

SLOVENIA 2014 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Slovenia is a parliamentary democracy and constitutional republic. Power is shared among a directly elected president (head of state), a prime minister (head of government), and a bicameral parliament composed of the national assembly (lower house) and the national council (upper house). On July 13, the country held parliamentary elections that observers considered free and fair. Authorities maintained effective control over the security forces.

The most significant human rights problem was societal discrimination and occasional harassment and violence against the country's Roma, which aggravated their harsh living conditions, limited access to education and employment opportunities, and led to social isolation. Judicial and administrative backlogs and inefficiency resulted in trial delays, although there were signs of improvement. Self-censorship of the press and the threat and use of defamation suits stifled media criticism of officials and politicians.

Other problems reported during the year included prison overcrowding; no government system for providing legal counsel to indigent detainees; delays in resolving cases of property restitution; the process to compensate persons whose status as residents was "erased" after the breakup of the former Yugoslavia continued as the government approved 13 million euros (\$16 million) for fully processed claims and through mid-November had paid approximately three million euros in claims (\$3.75 million); government corruption; inadequate resources for the Commission to Prevent Corruption and the ombudsman; violence against women and children; trafficking in men, women, and girls; discrimination against lesbian, gay, bisexual, and transgender (LGBT) persons; ineffective sanctions for violations of workers' rights; and forced labor.

The government took steps to investigate, prosecute, and punish officials who committed abuses, whether in the security services or elsewhere in the government.

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

a. Arbitrary or Unlawful Deprivation of Life

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

The government continued to address extrajudicial killings and the uncovering of mass graves stemming from the period during and immediately after World War II, although some political and opinion leaders continued to fault it for slow progress identifying victims and clarifying the circumstances of the killings. During the year representatives of the government and parliament spoke out in favor of plans to restore the mass grave site at Huda Jama, one of an estimated 581 sites identified in 2009 by the government's Commission on Concealed Mass Graves in Slovenia, and called for an appropriate burial for the victims, despite continuing political sensitivities over the killings. On October 15, the Ministry of Labor, Family, Social Affairs, and Equal Opportunities launched a project to reconstruct the Huda Jama site.

b. Disappearance

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

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

The constitution and law prohibit such practices. During the year the Office of the Ombudsman for the Protection of Human Rights made numerous unannounced visits to prison and police stations in conjunction with nongovernmental organizations (NGOs). In most cases observers noted a marked reduction in complaints of excessive use of force. Beyond isolated accusations about delayed medical treatment in the case of prisoners who resisted arrest, officials did not receive any complaints regarding the conduct of police special units.

Prison and Detention Center Conditions

Physical Conditions: The country's prisons remained overcrowded. As of December 29, there were 1,514 prisoners in total, 1,246 of whom were convicts, 252 were detainees, and 16 were minors sent to correctional facilities. Authorities incarcerated men and women in separate facilities. During the year six persons died of natural causes. Of the six, two were on temporary release due to health concerns, and four died in prison due to illness.

Prisoners had access to potable water, adequate food, sanitation, and medical care. The prison administration paid special attention to the beneficial use of prisoners'

time. Authorities offered inmates a variety of work programs, education opportunities, and other activities, although space limitations in Dob Prison restricted work options for some inmates. During the year the number of inmates involved in such programs increased. There were various other programs for the treatment of addiction, sexual violence, and suicide prevention, and for preparation for release from prison.

The Forensic Psychiatric Unit in Maribor received prisoners from both hospitals and detention facilities.

Administration: Recordkeeping on prisoners was adequate. The ombudsman's office advocated for alternatives to incarceration for nonviolent offenders; the status and circumstances of confinement of juvenile offenders; and improvements in pretrial detention, bail, and recordkeeping procedures. The government actively investigated and monitored prison and detention center conditions. It made a special effort to ensure prisoners who did not speak Slovenian understood their rights. Prisoners and detainees had access to visitors and were free to observe their religious practices. Authorities allowed prisoners and detainees to submit complaints without censorship and to request investigation of alleged mistreatment. Authorities investigated such accusations and documented the results in a publicly accessible manner.

Independent Monitoring: The government permitted local and international human rights groups, the media, and international bodies such as the International Committee of the Red Cross to monitor prison conditions independently. Numerous NGOs and rights groups undertook visits to all prisons during the year.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

Police perform the country's basic law-and-order functions under the direct supervision of the Ministry of the Interior. The National Investigation Bureau and the Border Police fall under the general police administration in the Ministry of the Interior. The government, the Parliamentary Oversight Commission, the relevant district court, the ombudsman, the Court of Audits, and the Budget Supervision Office oversee the Slovenian Intelligence and Security Agency (SOVA). From

August through November, the Parliamentary Oversight Commission was unable to conduct routine oversight of the intelligence agency because of disagreements over whether former prime minister Jansa could sit on the committee.

Civilian authorities maintained effective control over police, and the government has effective mechanisms to investigate and punish abuse and corruption. The Police and Security Directorate and the Special State Prosecutor are responsible for investigating any killings by the government or its agents. The police's internal investigation division investigated allegations of police, prosecutorial, and judicial misconduct. There were no reports of impunity involving security forces during the year. There were no arrests or trials for such cases by year's end.

Arrest Procedures and Treatment of Detainees

Police generally made arrests with warrants issued by either a prosecutor or a judge. Authorities may detain suspects for 48 hours before charging them. The law requires authorities to inform suspects of their rights immediately after arrest and to advise detainees in writing within six hours (or within three hours for minor offenses) of the reasons for their arrest. Suspects must have prompt access to a judge. Authorities generally released defendants on bail except in the most serious criminal cases. Upon arrest, detainees have the right to contact legal counsel of their choice and the right to counsel when authorities question them. The government provided indigent detainees with free counsel. The law provides for prompt access to immediate family members and recognizes detention under house arrest. Authorities generally allowed detainees prompt access to family members.

Pretrial Detention: Although the law provides the right to a trial without undue delay, court backlogs at times resulted in lengthy trial delays. Once authorities charge a suspect, pretrial detention may last for up to four months, depending on the severity of the alleged crime. An investigative judge must certify the charges. After trial procedures begin, authorities may extend the total detention period for up to two years. Authorities must release persons detained more than two years while they await trial or pending conclusion of their trial. The "Lukenda" project, started by the government in 2005 to eliminate the judicial backlog, continued to improve the efficiency of the judiciary, reducing court backlogs and decreasing the average processing time.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence.

Trial Procedures

The constitution and law provide for the right to a fair trial, and the judiciary generally enforced this right. Defendants enjoy rights to a presumption of innocence, to be informed promptly and in detail of the charges (with free interpretation as necessary), to a fair and public trial without undue delay, to a trial by jury, and to legal counsel. While indigent defendants have the right to an attorney provided at public expense, the government did not establish a formal system to provide legal counsel to the indigent. The NGO Legal Information Center and the government-sponsored Free Legal Aid made free counsel available to indigents. Defendants have the right to adequate time and facilities to prepare a defense, to access government-held evidence, to confront prosecution witnesses, present their own witnesses and evidence, and to appeal. The law also provides safeguards against self-incrimination. These rights extend to all defendants.

The judicial system was overburdened and lacked administrative support, at times resulting in delays in the judicial process. In some instances criminal trials lasted from two to five years.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The constitution and law provide for an independent and impartial judiciary in civil matters, including damages for, or cessation of, human rights violations. As with criminal matters, court backlogs sometimes resulted in lengthy or delayed trials. Individuals may appeal court decisions involving alleged violations of the European Convention on Human Rights by the government to the European Court of Human Rights (ECHR) once they exhaust all avenues of appeal in domestic courts.

Regional Human Rights Courts Decisions

The country is subject to the jurisdiction of the ECHR. The government has not yet fully complied with the ECHR's 2012 decision on the "erased." The judgment

requires the government to pay each citizen of other Yugoslav republics who lost their Slovenian residency in the 1990s a sum of 20,000 euros (\$25,000) in compensation. During the year the government approved 13 million euros (\$16 million) for fully processed claims and through mid-November had paid approximately three million euros in claims (\$3.75 million). On March 12, the ECHR considered the government's approach "appropriate."

Property Restitution

Some cases involving the restitution of property seized during World War II and the Communist era remained unresolved. The World Jewish Restitution Organization continued to advocate with the government regarding a small number of outstanding claims for restitution. Representatives from the organization visited the country in December and continued talks on this problem.

Several of the remaining confiscated properties appeared to be untouchable because the parties occupying the sites were politically influential and thwarted attempts to reach negotiated settlement. For example, since 1993, close ties between the local government administrative unit and Radenska d.d., a major mineral water producer that is between 5- and 25-percent state-owned, stymied a foreign family's claims to the Radenci Spa property located on the family's ancestral lands. During the year the local administration denied the family's request to postpone a hearing due to a family medical emergency. In addition the administrative unit issued a decision stating the claimant was not the legal heir to the property. Several active appeals continued working their way through the administrative and judicial systems.

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

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

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote

freedom of speech and press. Reports of political pressures on the media continued.

Freedom of Speech: The law prohibits hate speech, including incitement to intolerance as well as violence. The penalty for hate speech is two years' imprisonment. There were no reports that authorities prosecuted any criminal hate speech cases during the year.

Press Freedoms: Media outlets are subject to the same laws that prohibit hate speech as well as to laws prohibiting defamation and libel.

Censorship or Content Restrictions: The Office of the Ombudsman for the Protection of Human Rights observed that standards of journalistic integrity suffered because of self-censorship, which an increasing number of freelance journalists employed in order to maintain consistent work.

A journalist faced charges she violated the law when she disclosed classified intelligence in a series of articles published in 2011. The country's intelligence service, SOVA, accused the journalist of illegally utilizing classified sources in her report on ties between the Slovenian Democratic Party and a neo-Nazi group.

Libel Laws/National Security: The law provides criminal penalties for defamation that harms a person's honor or name, and there were a few reports of prosecutions for defamation during the year. The government used criminal laws on defamation and injurious accusation against journalists who published claims about political figures.

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. According to statistics from the International Telecommunication Union, 77 percent of the population used the internet during the year.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

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

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

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

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

Protection of Refugees

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

Safe Country of Origin/Transit: The Dublin III regulation obligates the country, as a member state of the EU, to consider all EU countries to be safe countries of origin and transit. Under the regulation the government may return an asylum seeker entering the country from another EU country to the country of the person's first entry into the EU. Pursuant to a decision by the ECHR, the government did not return asylum seekers to Greece.

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

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

Elections and Political Participation

Recent Elections: On July 13, the country held parliamentary elections in which the Party of Miro Cerar won a plurality of votes, leading to his being named prime minister. In 2012 the country held presidential elections, which former prime minister Borut Pahor won. On May 25, the country held elections for seats in the European Parliament. Observers considered all the elections free and fair.

Participation of Women and Minorities: There were 34 women in the 90-seat National Assembly and three women in the 40-seat National Council. There were two members of minority groups in the National Assembly and one each in the National Council. Seven women were in the cabinet. The constitution provides the indigenous Italian and Hungarian minorities the communal right to one representative each in the National Assembly. Twenty distinct Romani communities, each designated as indigenous at the local level, are entitled to seats on their local municipal councils.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal and civil penalties for corruption, conflicts of interest, and illegal lobbying by officials. The government did not implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. According to World Bank indicators, corruption continued to be a problem. Although the criminal justice system continued its efforts to detect, investigate, prosecute, and adjudicate high-level corruption cases, the law lacks proper enforcement mechanisms and resources.

Corruption: In 2013 a report by the Commission for the Prevention of Corruption (CPC) accusing then prime minister Jansa and the mayor of Ljubljana, Zoran Jankovic, of financial wrongdoing and failure to disclose financial assets eventually led to Jansa's loss of office and the freezing of Jankovic's presidency of his party. Prosecutors filed charges against Jansa during the year in connection with alleged improprieties over a property sale in Trenta.

In 2013 in a separate case, a court sentenced former prime minister Jansa and two codefendants to two years in prison and fined him 37,000 euros (\$46,300). An appellate court upheld the conviction, and Jansa started his two-year sentence on June 20. Despite his conviction Jansa won re-election to parliament in the July 13 elections after the State Election Commission found no legal barrier to his campaign for public office. On October 15, parliament stripped Jansa of his status as a member of parliament. Jansa's appeal to the Supreme Court was rejected, but the Constitutional Court temporarily suspended the parliament's decision. He was

then allowed to participate in parliamentary sessions on a “work release” status. On December 12, the Constitutional Court released Jansa pending the final decision on his appeal.

The National Investigation Bureau, the Specialized Prosecution Service, and the CPC have responsibilities for combating corruption. The CPC played an active role in educating the public and civil servants about corruption. It is independent of both the executive and the legislative branches. The body’s claims to lack sufficient legislative authorities to fulfill its mandate and investigate corruption allegations prompted the CPC’s three-member presidency to resign in December 2013. On March 1, the three presidents officially left office. President Pahor appointed new CPC leadership on March 31 and June 16. Some commentators criticized the incoming president of the CPC, Boris Stefanec, for his close ties to a political party.

By the end of the year, the CPC received 686 new reports and claims of corruption and issued 890 legal opinions, explanations, and answers to public and private sector entities. The CPC also completed the proceedings of 489 reports of suspicions of corrupt practices and other violations of the Integrity and Prevention of Corruption Act. The CPC initiated 60 misdemeanor procedures for violations of the act and continued to offer guidance regarding possible corruption, integrity, lobbying, and conflict of interest. It undertook appropriate measures, such as filing charges, issuing civil and administrative fines, principled opinions, or findings in concrete cases, and it requested annulment of business transactions, warnings, or recommendations.

The CPC focused on the fight against systemic corruption as well as preventive anticorruption measures. It sought to increase transparency in contacts between politicians and the business community.

Financial Disclosure: Only the highest-level officials in the government, parliament, and judiciary, or approximately 5,000 of the country’s 80,000 public employees, are subject to financial disclosure laws. These requirements do not apply to spouses and represent a frequently exploited loophole. The CPC monitors financial disclosures of government officials, and they become public record. The CPC can issue advisory opinions regarding prosecution.

Public Access to Information: The law provides free public access to all government information, and the government provided such access to both citizens and noncitizens, including foreign media.

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

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views.

Government Human Rights Bodies: The constitution provides for an independent human rights ombudsman to monitor violations of human rights. Individuals may file complaints with the independent ombudsman to seek administrative relief in the case of a human rights violation. The independent ombudsman reports annually on the human rights situation and provides the government with recommendations.

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

The constitution and law prohibit discrimination based on race, gender, disability, language, sexual orientation and/or gender identity, and social status. The government usually enforced these prohibitions effectively.

Women

Rape and Domestic Violence: Rape, including spousal rape and domestic violence, is illegal. The penalty for rape is one to 10 years in prison. SOS Helpline, an NGO that provided anonymous emergency counseling and services to domestic violence victims, estimated one in seven women was raped during her lifetime. Victims rarely reported spousal rape to authorities. Police actively investigated reported accusations of rape and prosecuted offenders. There were 35 reported rapes and 26 other reported acts of sexual violence in the first half of the year. SOS Helpline estimated only 5 percent of rape victims sought assistance or counseling due to concerns about the impact on themselves and their children.

The law provides for penalties of up to 10 years' imprisonment for aggravated and grievous bodily harm. Violence against women, including spousal abuse, was generally underreported. In the first half of the year, police processed 901 cases of criminal acts against a spouse or a family member. SOS Helpline estimated 25 percent of women had been victims of domestic violence at some point during their

lives. SOS Helpline and the NGO Kljuc provided support hotlines, and SOS Helpline reported calls and e-mail queries.

As part of the existing social security programs, there was a network of maternity homes, safe houses, and shelters for women and children who were victims of violence. The total capacity of this network was 430 beds – 290 in safe houses and 140 in maternity homes. There was an additional network of crisis housing for children and minors with a total capacity of 80 beds, 46 for adults. When police received reports of spousal abuse or violence, they generally intervened and prosecuted offenders. The police academy offered annual training on domestic violence.

Female Genital Mutilation and Cutting (FGM/C): The law prohibits FGM/C. There were no reports of FGM/C in the country during the year.

Sexual Harassment: While sexual harassment is a criminal offense carrying a penalty of up to eight years' imprisonment, it remained a widespread problem. During the first half of the year, five criminal investigations of sexual harassment were reported but without any convictions.

Reproductive Rights: Couples and individuals have the rights to decide freely and responsibly the number, spacing, and timing of their children and to attain the highest standard of reproductive health. They also have the information and means to do so free from discrimination, coercion, and violence.

Discrimination: While women enjoy the same legal status and rights as men under family, labor, property, and inheritance laws, they experienced discrimination in some areas. The law stipulates equal pay for men and women. Women earned 64 percent of what men did (see section 7.d.). In comparable positions, however, women earned 95 percent of what men did.

Children

Birth Registration: Citizenship is derived from the parents with certain limitations. A child is granted citizenship at birth provided that at the time of birth the child's mother and father were citizens; one of the child's parents was a citizen and the child was born on the territory of the country; or one of the child's parents was a citizen while the other parent was unknown and/or of unknown citizenship and the child was born in a foreign country. Naturalization is also possible. There were no reports of problems with immediate birth registration.

Child Abuse: In the first half of the year, according to law enforcement authorities, there were 315 cases of domestic violence, including parental negligence and child abuse. Law enforcement authorities continued their work in the field.

Early and Forced Marriage: The minimum age for marriage is 18. Centers for social service can approve marriage of a person under the age of 18, together with the approval of parents or legal guardians. During the year they approved two. Child marriage occurred within the Romani community, but it was not a widespread problem.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C. There were no reports FGM/C was performed in the country during the year.

Sexual Exploitation of Children: Statutory rape carries a sentence of six months to five years, and the law sets the minimum age of consent for sexual relations at 15. If the victim is found to be especially vulnerable, the minimum sentence is three years, and the law provides no maximum. If the perpetrator is a teacher, the penalty is from one to eight years in prison. The government generally enforced the law.

In the first half of the year, authorities received reports of 70 criminal acts of sexual abuse of a child under the age of 15. Trafficking in persons remained a problem.

The law penalizes the possession, sale, purchase, or propagation of child pornography, and the government enforced the law effectively. The penalty ranges from six months to five years in prison, which may increase to eight years in prison if the abuse was committed as part of organized crime.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information, see the Department's website at travel.state.gov/content/childabduction/english/country/slovenia.html.

Anti-Semitism

There were approximately 300 Jews in the country. Jewish community representatives reported some prejudice, ignorance, and false stereotypes of Jews

propagated within society, largely through public discourse. There were no reports of anti-Semitic violence or overt discrimination.

The government promoted antibias and tolerance education in primary and secondary schools, and the Holocaust was a mandatory topic in the history curriculum. In April the city of Murska Sobota erected a Holocaust memorial to commemorate the 70th anniversary of the deportation of Jews to Nazi concentration camps.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other government services. The government generally enforced these provisions. The law requires employers to protect workers disabled on the job. If incapacitated, such workers can perform other work corresponding to their abilities, obtain part-time work, and receive occupational rehabilitation and wage compensation. The law mandates access to buildings for persons with disabilities, but modification of public and private structures to improve access continued at a slow pace, and some buildings were not accessible. The government continued to implement laws and programs to provide persons with disabilities with access to buildings, information, and communications. The Ministry of Labor, Family, Social Affairs, and Equal Opportunities has primary responsibility for protecting the rights of persons with disabilities. Children with disabilities attended school at the primary, secondary and higher education levels. Educational accommodations were appropriate. Persons with disabilities have the right to vote and participate in civic affairs. The Office of the Ombudsman is responsible for protecting the rights of persons with disabilities.

In the first half of the year, authorities received reports of nine criminal acts involving the sexual abuse of persons with disabilities.

National/Racial/Ethnic Minorities

The constitution and law provide special rights and protections to indigenous Italian and Hungarian minorities, including the right to use their own national symbols and access to bilingual education. Each of these minorities has the right to representation as a community in parliament. The Romani community also benefits from protections under the constitution and law, which assure Romani representation in 20 municipalities around the country. The European Commission Against Racism and Intolerance (ECRI) report on the country stated, however, that the Law Implementing the Principle of Equal Treatment was dysfunctional and that racial discrimination had not been established in any case through year's end.

ECRI reported widespread discrimination against Roma persisted. Organizations monitoring conditions in the Romani community noted the exclusion of Roma from the housing market remained a problem. Many Roma lived apart from other communities in settlements lacking basic utilities such as electricity, running water, sanitation, and access to transportation. The illegal status of many Romani settlements led to confrontations with local authorities. Government officials emphasized the illegality of settlements remained the biggest obstacle to providing Roma access to adequate housing, water, and sanitation. The ombudsman recommended to the government that it act on an emergency basis to legalize Romani settlements.

Under the law legal residents must own or hold legal claim to the land on which they live before they may obtain access to public services and infrastructure, such as water, transportation, and transport facilities. In many cases Roma did not own the land where they lived, making them unable to access water and sanitation. Lacking alternatives for resettlement, Roma were also vulnerable to forced evictions and discrimination. The government resolved such cases through dialogue with the Romani community.

Police conducted annual training for both police officers and civilians to sensitize them to the problems of working in a multicultural environment. Representatives of the Romani community participated in the program, which improved communication between police and individual Roma. The police force trained several officers in the Romani language and continued preparing a Slovenian-Romani dictionary. During the year police conducted several successful mediations in disputes within the Romani community and between Roma and the non-Romani population.

Official statistics on Romani unemployment and illiteracy were not available. Organizations monitoring conditions in the Romani community and officials

employed in schools with large Romani student populations unofficially reported that unemployment among Roma remained at approximately 98 percent and that illiteracy rates among Roma remained high.

While education for children is compulsory through grade nine, school attendance and completion rates by Romani children remained low but showed signs of improvement from the previous year, and ECRI noted positive developments in the education of Romani children. Poverty, discrimination, lack of parental and familial permission or support, and language differences continued to be the main barriers to the participation of Romani children in educational programs. The Ministry of Education, Science, and Sport financed a variety of programs to support Romani families and their children.

Segregated classrooms are illegal, but a number of Roma reported to NGOs their children attended segregated classes and that school authorities selected them disproportionately to attend classes for students with special needs. A few communities offered additional educational training for students with special needs, creating separate groups to help students experiencing scholastic difficulties with the goal of eventually returning them to the mainstream. A few educators confirmed that in some cases these groups consisted almost entirely of Romani students and pointed to the practice as de facto segregation. The European Social Fund, working in conjunction with the Ministry of Education, Science, and Sport, continued funding 26 Romani educators to work with teachers and parents. According to the ministry, these educators had a positive effect on helping Romani children stay in school.

The government continued the fourth year of a five-year national action plan of measures to improve educational opportunities, employment, and housing for the Roma. NGOs and community group representatives reported some prejudice, ignorance, and false stereotypes of Roma propagated within society, largely through public discourse.

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

While the law prohibits discrimination based on sexual orientation, societal discrimination was widespread, and there were cases of violence against LGBT persons. The law bans incitement to hatred based on sexual orientation.

The Ministry of Labor, Family, Social Affairs, and Equal Opportunities, NGOs, and law enforcement authorities monitor but do not track the exact number of cases of violence against LGBT persons. According to LGBT sources, most victims did not report these cases. ECRI found hate speech on the internet increased, with LGBT persons being one of the main targets.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of all workers to form and join independent unions, bargain collectively, and conduct legal strikes. The law does not prohibit antiunion discrimination or require reinstatement of workers fired for union activity.

The law requires that before collective bargaining can be applied to the sector as a whole, 10 percent of the workers in an industry must be unionized. The law also restricts the right to strike for police, members of the military services, and some other public employees, providing for arbitration instead. Resources, inspections, and remediation efforts were adequate; penalties for violations ranged from 400 euros (\$500) to 4,000 euros (\$5,000) or more, depending on the size of the company and were sufficient to deter violations. Judicial and administrative procedures were not subject to lengthy delays and appeals.

The government and employers generally respected freedom of association and the right to bargain collectively. Both general collective bargaining agreements and collective bargaining agreements focusing on a specific business segment covered all workers.

b. Prohibition of Forced or Compulsory Labor

While the law prohibits all forms of forced or compulsory labor, forced labor occurred.

The government effectively enforced the law. Resources, inspections, and remediation efforts were adequate. Penalties for violations ranged from one to 15 years' imprisonment and were sufficiently stringent compared with other serious crimes.

There were reports traffickers subjected men, women, and children to forced work in the construction sector and forced begging.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment is 15. The law limits hours, mandates rest periods, prohibits working in hazardous locations, and specifies adult supervision for workers under 18. Penalties for labor law violations related to child labor violations range from a fine to one year in prison. The government effectively enforced such occupational health and safety standards for children. Nevertheless, children younger than 15 in rural areas often worked during the harvest season and performed farm chores.

d. Discrimination with Respect to Employment or Occupation

The law establishes a general framework for equal treatment and prohibits discrimination with respect to employment or occupation, including regarding race or ethnic origin, sex, gender, age, citizenship, disability, or sexual orientation. The government effectively enforced these laws. The law specifically prohibits discrimination based on language or HIV-positive status; ECRI noted the list of protected classes was nonexhaustive.

There were few formal complaints of discrimination, although there were some reports of employment discrimination, including on the basis of gender, age, and with respect to migrant workers. Some discrimination occurred against Roma, and there were cases of employers not meeting the standards set by the labor laws regarding benefits and procedures for termination of employment. A June report from ECRI noted employees' fear of retaliation and lack of awareness about what constituted discrimination might have contributed the low number of formal complaints.

e. Acceptable Conditions of Work

The national monthly gross minimum wage was approximately 790 euros (\$987). The official poverty line is set at 593 euros (\$741) per month for single-member households.

The law limits the workweek to 40 hours and provides for minimum annual leave of 20 days and a mandatory rest period of at least one day per week. Collective

agreements determined whether workers received premium pay for overtime. The law limits overtime to eight hours per week, 20 hours per month, and 170 hours per year. Special commissions under the Ministry of Health and the Ministry of Labor, Family, Social Affairs, and Equal Opportunities set occupational health and safety standards for workers. Workers may remove themselves from situations that endangered health or safety without jeopardy to their employment and authorities effectively protected employees in this situation.

The Ministry of Labor, Family, Social Affairs, and Equal Opportunities is responsible for monitoring labor practices and has inspection authority; police are responsible for investigating violations of the law. Authorities enforced the laws effectively, except in some cases involving migrant workers, who faced conditions of exploitation. The law requires employers to make social security payments for all workers. The Legal Aid Society continued to report that employers of migrant workers usually did not deduct social security from paychecks, leaving unknowing workers without a future pension or access to social services. Resources and inspections were adequate. Specific information on the number of labor inspectors was unavailable. For labor contracts the inspectorate undertook 9,552 inspections during the year and discovered 10,626 violations. Of these violations, 3,466 involved salary disputes. For occupational health and safety, in the same period, the inspectorate conducted 7,493 inspections and discovered 18,321 violations, primarily involving health inspections on the basis of the Act on Labor Safety and Health (1,001 cases). In both fields the majority of violations took place in construction and bars and restaurants. Penalties for violations ranged from 300 euros (\$375) to 20,000 euros (\$25,000) and were sufficient to deter violations.

The most frequent violation was nonpayment of wages.

There was one fatality of a miner who died in an accident in November. The accident remained under investigation at the end of the year. There were no major industrial accidents in which workers were injured.