislation on land ownership.

The country endorsed the Terezin Declaration on Holocaust Era Assets and Related Issues. 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 matters, please see the Department of State's *Justice for Uncompensated Survivors Today (JUST) Act report to Congress*, released publicly in July 2020, 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.

## Section 2. Respect for Civil Liberties

### a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provide for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent media, a functioning judiciary, and a functioning democratic political system combined to promote freedom of expression, including for members of the media.

**Freedom of Expression:** The law prohibits the defamation of nationalities and race, which is 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. These prohibitions also apply to the print and broadcast media, the publication of books, and online newspapers and journals.

**Violence and Harassment:** In 2021 a well-known journalist reported that she had been followed by unknown individuals for several days. Early during the year, she confirmed the investigation into the case had been concluded without any findings.

In 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. In 2018 and 2019 authorities arrested and indicted five suspects for Kuciak and his fiancée's murder, including businessman Marian Kocner, who was charged with ordering their deaths. In 2020 the Specialized Criminal Court acquitted both Kocner and indicted collaborator Alena Zsuzsova of ordering the killing, citing a lack of evidence. The prosecutor appealed the acquittals to the Supreme Court, which returned the verdict to the lower court in 2021 for reconsideration. In April the retrial of the Kuciak murder case resumed with hearings planned at least until April 2023. The case has been merged with a separate one concerning the planned killings of three prominent prosecutors and lawyers in which Kocner, Zsuzsova, and Szabo also stand accused.

The investigation into the Kuciak killing led to allegations that Kocner and his

collaborators, led by his close friend and former counterintelligence director Peter Toth, conducted surveillance of selected investigative journalists, allegedly with the assistance of authorities. 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 2020 the former chief of the Financial Intelligence Unit, Pavol Vorobjov, and former police official Vladimir Bistak, were accused of unlawfully accessing police databases, as well as of supporting a criminal group and abuse of power in a different criminal case. They cooperated with police and pleaded guilty of involvement in unlawfully collecting the personal data of 140 individuals, including 28 journalists, for an organized group allegedly led by oligarch Norbert Bodor in exchange for bribes. In March and May, respectively, the court accepted their plea agreements, sentencing Bistak to a three-year prison sentence with a four-year probation period, property forfeiture, and a six-year ban on working for public authorities, and Vorobjov to a reduced sentence of two years in prison, property forfeiture, and a seven-year ban on working for public authorities.

In January former longtime Prime Minister and Smer Party Leader Robert Fico, who resigned following nationwide protests in the aftermath of Kuciak's killing, called investigative journalists covering his corruption allegations "an organized criminal group" acting to "dismantle the state." Reporters Without Borders condemned Fico's statements, urging him "to stop attacking journalists and using the verbal assaults as a part of his political strategy."

In September former Prime Minister, OLaNO Party Leader, and, at that time, Finance Minister Igor Matovic likened the work of journalists in the country to those working for Hitler's regime. This and other statements prompted the editors-in-chief of 21 major media outlets to issue a joint statement on September 30, condemning Matovic's attacks on the press. Reporters without Borders, the European Federation of Journalists, and the International Press Institute reported Matovic's attacks to the Council of Europe Safety of Journalists Platform as "harassment and intimidation of journalists." Matovic later publicly apologized "to all honest journalists," although when confronted with his statement on corrupt

journalists a week later, he stated he would “take such journalists down one by one.”

**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 and other observers expressed concern that this financial risk and the administrative burden of constantly contesting lawsuits could lead to media self-censorship.

According to media organizations, criminal libel provisions restrict freedom of expression, including freedom of media. In April a Kosice district court acquitted a former journalist who faced libel charges over his 2015 article concerning alleged corruption by former Speaker of Parliament Pavol Paska. While the court previously handed down an 18-month suspended sentence and a ban on journalistic activities, the defense appealed, and according to the April verdict, the “deed does not constitute a crime.”

**Actions to Expand Freedom of Expression, Including for Members of the Media:** In June parliament approved two new media laws, effective from August 1, which introduce a more comprehensive regulatory framework for audiovisual services and online media, increase the transparency of media ownership and funding, strengthen the protection of journalistic sources, and increase the protection of children. While these laws were intended to enhance the functioning of media and improve their independence, a group of members of parliament (MPs) also passed a last-minute amendment effectively strengthening the protection of public officials about their media portrayal. The amendment introduces a “right to comment” if media publish false or incomplete information about a person that affects their honor, dignity, privacy, or reputation, including evaluative statements based on this information. A person, including a public official, is entitled to file a request to publish their comment to the outlet in question which that outlet is obliged to accept unless it can prove that the published statement is truthful. This right replaces the “right to reply,” which

caused a public uproar when previous governments tried to introduce it in 2008 and 2019. Experts as well as President Caputova criticized this new provision.

The parliament amended the election of public broadcaster RTVS's director to include open ballot voting in Parliament and public hearings of candidates in front of MPs as well as an expert committee composed of representatives of media, public authorities, civil society, academia, minorities, and disadvantaged groups. In June Parliament elected Lubos Machaj, one of the two candidates recommended by the expert committee, as the new RTVS director.

### **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.

Shortly after the start of Russia's invasion of Ukraine, parliament passed an amendment to the Cyber Security Act temporarily enabling authorities to block harmful online content, including "serious disinformation." Pursuant to these powers, throughout March the National Security Authority (NBU) blocked four prominent disinformation websites known for spreading pro-Russian narratives until June 30. In June, Parliament extended the temporary powers, originally in place until June 30, through September 30. This legislative amendment did not automatically extend NBU's decisions, and as of September 30, NBU had not issued any new decisions to block online content. Experts and the opposition criticized the government's measure for its lack of transparency, vague legal definitions, and high potential for abuse and censorship. NBU has not published its decisions justifying the temporary blocking of the four disinformation portals, arguing legislative obstacles prevent it from doing so.

### **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 and the Right to Leave the Country**

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

**In-Country Movement:** Throughout the year, the government gradually eliminated freedom of movement restrictions it had imposed in 2021 in response to the COVID-19 pandemic. In January, the government removed the nighttime curfew that had been in place since December 2021, and in February it terminated the state of emergency, which had included a ban on public assembly and freedom of movement restrictions that had been in place since November 2021.

### **e. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

**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 civil society organizations noted that the Migration Office applied a restrictive asylum policy and granted asylum only in a limited number of cases.

During the year the country faced a refugee crisis following Russia's February 24 invasion of neighboring Ukraine. At the same time, in the second half of the year, Slovakia experienced a surge in the number of undocumented migrants, predominantly from Syria, who were attempting to transit the country via the Western Balkans route to reach Western Europe. NGOs and observers from international organizations commended the response of the country's government and civil society to refugee crisis, while praising authorities' approach to

processing and handling undocumented migrants. Compared to 2021, the number of asylum seekers and asylums granted increased slightly, despite the arrival of more than one million persons, the vast majority of whom were women and children, from Ukraine following Russia's February 24 invasion as well as from a surge in undocumented migration. According to experts, since an overwhelming majority of those arriving from Ukraine were entitled to visa-free travel in the EU or a temporary protection status, few sought asylum in Slovakia. An overwhelming majority of undocumented migrants detained by authorities did not apply for asylum.

NGOs reported asylum seekers had only limited access to qualified, independent legal advice. The contract with a local humanitarian organization 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 UNHCR.

An amendment to the asylum law entered into force in June, introducing enhanced initial integration measures for persons seeking or granted international protection. The measures included increased and expanded financial support to asylum seekers and persons granted asylum or subsidiary protection as well as entitlement to social and psychological counseling and cultural orientation training based on individual needs.

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

**Freedom of Movement:** NGOs criticized the government for extending the period during which asylum seekers can be legally placed in immigration detention centers upon applying for asylum from seven to 28 days. NGOs also expressed concerns that living conditions in some of these centers were not adequate.

Experts praised state authorities for a paradigm shift in their approach to and handling of growing numbers of undocumented migrants, mostly refugees from Syria, who attempted to transit the country. The Bureau of Border and Foreign Police detained detected undocumented migrants only for the time necessary for administrative processing. Authorities provided emergency short-term shelter and transportation to the processed migrants on a voluntary basis.

**Employment:** Amendments to the asylum law enacted in June allowed asylum seekers faster access to the labor market, allowing employment six months from the moment of applying for asylum instead of nine (see also Temporary Protection).

**Access to Basic Services:** NGOs reported schools generally did not make use of available government support for language and integration assistance for foreign students (see also Temporary Protection).

Human rights organizations 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 were 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.

Following a surge in undocumented migration, authorities set up a temporary emergency camp with a capacity of up to 200 persons at Kutay in November and December, and in collaboration with humanitarian civil society organizations provided short term shelter, emergency medical care, humanitarian aid, and basic legal information on the asylum and international protection system to undocumented migrants following their administrative processing. Humanitarian organizations noted that poor hygienic conditions at the tent camp were an issue.



**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 low occupancy levels throughout the year. The government provided full assistance to persons fleeing Ukraine in their voluntary return to their countries of origin and cooperated with authorities of the countries of origin in facilitating repatriation flights and transfers.

**Temporary Protection:** The government also provided temporary protection to individuals who may not qualify as refugees and provided it to more than 105,000 persons.

On March 1, in response to persons fleeing from Ukraine following Russia's invasion, the government began providing temporary protection to Ukrainian citizens and their immediate families. Beginning on March 17, the government expanded the status eligibility to include the persons living in the same households with citizens from Ukraine and third country nationals either with legal permanent residence in Ukraine who could not safely return to their country of origin or who had been granted asylum or international protection in Ukraine before February 24. The government set the validity of temporary protection status until March 2023, with the possibility of further extension.

Temporary protection status came with "tolerated residence" and entitled its beneficiaries access to accommodation, the labor market, noncompulsory education for children, free urgent health care, and minimum subsistence and child support payments. Humanitarian NGOs reported cases of third country nationals fleeing from Ukraine prior to expansion of the temporary protection status on March 17, when the Border and Foreign Police proactively contacted authorities of the refugees' countries of origin to arrange for their transit or repatriation without consulting the refugees on their intentions first. There were no credible reports of inappropriate pressure on refugees fleeing Ukraine to return to their country of origin or expelling them to countries where they would likely face abuse or torture.

In February the Migration Office appointed a government liaison officer to coordinate humanitarian efforts and subsequently ensure cooperation on

integration efforts with national and international organizations throughout the crisis. The government, with support from humanitarian and specialized NGOs and international organizations, set up a network of large-capacity reception centers near the border with Ukraine and throughout the country, where authorities processed temporary protection applications and, in cooperation with NGOs, offered additional services, including emergency medical care, transportation, accommodation, registration for employment and welfare payments, and legal and psychosocial counseling.

Temporary protection status beneficiaries were able to access basic services but continued to face some barriers. To increase employment opportunities for temporary protection status holders who were eligible to immediately access the labor market, the government relaxed some administrative requirements for certain regulated professions, including healthcare and education. The temporary protection status did not permit its holders to register and operate a business.

Because education was not compulsory for persons with “tolerated residence,” including temporary protection beneficiaries, authorities reported that approximately one-third of children with temporary protection status were enrolled in the country’s education system at some point during 2021-2022 school year.

Temporary protection status holders were generally able to access free emergency and urgent health care, although experts reported that lack of a precise list of diagnoses and medical procedures falling under free “urgent” care created uncertainty among the refugees and health care providers. Local governments ran several Ukrainian-staffed medical centers. Temporary protection beneficiaries with full-time employment status and their children were entitled to full health coverage.

There were reports of violence, threats of violence, verbal attacks, and hateful rhetoric directed at Ukrainian nationals with temporary protection status, as well as cases of discrimination in accessing public services. In March two unidentified assailants targeted a cabin in the village of Klokoc, in the central part of the country, in which a group of Ukrainian refugee women and children was accommodated. The assailants, armed with wooden sticks, allegedly arrived by car at the cabin before midnight and shouted verbal threats at the women, calling on

them to step outside, before eventually fleeing the scene. Local authorities denounced the incident, and police continued investigating the case while providing enhanced patrolling in the area in response. There were reports of several cases of cars with Ukrainian license plates being vandalized, including by spray-painting “Z” symbols.

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 48 persons. Subsidiary protection is initially granted for one year, with possible two-year extensions. NGOs asserted this approach created uncertainty regarding the individual’s status in the country and significantly hindered 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**

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:** There were no reports from independent, nongovernmental organizations indicating the first-ever combined regional and municipal elections, which took place on October 29, were not free and fair. Several unsuccessful mayoral candidates applied to the Constitutional Court asking for a recount, citing too small of a vote margin or other voting and vote count irregularities, while the National Criminal Agency (NAKA) reported in November that it was looking into 36 cases of suspected minor election-related fraud, namely voter buying. In one case, NAKA arrested a candidate for mayor of the small village of Rostar on October 20, who it subsequently charged with election fraud for providing groceries to multiple voters in exchange for their support and promising them a financial reward in the amount of €50 (\$54), if elected.

Observers from the Organization for Security and Cooperation in Europe considered parliamentary elections held in 2020 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. Persons with disabilities rarely sought elected public office and were underrepresented in the political process at the local and national level. In 2002 for the first time a wheelchair user was elected to parliament, and one wheelchair user had served as a member of parliament since 2020. Politicians, public officials, or persons seeking elected office rarely identified openly as lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+).

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

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption during the year.

The government prioritized transparency and accountability in the public sector. The disclosure of all contracts concluded by public authorities allowed for public scrutiny and helped bring unlawful conduct in public procurement to light. Beneficial owners of companies authorized to do business with the state were published by the Register of Public Sector Partners. Observers viewed these provisions as demonstrations of above-standard transparency laws in the country.

Rule of law, the fight against corruption, and transparency were among the government's top priorities, and there was some progress during the year in terms of both reform efforts and efforts to hold corrupt actors to account. In 2021 newly created national institutions for the management of seized assets and for whistleblower protection began operations. The government embraced anti-corruption and rule of law reforms in its 2021 Recovery and Resilience Plan. As of year's end, it had proceeded with several of them, including the adoption of legislative measures to increase the efficiency of financial investigation and asset seizure, increasing police capacities and effectiveness in fighting corruption, and a

“court map” reform to increase efficiency and integrity of Slovakia’s judicial system.

**Corruption:** The Eurobarometer on Corruption 2022 noted 41 percent of respondents noting an increase in the level of corruption, down from 52 percent in 2019, while 45 percent said the level stayed the same, an increase from 30 percent in 2019. In their evaluations during the year, the European Commission and the Group of States Against Corruption (GRECO) noted slow progress in the fight against corruption in the country. Transparency International’s global Corruption Perceptions Index 2022, however, noted slight improvement in the country’s score, from 52/100 to 53/100, Slovakia’s best result so far. Experts attribute this progress to continued law enforcement efforts to investigate and prosecute corruption.

During the year investigative journalists and NGOs continued to document cases of well-connected businesspersons siphoning off state finances in previous years through tax fraud, manipulated public procurements, or frauds related to agricultural subsidies. These investigations resulted in the prosecution of former high-profile officials, often nominees of the former government, notably at the police, the Financial Administration (the tax and customs authority) or the Agriculture Ministry organizations administering subsidies, as well as entrepreneurs. Several cooperating defendants supported allegations of a corruption “system” and testified regarding the involvement of political figures in corruption cases.

In May the Supreme Court found the former head of the Special Prosecution Service, Dusan Kovacik, guilty of accepting bribes to influence criminal proceedings and of leaking confidential information, making him the highest-level official ever convicted of corruption in the country. The Court sentenced Kovacik to an eight-year prison sentence and a €100,000 (\$107,000) fine. He continues to face corruption charges in two additional cases.

In August police pressed corruption charges against a law firm and two lawyers for bribing the director of the Slovak Environmental Inspectorate to secure the institution’s favorable decision and obtain confidential information. After being offered a bribe, the director immediately reported it to and cooperated with police, and his meetings with the suspects were wiretapped for several months, which

enabled police to secure evidence against the lawyers.

In 2020 police initiated a series of at least 15 interconnected, high-level, and unprecedented corruption investigations that continued throughout 2022, leading to the arrest of more than 50 sitting and former officials as well as notable members of the business community. These included the former prosecutor general, former special prosecutor, two former police presidents, former vice president of the Supreme Court, former deputy minister of justice, former deputy minister of finance, and some of the country's wealthiest entrepreneurs. In April police pressed charges of founding and supporting an organized criminal group and revealing confidential information against former longtime Prime Minister and Smer Party Leader Robert Fico and former Smer Interior Minister Robert Kalinak, the highest-ranking political figures to face charges in ongoing corruption investigations. In November the Prosecutor General's Office dropped these charges citing lack of evidence, using its powers to review and annul decisions made by police or prosecutors during criminal proceedings at the pretrial stage.

Other cases remained underway, and as of year's end, 17 individuals had been convicted and 22 have pleaded guilty and cooperated with authorities. Indictments were filed against 25 persons in 9 cases, including former police president Tibor Gaspar and other former top police officials.

Investigations into judicial corruption continued, largely based on encrypted telephone conversations of several judges and prosecutors with convicted criminal Marian Kocner, accused also of masterminding the 2018 killing of investigative journalist Jan Kuciak and his fiancée. As of year's end, multiple investigations into judicial corruption were pending, with some judges confessing to being part of a corruption scheme. The Supreme Administrative Court during the year heard disciplinary cases against judges and prosecutors.

## **Section 5. Governmental Posture Towards 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 sometimes were cooperative and responsive in their views.

**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.

On November 9, parliament elected Robert Dobrovodsky as the new Public Defender of Rights (ombudsperson), filling the position that was vacant for more than seven months after the former ombudsperson's five-year term ended on March 28 and the ruling coalition was unable to agree on a suitable candidate. In November, Parliament also adopted a constitutional amendment allowing an incumbent ombudsperson to remain in the office until a replacement is elected. The extended absence of an elected ombudsperson restricted the institution's functions, as it was unable to formally decide on almost 600 outstanding complaints received since March, conduct investigations on its own initiative, or refer cases to the Constitutional Court.

In November Parliament passed a legislative amendment creating a position of Military Ombudsperson, tasked with investigating violations of fundamental rights and freedoms of professional soldiers. The official will be subordinated to the defense minister, and the selection procedure will launch in January 2023.

Parliament has a 13-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 the ruling coalition and was left with one vice chair since May 2021. NGOs consistently criticized the committee for failing to address serious human rights concerns as well as the absenteeism of some of its members.

The Slovak National Center for Human Rights acted as the country's national human rights institution and as the dedicated equality body but was in the past criticized for inactivity by NGOs and experts.

## Section 6. Discrimination and Societal Abuses

### Women

**Rape and Domestic Violence:** The law prohibits rape of women and sexual violence, which carry a penalty of five to 25 years in prison. The law does not specifically define spousal rape and rape of men, but the criminal code covers spousal rape under the crime of rape and rape under the crime of sexual violence. NGOs and survivors criticized police for sometimes failing to enforce the law effectively and for often failing to communicate appropriately with the survivors they work with. Rape and domestic violence survivors had access to shelters and counseling offered by NGOs and government-funded programs. Due to lack of funding, experts reported a shortage of available shelters and unequal distributions of shelters across regions.

Domestic violence is punishable by three to eight years' imprisonment. NGOs asserted the government did not enforce the law effectively. Domestic violence was widespread, and activists claimed official statistics failed to capture the magnitude of the problem, as an estimated 85 percent of women did not report incidents to police. Some domestic violence caseworkers argued the low reporting rate was due to a poor perception of police efforts, based on negative past interactions with police. These included instances in which police failed to remove the abuser from the household, downplayed incidents as minor offenses rather than crimes, or issued only a verbal warning to the perpetrator. NGOs also asserted the government did not enforce the law effectively. The lack of affordable public housing or rent-controlled housing often forced victims to return to abusive households.

The government continued developing and funding a network of intervention centers, which became operational in November 2021 after an amendment to the law on victims of criminal acts, which ensured better coordination between centers providing legal and counseling support to domestic violence survivors and law enforcement bodies, including creating referral procedures for police. As of year's end, the network consisted of 10 intervention centers.

In January the government adopted a *National Action Plan for Prevention and*



*Elimination of Violence Against Women for 2022-2027*, which identified protection, prevention, integrated polices and data collection, and effective prosecution as the key priorities.

**Sexual Harassment:** The law defines sexual harassment as unlawful discrimination, which is subject to civil penalties. According to the Slovak National Human Rights Center, sexual harassment against women, particularly at the workplace, was widespread, but survivors usually avoided legal action due to fear of reprisal, lengthy court proceedings, lack of accessible legal services, and negligible financial compensations awarded by courts. 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 gender-based violence, including sexual harassment, and it also coordinates education and training efforts for the public and professionals. The government operated a 24/7 hotline for women experiencing violence.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. Human rights organizations maintained that medical personnel did not sufficiently seek informed consent, often having asked Roma women to sign consent forms for sterilization procedures without fully explaining their meaning or providing them in the women's language. In 2021, following repeated calls from civil society and international organizations, the government issued a formal apology to female survivors of involuntary sterilizations and condemned the abuses of their human rights. The government acknowledged that the "unacceptable" practice, targeting primarily Roma women from marginalized communities, occurred not only under the communist regime, but as late as the early 2000s, when the women were often pressured into providing their consent without adequate understanding of the sterilization's consequences or sufficient time to consider the decision. Although the government established a dedicated expert group, which met in May to discuss options for identifying and compensating the women, observers criticized the government for lack of tangible progress in setting up the restitution scheme.

Authorities continued requiring persons seeking a legally recognized sex change to undergo permanent sterilization.

Human rights organizations criticized the quality and practices used in childbirth care services, and NGOs reported that Roma women, especially from marginalized communities in the eastern region of the country, at times faced reproductive health-care discrimination, segregation, verbal and physical violence, and a general lack of information on reproductive health. According to a 2018 government report, infant mortality in the Roma population was almost three times higher than the national rate, while a 2014 study by the Slovak Academy of Sciences (the most recent available) reported there was a high rate of adolescent pregnancies among women from Roma communities, with approximately 25 percent of them bearing a first child by the age of 18. In comparison, the Ministry of Health reported that women younger than 18 made up 4.2 percent of all first pregnancies in 2019.

In July a Bratislava district court ruled against a public antidiscrimination lawsuit filed by the human rights NGO Poradna in 2013 concerning segregation of Roma women at the obstetrics and gynecology departments of a government hospital in Presov, where Roma women were allegedly routinely placed in separate, “Romani” rooms. According to the NGO, the practice concerned Roma women from marginalized and nonmarginalized communities alike, and the hospital placed the women into the segregated rooms even if they were at full capacity, adding extra cot beds or having two women share a bed in such cases. In its verdict, which the NGO appealed, the Court argued that placing Roma women in separate rooms was not discriminatory because it was often required by their health status, lack of capacity, epidemiological requirements, or by the women themselves who preferred to share a room with other Roma women. Reports of the news on social media attracted racist and stereotypical anti-Roma commentary, with many comments approving of the decision, citing Roma women’s low hygienic standards and poor behavior.

While emergency contraception was widely available, NGOs reported that a lack of reimbursement from the national health system constituted a significant barrier to access, especially for young and vulnerable populations.

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. Survivors approached their general practitioners, emergency rooms, or, less frequently, their gynecologists. Survivors generally had access to

emergency over-the-counter contraception. The government ran a 24/7 national multilanguage helpline for women experiencing gender-based violence, and the Coordinating Methodical Center for Prevention of Violence against Women offered emergency help to survivors of sexual violence.

**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 16 percent gender pay gap.

## **Systemic Racial or Ethnic Violence and Discrimination**

The constitution affords fundamental rights and freedoms to everyone regardless of sex, race, color, language, belief or religion, political affiliation, or other conviction, national or social origin, nationality or ethnic origin, property, descent, or any other status, and it allows no person to be discriminated against or favored on any of these grounds. An antidiscrimination law forbids unequal treatment on the grounds of one's race or belonging to a national or ethnic group, which is subject to civil penalties. The criminal code defines "extremist" crimes such as founding, supporting, and expressing sympathy toward movements aimed at suppressing fundamental rights and freedoms; producing or disseminating "extremist" materials; defamation of a nation, race, and belief; or incitement to national, racial, or ethnic hatred. Crimes committed with a special motive, which includes hatred against a group or individuals for their actual or alleged race, nationality, or ethnic affiliation, are punished with stiffer sentences. While experts noted increased investigation and prosecution of "extremist" crimes, they recognized that public authorities often failed to identify a special aggravating motive, and courts often handed down lenient sentences to convicted criminals. According to an August country report by the United Nations Committee on the Elimination of Racial Discrimination, racial discrimination, especially against Roma and persons of African descent, persisted despite implementation of the antidiscrimination law, and court proceedings in racial discrimination cases continued to be excessively lengthy, impeding victims' effective access to justice.

Segregation and societal discrimination against Roma and individuals of non-European ethnicity was common. A 2019 *Atlas of Roma Communities* study by

the government's Plenipotentiary for Roma Communities, the most recent available, found that as much as 49 percent of the Roma population resided in marginalized communities. According to the same study, only 19 percent of the Roma minority lived integrated among the majority population. The study found that 61 percent of inhabitants in the 100 largest concentrations of Roma 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 excessive use of force by members of the police force against Roma citizens. Although experts noted most cases of police violence were likely not reported by the Roma due to fear and lack of trust, and highlighted inadequate police investigation of such cases was a persistent problem, they reported a decline in incidences of police violence compared to previous years.

On September 8, the European Court of Human Rights ruled that authorities failed to adequately investigate a 2017 case of a Roma woman, 16 years of age at the time of the incident, who suffered serious injuries after falling out of a restroom window at a police station, where she was detained after being caught shoplifting. In its verdict, the court also stated that a temporary 5 percent salary deduction was an insufficient punishment for the police officer in charge of the woman when she fell and awarded her €30,000 in damages (\$32,100). The court, however, said the woman's allegations of mistreatment and discrimination against the involved police officers, who she claimed slapped her and called her a "dirty gypsy" inside a police car while being transported to the police station, were unsubstantiated.

In May a Kosice regional court dismissed a complaint lodged by the prosecution and confirmed a December 2021 verdict of a Kosice district court, which had acquitted a Roma woman who stood trial on perjury and false testimony charges in connection with the investigation of the 2013 police raid on a Roma community in Moldava nad Bodvou. The ruling was final and could not be appealed. The woman, who was illiterate and did not understand Slovak, was the last of six defendants in the case, five of whom had been acquitted by the Court in May and June 2021 after the 2020 verdict of the ECHR, which identified human rights abuses by authorities and awarded two of the raid victims' financial compensation to be paid by the government. In June, the ECHR accepted a settlement concluded between the government and a group of eight Roma victims of the raid, who had

lodge a complaint with the ECHR, accusing authorities of abuse of power, mistreatment, and discrimination during the raid and subsequently at the police station. As a part of the settlement, the government agreed to pay the victims financial compensation for nonpecuniary damages.

On September 26, NAKA arrested the mayor of the village of Zahorska Nova Ves and charged him with criminal intimidation for ordering members of an organized crime group to burn down trailer homes of three Roma families in 2007. During the incident, intended to intimidate the Roma into leaving the village, armed masked men broke into the homes of the Roma and set one of the trailers on fire after telling the inhabitants to flee under threat of violence. A child, age two, suffered second-degree burns as a result. NGOs involved in the case accused the police of failing to properly investigate the incident at the time. While the case remained pending, the mayor won a re-election in the October 29 municipal elections.

In May a Bratislava district court awarded financial compensation to a Roma man with a mental disability for nonpecuniary damages in relation to his unlawful two-and-a-half-month detention and ill-treatment in June 2013. Police had detained the man for throwing stones at a patrol car during a police attempt to arrest another Roma boy in Moldava nad Bodvou. Despite receiving an expert report confirming the man's disability during the man's detention, the police investigator did not release him as required by the law but instead kept him in custody for four additional weeks.

In February the police Inspection Service suspended an investigation into an April 2020 case of a police officer accused of beating a group of five Roma children who were trying to leave a marginalized Roma settlement that was placed under quarantine due to a COVID-19 outbreak in the community.

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

There were instances of public and elected officials at every level defaming minorities and making derogatory comments concerning Roma. On July 3, chairman of the neo-Nazi party Kotlebovci – Ludova strana Nase Slovensko

(Kotleba's – People's Party Our Slovakia, LSNS) Marian Kotleba boasted on his Facebook account regarding his party's successful efforts to tear down a run-down house in the town of Tisovec where Roma lived. In January the Banska Bystrica District Court ordered the LSNS party to pay financial compensation and publicly apologize to a Roma politician for spreading lies concerning her and labeling her a "Gypsy fanatic" in the LSNS party's print and online news.

In August President Zuzana Caputova, Prime Minister Eduard Heger, Justice Minister Maria Kolikova, and Foreign Minister Ivan Korcok individually commemorated the Roma Holocaust. President Caputova, who met with a Roma woman whose family was repressed during the World War II, stated that the Roma Holocaust is largely "unknown and poorly documented" and emphasized that knowing individual victims' stories is important to understand how words can turn into killings. Prime Minister Heger noted that no one should be discriminated against because of their ethnic origin, highlighting that the "Roma continue to face prejudice and are often side-tracked by the society." Other government officials attended a Roma Holocaust remembrance ceremony in Banska Bystrica. In September, Parliament adopted the International Holocaust Remembrance Alliance's working definition of anti-Roma racism and called on the government to ensure its implementation.

According to a March poll by the Focus Agency, 70 percent of respondents objected to the hypothetical possibility of Roma persons as neighbors.

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

In January the Constitutional Court rejected a complaint against a July 2021 verdict of the Supreme Court, which had ruled against an extraordinary appeal filed by a group of five Roma in April 2014. This followed repeated dismissal by the Presov Regional Court of the group's antidiscrimination lawsuit in a 2005 case, when they were allegedly refused service in a local pub in the village of Caklov, in the eastern part of the country, on the grounds of their ethnicity. In June, the human rights NGO Poradna, which represented the Roma in the case, submitted a complaint to the ECHR, claiming discrimination, denial of fair trial due to

institutional racism and anti-Roma prejudice within the court system, and inadequate duration of the court proceedings, which lasted 15 years.

Local authorities continued to use regulatory obstacles, such as withholding of construction permits, to discourage the legal establishment of Roma settlements. In January a Kosice district court ruled in favor of nine Roma who sued the city of Kosice after the local authorities in 2012 forcibly evicted them, along with approximately 150 other Roma, including children and sick, from a makeshift Roma settlement in Nizne Kapustniky, Kosice, which the local authorities subsequently dismantled. According to the verdict, the city of Kosice, which claimed its actions were in accordance with its waste management regulations, violated the plaintiffs' human dignity and right to privacy while discriminating against them based on their ethnicity. Media reported cases where non-Roma persons tried to prevent Roma customers from buying or renting property in "their" neighborhood.

Members of the Roma minority continued to experience obstacles and discrimination in the access to quality health care. A 2021 study by the EU's Agency for Fundamental Rights released in October estimated life expectancy in the Roma population at 70.4 years, nearly seven years less than the general population. NGOs reported Roma women faced multiple forms of discrimination in reproductive health care, including segregation in maternity departments, verbal harassment, and mistreatment by medical personnel. The hospitals claimed they grouped persons according to their levels of hygiene and adaptability, not by ethnicity. NGOs continued to express concerns regarding the way medical personnel obtained informed consent from Roma patients, often not fully explaining its meaning, or requesting a signature under time pressure. COVID-19 also negatively impacted the health of the country's Roma community. According to a January analysis by the Ministry of Finance, Roma from marginalized communities died during the second wave of the pandemic at twice the rate of the country's population.

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 fall under the purview of the National Counterterrorism Unit at

the NAKA and are prosecuted by the Specialized Prosecution Service at the Specialized Criminal Court. Experts credited these specialized law enforcement and prosecution agencies with an increased number of cases and higher conviction rate for perpetrators of “extremist” crimes as well as for raising the profile of the issue in society.

## **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. There were no reports of birth registration denial, and birth registration was provided on a nondiscriminatory basis. Failure to register resulted in denial of public services.

**Education:** Roma 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. An analytical report released by the Roma Plenipotentiary in November confirmed earlier reporting from the Ministry of Finance and ombudsperson that Roma children received an inferior education compared with their non-Roma peers. The report found a disproportionately high share of Roma children from marginalized communities in “special” schools for children with intellectual disabilities (three times higher than the population as a whole), while 47 percent of Roman children from marginalized communities attended Roma-only classes with 32 percent in Roma-only schools. According to the report, only 32 percent of Roma children from marginalized communities had received preschool education, compared with 87 percent for the general population.

School closures during the COVID-19 pandemic deepened the educational gap between children from disadvantaged socioeconomic backgrounds, particularly children from marginalized Roma settlements, and children from more affluent families. According to a study conducted by NGO EduRoma, 70 percent of marginalized Roma children did not participate in distance learning, and 60 percent of them had no contact with their teachers whatsoever because of closure of primary and secondary schools during the first wave of the COVID-19 pandemic



in 2020, mainly because more than 80 percent of them did not have access to a computer while 60 percent lacked internet access, as reported in a March government report on digital poverty. Educational professionals warned this interruption in the education of children from disadvantaged backgrounds would have lasting impacts on their future educational and career prospects, as an increased number of Roma students faced grade repetition in the 2021-2022 school year, which – according to experts – often led to early dropping out and noncompletion of their education.

There were reports of racial discrimination and inappropriate language being used against members of the Roma minority at all levels of the education system. In November 2021, the Presov District Court ruled in favor of three Roma children from the village of Hermanovce, in the eastern part of the country, who in their 2016 antidiscrimination lawsuit claimed they had been illegally placed into special education classes for children with mild intellectual disabilities at a local elementary school entirely based on their ethnicity. The Court ruled that a private special educational assessment center in Presov discriminated against the children by improperly diagnosing them with an intellectual disability because of their ethnicity, as did the school, which failed to investigate why its special education classes were disproportionately made up of Roma children. In its verdict, the Court also found the school responsible for segregating Roma children in special education classes, which were in a separate school building attended exclusively by Roma children. The Court ordered the defendants to apologize to the Roma children and awarded each financial compensation. In response to the verdict, the State School Inspection carried out an inspection at the school and in August published its findings, confirming discrimination against Roma children. Although the case was pending an appeal verdict as of year's end, Roma education activists considered the first-ever court verdict recognizing discrimination of Roma children in the special education system as groundbreaking.

As part of the government's effort to provide inclusive education, in April the Ministry of Education released a Roma desegregation guidance manual for schools and school administrators, which experts lambasted for failing to provide practicable guidance and for presenting cases of segregated schools as best practices. Experts also noted that existing laws lacked a definition of segregation.

**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 most recent available, indicated that 70 percent of children ages 13 to 15 had experienced some form of physical, emotional, or sexual violence or parental neglect.

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 operated a national helpline.

**Child, Early, and Forced Marriage:** The legal minimum age for marriage is 18. In exceptional cases, based upon request of one of the members of the marrying couple, a competent court may allow marriage of a person as young as 16 if both parents consent. Authorities continued reporting several cases of children of Roma descent being subjected to forced "traditional" marriage, often by their legal guardians seeking financial benefit. As of year's end, one child victim of an attempted forced marriage had been identified by authorities.

**Sexual Exploitation of Children:** Rape and sexual violence against a child carry basic penalties of seven to 15 years' imprisonment. The law establishes 15 as the minimum age for consensual sex. The law prohibited sexual exploitation of children, including child sex trafficking, and prescribed penalties of four to 10 years' imprisonment. As of November, police reported 372 cases of sexual abuse of children younger than 15, compared with 422 cases in 2021 and 468 in 2020. Experts stated that sexual exploitation of children went largely underreported and that convicted perpetrators often received lenient sentences. In 2022, children accounted for 45 percent of all identified sex trafficking victims (nine girls younger than 18, including one attempted sex trafficking case). Most perpetrators were parents or relatives. (See also section 7.c., Prohibition of Child Labor and Minimum Age for Employment).

In June the Dolny Kubin District Court approved a plea bargain in the case of a Roman Catholic priest and teacher who sexually abused a girl, age 14, sentencing

him to a three-year suspended sentence, probation, and a restraining order. When justifying the lenient verdict, the judge claimed the victim was not traumatized enough and stated that such sentences were common and adequate. Following review of the case, the Prosecutor General concluded in August that the deputy district prosecutor, who initially proposed a lower, two-year suspended sentence, mismanaged prosecution of the case, resulting in a “disproportionally lenient” sentence. In addition to dismissing the prosecutor from her position on September 10, the Prosecutor General ordered the Zilina Regional Prosecutor to adopt measures to prevent such cases in the future and ordered a further review of plea bargain cases supervised by the Zilina District Prosecutor’s Office. In September, the Justice Minister filed an extraordinary appeal to the Supreme Court in this case.

The production, distribution, or possession of child pornography is a crime with penalties ranging from two to 20 years’ imprisonment. In its 2021 annual report, published in August, the Office of the Prosecutor General reported a steep increase in the number of criminal investigations into child pornography launched by the police since the beginning of the COVID-19 pandemic, but noted that only a portion of the cases resulted in criminal charges against the perpetrators, citing technical requirements and capacities necessary for obtaining admissible evidence as the main reason. According to experts, convicted perpetrators sometimes received lenient or suspended sentences. On September 30, the Nitra District Court approved a plea bargain in case of a man, age 21, and convicted him to a two-year suspended sentence for the crime of distribution of child pornography via Snapchat, while in January, the Revuca District Court convicted a local man to a two-year suspended sentence and forfeiture of his smart phone after accepting his plea bargain in a case of production of child pornography. NGO “Ochran ma” (Protect Me), led by a former police investigator, criticized the authorities for failing to act against domains hosting child pornography based in Slovakia, which—according to a November snap study by the Internet Watch Foundation—hosted the third highest number of the analyzed child pornography content in the world. Slovakia was not a member of International Association of Internet Hotlines (INHOPE) and did not operate a dedicated hotline for reporting and removing child pornography content from the internet.

**Institutionalized Children:** Outpatient services remained the predominant form

of care for children with disabilities, although in specific cases, including when mandated by courts, children with disabilities were placed in state-run institutions or social care homes. There were approximately 600 institutionalized children with disabilities, and NGOs attributed a substantial share of institutionalizations to lack of government support and services available to the families of the children. Children's rights and disability persons commissioners regularly monitored the situation in institutions where children with disabilities were placed, citing insufficient funding, inadequate physical conditions, lack of specialized material and technical equipment, and shortages of specialized staff and care as the most pressing problems.

In March the disability commissioner reported findings from her inspection of a children's psychiatric ward in a government hospital in Presov, which she called "stricter than the strictest prison." Children were allowed outside only as a reward, were banned from listening to the radio or watching TV and were routinely sedated and placed in cage beds upon admission to the facility. In May the Public Defender of Rights reported in her annual report on multiple human rights abuses in relation to treatment of children in the country's only children's mental health institution in the village of Hran, in the eastern part of the country. According to the ombudswoman, staff of the facility subjected the children to degrading treatment and restricted their family contact. Former residents of the facility also told media in June of physical and verbal abuse and poor hygienic standards, which were allegedly commonplace in the institution for years.

## **Antisemitism**

According to the 2021 census, there were 2,007 Jews living in the country, although Jewish community leaders estimated the Jewish population at 5,000 persons.

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. Among the elected representatives for neo-Nazi party Kotlebovci – Ludova strana Nase Slovensko (Kotleba's – People's Party Our Slovakia, or 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-Roma statements made in a public radio broadcast, who left LSNS in 2021.

On December 9, a prosecutor of the Specialized Prosecution Service filed an indictment against Marian Magat, a former LSNS candidate labeled by media as a far-right extremist and admirer of Adolf Hitler, for “extensive and long-term extremist criminal activity” and charged him with 37 cases of extremism, including founding, supporting, and promoting a movement suppressing basic rights and freedoms, production and dissemination of extremist materials, collecting Nazi paraphernalia, and Holocaust denial in relation to a book titled “Jewocracy” he had authored in 2020. The crime carried a maximum sentence of eight years in prison. On February 16, the Supreme Court rejected Magat’s appeal against an earlier decision of the Specialized Criminal Court, which had placed him in pretrial custody. The case was pending at year’s end.

There were cases of violence and threats of violence motivated by antisemitism. On May 13, following a multinational investigation, police arrested an unnamed man, age 22, who operated on the international far-right extremist cyber scene under the nickname “Slovakbro,” where he spread neo-Nazi militant accelerationist ideology and called for the overthrow of the democratic political system through violent attacks and subversion. After the man fully confessed to his crimes, on November 10 the Specialized Criminal Court decided to accept his plea bargain and sentenced him to six years in prison for participating in terrorism and committing a range of extremist crimes, including dissemination of extremist material, Holocaust denial, and founding, supporting, and promoting a movement suppressing basic rights and freedoms. On the evening of October 12, Juraj Krajčík shot to death two persons and injured another in front of an LGBTQI+ friendly bar in the center of Bratislava. According to the authorities, Krajčík was motivated by militant neo-Nazi ideology and antisemitic conspiracy theories. In a 65-page manifesto he posted online hours before the attack, the first three

sentences of which read “It’s the Jews,” Krajcik expressed deep hatred toward religious, sexual, and racial minorities and called for “total eradication of all Jews, to the last man, woman, and child.” Political leaders across the spectrum, including President Zuzana Caputova, Prime Minister Eduard Heger, and Parliamentary Speaker Boris Kollar, denounced the attack and called for the end of hateful rhetoric in public space (see also Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics).

On April 5, the Supreme Court found LSNS party chairman Marian Kotleba guilty of extremism, sentencing him to a six-month suspended sentence and 18-months of probation. The Court, however, overruled an earlier verdict of the Specialized Criminal Court, which had sentenced Kotleba to four years and four months in prison for “founding, supporting, and promoting a movement suppressing basic rights and freedoms” in relation to a 2017 charitable ceremony featuring neo-Nazi symbols, and convicted him of the lesser crime of “expressing sympathies to a movement suppressing basic rights and freedoms.” The verdict was final and could not be appealed, and because of the criminal conviction, Kotleba automatically lost his parliamentary seat.

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 commemorated dates associated with the Slovak fascist state and its president, Jozef Tiso, including the LSNS youth wing, which on March 14 published a social media post celebrating creation of the fascist state in 1939 as “the most important date in our history.” On the same date, LSNS chairman Marian Kotleba shared on his social media account a video of a man claiming Tiso saved his life and those of 800 other children—a move that experts claimed was an attempt to glorify the president of the Slovak fascist state. In September a prosecutor from the Office of the Prosecutor General filed a criminal complaint against the village of Varin after its councilors in July again rejected calls to change the name of a street named after the Slovak fascist state president, arguing the name violated the law. On October 29, the village council held a local referendum to decide whether to change the street name, in which 75 percent of the

participating voters rejected the change. Because it was 3 percent short of crossing the required 50 percent turnout, the referendum was invalid.

Antisemitism experts criticized Finance Minister and OLaNO Party Leader Igor Matovic for trivializing the Holocaust in June when he compared himself to a “Jew of the 21st century” in response to a poll that found him the country’s least trustworthy politician. Matovic refused to apologize, calling his statement “a cruel but apt metaphor” for media criticism that was similar to scapegoating of the Jewish population in the 1930s.

In August the Council for Media Services—an independent government media regulator—assumed new powers to address illegal and harmful content on social media, including content defined by the law as “extremist,” such as Holocaust denial and incitement to national, racial, or ethnic hatred. In December the Council launched administrative proceedings against the owner of the “Hlavne spravy” (Main News) website, which experts called a notorious disinformation outlet, for an online blog post titled “Jewish Woman from Tel Aviv Reveals Falsification of the Holocaust Story” that claimed the Holocaust was a fraud and a manipulation. While the case remained pending, the website took down the author’s blog following the launch of the Council’s investigation.

On March 25, President Caputova, Prime Minister Heger, and other government officials commemorated the 80th anniversary of the first deportations of Jews from the wartime Slovak fascist state. The same day, Parliament opened its session with a minute of silence in memory of the victims of the first transport and subsequently adopted a resolution condemning the “particularly reprehensible forced deportations,” expressing regret and apologizing to the Jewish community for the actions of the Slovak fascist state.

## **Trafficking in Persons**

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

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex**

## Characteristics

**Criminalization:** Same-sex conduct is legal for both men and women. The age of consent is equalized.

**Violence against LGBTQI+ Persons:** There were cases of violence, hate speech, and online harassment targeting LGBTQI+ persons. On the evening of October 12, a high school student, Juraj Krajcik, age 19, shot to death two persons and injured another in front of the LGBTQI+-friendly bar “Teplaren” on Zamocka street in the center of Bratislava. Following an hours-long manhunt, police found Krajcik dead on the morning of October 13 after what authorities believe was a suicide. NAKA, which was still investigating the shooting as a terrorist act at the year’s end, reported that the shooter had been posting antisemitic, neo-Nazi, and anti-LGBTQI+ content on social media and online discussion fora for a long time and—hours before the attack—published a 65-page antisemitic manifesto inciting violence against ethnic, religious, and sexual minorities.

Political leaders across the board condemned the attack and denounced violence and hateful rhetoric against minorities. Hundreds of persons attended multiple vigils in cities across the country, while an estimated 15,000, including President Caputova and Prime Minister Heger, gathered in Bratislava on October 14 at the scene of the shooting to mourn the victims and condemn violence and discrimination against the LGBTQI+ community, the largest ever gathering in support of LGBTQI+ persons in the country’s history. On October 18, Parliament overwhelmingly passed a resolution condemning the attack and calling for end of violence and hateful rhetoric against minorities, while on October 20, the European Parliament adopted a resolution expressing grave concern over frequent use of offensive, aggressive, and homophobic language toward the LGBTQI+ community in Slovakia, including by former and current government officials.

Members of the LGBTQI+ community and NGOs reported multiple violent attacks and hateful rhetoric against LGBTQI+ persons in the aftermath of the shooting, including an attack against a teenage LGBTQI+ couple in the city of Nitra on the night of October 21. During the incident, two men verbally harassed the couple for kissing in a public space before proceeding to physically assault them. One of the victims, a man, age 19, was hospitalized and underwent a surgery to treat facial



injuries as a result. Police continued investigating the case at the year's end.

On November 4, media published a leaked internal letter from the Roman Catholic Archbishop of Trnava Jan Orosch to the archdiocese's priests, in which he questioned the innocence of the victims of the "Teplaren" bar shooting and alleged the bar served underage patrons and drug users. Prime Minister Heger denounced the archbishop's statements, which the police publicly rejected as manipulative and stigmatizing of the LGBTQI+ victims, and the archbishop later published an apology. According to a report published in December, the Council for Media Services—a government media regulator tasked with addressing illegal and harmful content on social media—requested social media platforms remove 66 instances of harmful content in the period of two weeks following the "Teplaren" bar shooting, with a majority of the flagged content constituting hate speech, followed by misinformation, and five cases of inciting violence against LGBTQI+ persons.

Police repeatedly denounced violence and hateful rhetoric toward LGBTQI+ persons and along with NAKA investigated reported incidents, as well as cases of widespread online anti-LGBTQI commentary approving of the attacks and inciting further violence against the LGBTQI+ community. LGBTQI+ organizations praised the unprecedented public messaging of the police but noted that a victim-centric approach of the members of the police remained an issue despite some improvements.

President Caputova criticized the parliament for failing to contribute to greater acceptance and safety of LGBTQI+ individuals when on October 19 an overwhelming majority of MPs rejected a draft law aimed at improving the legal standing of unmarried same-sex couples. LGBTQI+ NGOs criticized the government and the parliament for ignoring their renewed calls to address the human rights situation and safety of the LGBTQI+ community despite the mounting public pressure following the "Teplaren" bar shooting.

While the July and August annual LGBTQI+ Rainbow Pride parades in Bratislava and Kosice attracted only a handful of hecklers, and there were no reports of violence, organizers reported online hate speech. A representative of a widely read online news outlet reported that in the days following the Bratislava parade the

outlet's social media account administrators blocked more than 300 accounts for posting hateful and aggressive comments targeting members of the LGBTQI+ community, with several comments "bordering on criminality and calling for violence."

**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, but not gender identity, as a hate crime motivation that warrants stiffer sentences. NGOs reported the government did not always actively enforce these laws, and experts claimed that authorities rarely identified sexual orientation in hate crimes to avoid charges that would entail harsh sentences. The law did not recognize same-sex couples and their families, apart from cases in which a different EU member state had already officially recognized a parental relationship between a same-sex couple and a child.

On October 31, the Zilina Regional Court ruled in favor of a Slovak-Argentinian same-sex couple, legally married in Argentina, who in 2020 filed a discrimination lawsuit against the Bureau of Border and Foreign Police after it refused to award the Argentinian man a family-based five-year permanent residence due to nonrecognition of his marriage to a Slovak citizen. In the first-of-its-kind verdict, the court stated the refusal constituted illegal discrimination based on sexual orientation and a violation of the right to respect for private and family life as well as of freedom of movement, mandating the Bureau's local branch review the residence application again in full compliance with existing rulings of the European Court of Human Rights. In June the Constitutional Court agreed to review a motion submitted by the ombudsperson in March, in which she challenged as discriminatory the nonrecognition of same-sex unions officiated in foreign countries and involving a non-EU citizen in case of the non-EU partner applying for a permanent residence. The ombudsperson acted upon a similar case from 2017 by a same-sex couple, legally married in New Zealand in 2014, that involved a citizen of New Zealand.

Throughout the year, representatives of several political parties, including the coalition OLaNO party, presented sexual minorities as "sick" and "perverted." In May when defending his pro-family inflation aid package, the party leader and

Finance Minister Igor Matovic stated that a family is composed of a man and a woman, and not “clusters of weird coincidences that have met and just told themselves they are a family.” The same month, when criticized for his harsh criticism of journalists, Matovic claimed he was attacked by media for not having an LGBTQI+ sexual orientation. In February and August Matovic shared on his social media account articles on controversial cases concerning transgender persons, adding comments “sick world” and “when you go completely mad,” which attracted extensive hate commentary targeting transgender persons. According to a March poll by the Focus Agency, 41 percent of respondents would mind LGBTQI+ persons as their neighbors.

**Availability of Legal Gender Recognition:** LGBTQI+ 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,” and experts criticized lack of official guidance. In view of this absence, registry offices required confirmation that a person had undergone permanent sterilization before issuing new identity documents.

In March following long-term calls by human rights organizations, the ombudsperson, psychiatry and sexology associations, and the disability rights commissioner, the Ministry of Health published new medical guidance that harmonized health care procedures and specified health care professions to be involved in the gender reassignment process while offering persons seeking legal transition an option to choose one-year-long hormone therapy instead of undergoing a surgical gender transition. After political backlash and an instruction of the Ministry of Interior to the registry offices to suspend issuing new legal documents to persons seeking legal transition until more clarity on the new process is provided, in May the Ministry of Health withdrew the medical guidance, announcing it needed to develop a missing standard procedure for diagnosis and healthcare provision to transgender persons.

In an open letter published in November, representatives of dozens of Christian NGOs urged Prime Minister Heger to stop the adoption of the standards that the Ministry experts developed in the meantime, demanded a ban on legal transition, and called for provision of conversion therapy as a form of “true help” for

transgender persons. A group of nearly 270 medical professionals and workers published an open letter to Prime Minister Heger and Minister of Health Vladimir Lengvarsky in December, in which they rejected medical and social transition as unethical and harmful to transgender persons' physical and mental health and called for psychotherapeutic tools for treating transgender persons instead. As of year's end, the guidance had not been reissued. According to NGOs, due to the withdrawal of the guidance and a lack of instructions to registry offices, since April authorities stopped issuing new legal documents to persons seeking legal gender transition entirely.

On May 13, the Committee for Rights of LGBTI Persons, a permanent expert body of the Government Council for Human Rights, National Minorities, and Gender Equality chaired by the Minister of Justice, unanimously called on the Ministry of Health to promptly develop and adopt the diagnostic and health care procedure to allow full implementation of the new medical guidance, and asked the Interior Ministry to instruct the registry offices to proceed in line with their standard practices until the guidance is republished.

In the first-ever judicial case concerning legal gender recognition, the Supreme Administrative Court on October 19 rejected an earlier ruling of the Banska Bystrica Regional Court in the case of a transgender woman, who in 2019 appealed to the regional court against a decision by a local registry office in the city of Zvolen to deny her legal gender recognition request on the grounds that she did not undergo a permanent surgical sterilization. According to the Supreme Administrative Court, the appellate court failed to justify why it insisted on surgical sterilization as the only acceptable proof of "gender change" despite the law not explicitly defining such a requirement nor providing any official guidance. The Supreme Administrative Court asked the Regional Court to review the case again in compliance with relevant judicature of the European Court of Human Rights.

NGOs also reported instances of public authorities not recognizing transition undergone abroad and requesting that persons undergo the process again in the country.

Except in the case of university diplomas, 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. Experts noted that because of inability to acquire new educational certificates, transgender persons often experienced discrimination on the labor market and ridicule from potential employers.

### **Involuntary or Coercive Medical or Psychological Practices Specifically**

**Targeting LGBTQI+ Individuals:** So-called conversion therapy practices are not banned. Several—mostly religious—organizations continued promoting “conversion therapy” as a method of changing a person’s sexual orientation or gender identity or expression.

### **Restrictions of Freedom of Expression, Association, or Peaceful Assembly:**

There were no reports from LGBTQI+ NGOs and human rights activists concerning restrictions of freedom of expression, association, or peaceful assembly.

### **Persons with Disabilities**

Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others. NGOs reported that persons with disabilities continued to experience several problems, particularly in access to education, transport, employment, and government as well as private services.

According to the government’s commissioner for disabled persons, while a few children with disabilities participated 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 cited for the separate 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. In June, an elementary school in Bratislava issued an apology to a girl with a disability after a Bratislava District Court ruled the school had discriminated against her in 2013 when it refused to enroll her on the grounds that she posed a risk to other students due to her disability. In addition to the apology,

the court also ordered the school to pay the girl financial compensation of 3,000 euros (\$3,210).

In 2021 Parliament adopted an education law reform that introduces inclusive education both as one of the principles of education and as a right of a child and student. The law removed the previous rule of allowing a maximum of two children with special education needs per classroom in kindergartens and introduced an option for children with mental disabilities to formally complete elementary level education, removing a legal barrier to accessing high school education. The law also aims to provide better access to counseling services for all children, including those with most serious problems requiring specialized assistance. In August the Ministry of Education allocated additional funds to increase the number of available education assistants and health care workers at schools. Education experts expressed some reservations due to slow implementation, a shortage of qualified personnel at schools, a lack of dedicated funding, and the absence of an integrated support system.

According to a 2020 study by the Value for Money Unit of the Finance Ministry, students with disabilities constituted 11 percent of students in elementary schools, 7 percent in secondary schools, and 1 percent among university students. Only 67 percent of children with disabilities attended preschool.

Broadcasters rarely complied with laws requiring television stations to provide audio descriptions for viewers who are blind or have impaired vision. The government did not provide information and communication on disability concerns in accessible formats.

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, the ombudsperson, 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. In July, a woman in a wheelchair with an oxygen tank reported that during her train journey to Bratislava she and her son were forced to travel in a railroad car used for storage after the train-operating company failed to provide an

accessible train compartment, despite her notifying the company in advance. After refusing to ride in a bicycle and luggage compartment without access to electricity for her oxygen tank, she was placed in a cramped minibar compartment, where she claimed drink cans fell on her from an overhead compartment every time the train stopped. When the woman shared her story in public, the company offered an apology and her money back.

The government's Council on Human Rights, National Minorities, and Gender Equality operated a committee on persons with disabilities, serving as a governmental advisory body that included representation from NGOs working on disability problems. In June, the government agreed to transform the committee into a self-standing government's Council for Persons with Disabilities. The Council is intended to advise the government and develop policies aimed at improving the rights and situation of persons with disabilities. In April 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, as well as providing recommendations for legislative and policy changes, based on the commissioner's own monitoring and complaints lodged by citizens. The commissioner noted increasing incidences of violence in households with persons with disabilities and of violence and bullying in schools involving children 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 based on disability. Laws did not limit the rights of persons with disabilities to participate in civic life, and persons with disabilities were permitted to vote in the company of an assistant or remotely via mobile ballot boxes. Representatives of the Slovak Blind and Partially Sighted Union complained that voting with an assistant could in some cases breach vote secrecy and called for electronic elections as a more accessible alternative for persons with disabilities. Experts criticized the government for insufficient action and limited progress in improving independence and social integration of persons with disabilities that hampered their full participation in civic life.

## **Other Societal Violence or Discrimination**

NGOs reported online hate speech toward migrants and refugees.

The Center for the Research of Ethnicity and Culture released a study in May 2021 that confirmed a worsening trend in public attitudes toward migrants in the country. Most respondents believed foreigners contributed to higher crime rates (65 percent) and worsened safety (62 percent). According to the study, a majority also held negative attitudes toward a “refugee from Syria” (68 percent) and a “Muslim family” (64 percent). In its July study on right-wing extremism, the Institute for Public Affairs found that 66 percent of the population would disapprove of Muslims as their neighbors. According to a September poll by Focus Agency commissioned by the NGO Milan Simecka Foundation, almost 25 percent of respondents stated it was “very important” that Muslims do not have the right to settle in the country. For 16 percent it was “very important” that those with the right to settle in the country are white and come from a Christian background.

Government officials at all levels and leaders from across the political spectrum engaged in rhetoric portraying refugees and Muslims as a threat to society, and several political parties used antimigrant rhetoric. In February, in the early days of the Ukraine refugee crisis, third country nationals of color began fleeing through the border with Ukraine. LSNS MP Stanislav Mizik released a video he recorded at the Vysne Nemecke border crossing point showing groups of third country nationals, saying he saw no mothers with children fleeing Ukraine, but instead “Africa,” which he warned was “the end of the European civilization.” Extremist Republika party MP Milan Mazurek, convicted in past for anti-Roma racism, released a video from the same border crossing point in March, in which he alleged that out of the “many young men from Africa” he saw, many were “economic migrants” who were “trying to abuse the situation” and who posed a security risk. Police actively warned against disinformation and fearmongering that portrayed third country nationals as illegal economic migrants and a security threat, and in March the vice president of the police corps stated police were investigating more than 20 cases of extremism and racism related to the refugee crisis.



## **Section 7. Worker Rights**

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

The law 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). Health and social care sector workers, nuclear power plant, pipeline, and telecommunication service operators' workers, air traffic controllers, judges, prosecutors, and members of the armed forces and firefighting and rescue services 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. Penalties were sometimes applied against violators.

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, which were commensurate with those for other serious crimes, but were not fully applied. The Ministry of Interior and the International Organization for Migration trained government officials in identifying forced labor trafficking victims.

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 sex trafficking, and organized joint inspections of business entities to identify illegal employment and forced labor. Judges continued to issue lenient sentencing, resulting in 71 percent of convicted traffickers receiving fully suspended sentences in 2021, which undercut efforts to hold traffickers accountable, weakened deterrence, created potential security and safety concerns for victims, and was not equal to the seriousness of the crime. There were also reports of children subjected to sex trafficking (see section 7.c.).

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 law prohibits all the worst forms of child labor. The minimum age for employment is 15, although younger children may perform light work in cultural or artistic performances, sports events, or advertising activities if it does not affect their health, safety, personal development, or schooling. The National Labor Inspectorate (NLI) and 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 younger than 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 were 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. Penalties were regularly applied against violators. Resources, inspections, and remediation were generally adequate.

There were reports Roma children in some settlements were subjected to child sex trafficking and forced marriage (see section 6, Children). NGOs reported that family members or other Roma exploited and trafficked Roma victims, including children with disabilities.

#### **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 were commensurate with those for other civil rights laws. The government did not consistently enforce the law. Penalties were rarely applied against violators.

Employers discriminated against members of the Roma minority. The government continued implementing projects to increase the motivation of the long-term unemployed Roma to find jobs. In April it adopted a Roma employment action plan for 2022-2024 that sought to increase integration of marginalized Roma communities, including Roma women, in the labor market through training, active labor measures, incentivizing employers, and reducing labor discrimination. In June the government also approved the *Operational Program Slovakia* for 2021-2027, which included increased employment of men, women, and youth from marginalized Roma communities as one of its key investment priorities. A November Roma Plenipotentiary report showed disproportionately lower

employment levels among working-age Roma living in marginalized communities (33 percent) compared to the overall work-age population (92 percent), with significant differences in employment of marginalized Roma in comparison with overall population with the same education level. According to the report, 19 percent of Roma from marginalized communities with low education and 42 percent with secondary-level education were employed compared to 38 percent and 77 percent, respectively, in the overall population. The report cited social exclusion as a barrier to job market integration as well as employers' discriminatory practices as key reasons.

NGOs working with Roma from such communities reported that, while job applications by Roma were often successful during the initial phase of selection, in most 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. While the Finance Ministry's analytical unit found in its January report that Roma employees from marginalized settlements experienced approximately the same levels of layoffs caused by the COVID-19 as the majority population, the loss of employment and the economic downturn had a disproportionate effect on them due to greater risk of poverty among the Roma population.

Despite having attained higher levels of education than men, women faced an employment gap of almost 9 percent, according to Eurostat 2021 data, and the Slovak Business Agency reported that less than 29 percent of entrepreneurs were women. According to a February report by Deloitte, women comprised 25 percent of the boards of the largest listed companies. Experts noted motherhood negatively affected career prospects due to long maternity and parental leave and a lack of preschool facilities and flexible work arrangements. There is no mandated paid paternal leave, which put a disproportionate care burden on women. Women earned on average 21 percent less than their male colleagues, according to the *2022 Gender Equality Index* by the European Institute for Gender Equality.

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

**Wages and Hours Laws:** The minimum wage exceeded 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, 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 100 percent of their hourly rate. Employers who fail to follow wage and overtime rules face penalties that were commensurate with those for similar violations.

**Occupational Safety and Health:** The law establishes occupational safety and health (OSH) standards that are appropriate for main industries. 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. In 2021 there were 93 accidents that caused serious workplace injuries or death and 7,762 accidents that resulted in less severe injuries.

**Wage, Hour, and OSH Enforcement:** Trade unions, local employment offices, and the Ministry of Labor, Social Affairs, and Family monitored observance of the wage, hour, and OSH laws and determined the NLI – the authority charged with enforcing them as well as for conducting wage, hour, and OSH inspections – did so generally effectively. The number of labor inspectors was sufficient to verify compliance with the laws, and inspectors had authority to make unannounced inspections. The NLI had authority to impose sanctions. Penalties were commensurate with those for similar crimes and were regularly applied against violators. Following the influx of refugees fleeing from Ukraine after February 24, authorities, including the labor offices and NLI, continued providing key information on legal employment, employment rights, and wage, hour, and OSH laws to Ukrainian refugees in the Ukrainian language to raise awareness and prevent labor laws violations and trafficking in persons. NLI implemented a limited awareness campaign aimed at workers and employers in seasonal industries

to prevent illegal employment and violations of wage, hours, and OSH laws.

**Informal Sector:** Workers in the informal economy were covered under wage, hour, occupational safety and health laws and inspections.