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Building the Evidence Base for Effective Antislavery  
Governance

# Slovakia Country Profile

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# About this report

This report was prepared by Dr Ana Valverde-Cano (Rights Lab Research Fellow in Antislavery Law and Policy), Dr Katarina Schwarz (Rights Lab Associate Director), and Dr Daniel Ogunniyi (Rights Lab Research Fellow).

The report is based primarily on research conducted from 2020-2021 and may not therefore consider more recent emerging evidence. Updates to the report to reflect new and emerging evidence are ongoing.

The authors welcome enquiries on the report and the project more broadly, which may be directed to Katarina Schwarz at [Katarina.Schwarz@nottingham.ac.uk](mailto:Katarina.Schwarz@nottingham.ac.uk)

# About the project

The report was produced to support the research project ‘Building the Evidence Base for Effective Antislavery Governance in the UK and the Top 20 UK Source Countries’, funded by the Modern Slavery and Human Rights Policy and Evidence Centre. The research team consisted of Dr Katarina Schwarz (Rights Lab, University of Nottingham), Dr Ana Valverde-Cano (Rights Lab), Dr Daniel Ogunniyi (Rights Lab), Alexandra Williams-Woods (CSIS, University of Liverpool), and Prof Jean Allain (Wilberforce Institute, University of Hull).

The **Rights Lab** is a University of Nottingham “Beacon of Excellence” and home to the world’s largest and leading group of modern slavery researchers. Through its five research programmes, impact team, and INSPIRE project, the Rights Lab is underpinning antislavery with an advanced research agenda, collaborating with civil society, business, and government, and elevating survivor-informed research as a key part of knowledge production to help end slavery.

The **Wilberforce Institute** at the University of Hull aims to advance fundamental knowledge of slavery and emancipation, informing policy, business practice and public debate at local, national and international levels. The Wilberforce Institute brings together experts in humanities, law and social sciences to help tackle this global problem head on.

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# 1. Overview of antislavery and anti-trafficking governance in Slovakia

## 1.1. The Walk Free Foundation’s Global Slavery Index<sup>1</sup>

	Vulnerability		Prevalence			Government response	
	Ranking <sup>2</sup>	Score <sup>3</sup>	Ranking <sup>4</sup>	Absolute <sup>5</sup>	/ 1000 <sup>6</sup>	Ranking <sup>7</sup>	Rating <sup>8</sup>
<b>2013</b>	139	25.58	61	18,000	3.3	-	-
<b>2014</b>	142	28.8	77	19,500	3.6	18	BB
<b>2016</b>	145	25.36	133	12,000	2.28	-	B
<b>2018</b>	130	27.2	155	16,000	2.9	-	BB

Although the nature of modern slavery makes measuring the phenomenon an inherently difficult task, the Walk Free Foundation’s Global Slavery Index (GSI) aims to provide the ‘best available data and information about the scale and regional distribution of modern slavery’.<sup>9</sup> This includes **national prevalence estimates** of the number of people experiencing modern slavery in each country, calculated on the basis of a predictive model that accounts for individual and country-level risk factors.

National prevalence estimates are analysed in the context of results of Walk Free’s **Vulnerability Model**. This model uses ‘statistical testing and processes to identify the factors that explain or predict the prevalence of modern slavery’.<sup>10</sup> The 2018 Vulnerability Model features five factors, made up of 23 distinct variables: governance issues, lack of basic needs, inequality, disenfranchised groups, and effects of conflict.

Walk Free also tracks **government responses** to modern slavery, tracking government efforts across five milestones: (1) survivors of slavery are identified and supported to exit and remain out of slavery; (2) criminal justice mechanisms function effectively to prevent modern slavery; (3) coordination occurs at the national and regional level, and governments are held to account for their response; (4) risk factors such as attitudes, social systems, and institutions that enable modern slavery are addressed; and (5) government and business stop sourcing goods and services produced by forced labour.<sup>11</sup>

It should be noted that the scope, methodology, and sources underpinning GSI findings has changed over the years. This means that data between different reporting years is not directly comparable.

<sup>1</sup> Walk Free Foundation, ‘The Global Slavery Index 2013’ (2013), available [here](#); ‘The Global Slavery Index 2014’ (2014), available [here](#); ‘The Global Slavery Index 2016’ (2016), available [here](#); ‘The Global Slavery Index 2018’ (2018), available [here](#) accessed 04 November 2020.

<sup>2</sup> Note: a higher ranking (closer to 1) indicates high vulnerability relative to other countries.

<sup>3</sup> Note: a higher score indicates increased vulnerability to modern slavery, with a median country score of 47.28 in 2018.

<sup>4</sup> Note: a higher ranking (closer to 1) indicates a high number of people experiencing modern slavery per 1000 in the overall population relative to other countries.

<sup>5</sup> Note: absolute prevalence measures the estimated number of people experiencing modern slavery in the country.

<sup>6</sup> Note: prevalence /1000 measures the number of people estimated to experience modern slavery per 1000 people in the overall population.

<sup>7</sup> Note: a higher ranking (closer to 1) indicates better government responses to modern slavery relative to other countries.

<sup>8</sup> Note: government response ratings are broken into scoring bands, with an A rating representing the strongest government response to modern slavery (with a score of 70-79.9), followed by BBB (60-69.9), BB (50-59.9), B (40-49.9), CCC (30-39.9), CC (20-29.9), C (10-19.9), and D (<0-9.9).

<sup>9</sup> Walk Free Foundation, ‘Global Findings’ (2018), available [here](#).

<sup>10</sup> Walk Free Foundation, ‘Methodology: Vulnerability’ (2018), available [here](#).

<sup>11</sup> Walk Free Foundation, ‘Methodology: Government Response’ (2018), available [here](#).

## 1.2. TIP Rankings 2001-2020<sup>12</sup>



The Trafficking in Persons report ranks countries into one of four tiers, as mandated by the Victims of Trafficking and Violence Protection Act 2000 (TVPA). A country's ranking is based on an assessment of the government's efforts to address trafficking in persons, rather than on the extent of trafficking within the country, and considers government action against the TVPA's minimum standards.<sup>13</sup>

**Tier 1:** Countries whose governments fully meet the TVPA's minimum standards for the elimination of trafficking. To maintain a Tier 1 ranking, the country must continue to make progress in its anti-trafficking efforts each year.

**Tier 2:** countries whose governments do not fully meet the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards.

**Tier 2 Watch List:** Countries whose governments do not fully meet the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards, and for which:

- (a) the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;
- (b) there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecution, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or
- (c) the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional steps over the next year.

**Tier 3:** Countries whose governments do not fully meet the TVPA's minimum standards and are not making significant efforts to do so. Countries ranked as Tier 3 may be subjected to restrictions on non-humanitarian, non-trade foreign assistance from the US. Impositions of such restrictions are determined by the President.<sup>14</sup>

<sup>12</sup> US Department of State, '2020 Trafficking in Persons Report' (2020), available [here](#); (2019) available [here](#); (2018), available [here](#); (2017), available [here](#); (2016), available [here](#); (2015), available [here](#); (2014), available [here](#); (2013), available [here](#); (2012), available [here](#); (2011), available [here](#); (2010), available [here](#); (2009), available [here](#); (2008), available [here](#); (2007), available [here](#); (2006), available [here](#); (2005), available [here](#); (2004), available [here](#); (2003), available [here](#); (2002), available [here](#); (2001), available [here](#)

<sup>13</sup> Minimum standards for the elimination of trafficking are found in section 108, Victims of Trafficking and Violence Protection Act 2000 (United States), available [here](#).

<sup>14</sup> See further Department of State (2020), above n **Error! Bookmark not defined.**, 40-41.

### 1.3. Quantitative measures on anti-trafficking governance (TIP Reports)<sup>15</sup>

Measure	Year	Qty	Source
Joint inspections between criminal and law forces (BBAP and Labour Inspection)	2019	101 <sup>16</sup>	[1]
Potential victims of THB	2019	66 <sup>17</sup>	[2]
Traffickers indicted	2019	38	[1]
Trafficking convictions	2019	11 <sup>18</sup>	[1]
Trafficking cases investigated	2019	16 <sup>19</sup>	[1]
Victims who entered the government-funded victim-care program	2019	17	[1]
Funds allocated to the NGO that runs the Victim Support Programme	2019	€215,000	[1]
Estimated funds for the National Programme against Trafficking in Human Beings	2019-2023	€300,000 <sup>20</sup>	[2]
Third-country nationals who have been granted tolerated stay as victims of THB	2015-2019	0	[2]
Trafficking cases investigated	2018	27	[3]
Joint inspections between criminal and law forces (BBAP and Labour Inspection)	2018	330 <sup>21</sup>	[1]
Traffickers indicted	2018	21	[1]
Victims uncovered in labour inspections	2018	0	[1]
Trafficking convictions	2018	8	[1]
Funds allocated to the NGO that runs the Victim Support Programme	2018	€275.000	[1]

<sup>15</sup> Sources:

[1] US Department of State (2020), above n 12.

[2] GRETA (Council of Europe), 'Evaluation Report Slovak Republic. Third evaluation round. Access to justice and effective remedies for victims of trafficking in human beings' GRETA(2020)05 (10 June 2020), available [here](#).

[3] US Department of State (2019), above n 12.

[4] IOM, 'Migration in Slovakia' (2020), available [here](#).

<sup>16</sup> Screening 1,522 individuals, including 891 foreign workers

<sup>17</sup> 'Since there are no disaggregated data for 2015, in the period 2016-2019, there were 141 female and 114 male victims; 215 of the victims were adult and 40 children (34 girls and 6 boys) These figures refer to the number of presumed victims of THB known to the authorities and include victims who did not wish to co-operate with the authorities and/or benefit from the Support Programme for Victims of Trafficking. In the period 2016-2018, 5 the female victims were primarily trafficked for the purpose of sexual exploitation (79 victims), followed by forced begging (16), forced marriage (13), forced labour (7) and forced criminality (2). In some cases, the victims were subjected to multiple forms of exploitation. Male victims were trafficked primarily for the purpose of labour exploitation (44) and forced begging (33), but also forced marriage (2) and forced criminality (1). Among the child victims of THB there were 18 victims of sexual exploitation, 8 victims of forced marriage, 4 victims of labour exploitation and 2 victims of forced begging' (p. 7).

<sup>18</sup> Of the 11 convictions, five traffickers received prison sentences and six traffickers received suspended sentences. Courts sentenced two traffickers to four years' imprisonment, two traffickers to five years' imprisonment, and one trafficker to 8.6 years' imprisonment.

<sup>19</sup> Eight cases were for sex trafficking and eight were for labour trafficking (three for forced begging, one for forced criminality, two combination cases, and two for forced labour); all suspects were Slovak nationals

<sup>20</sup> 'There is no dedicated budget for the implementation of the National Programme, but all responsible authorities are expected to finance their actions from their ordinary budgets. Overall, there is an estimated 300,000 Euros of State funding explicitly available for the Ministry of the Interior's work related to THB, out of which some 80 % is earmarked for the Victim Support Programme' (p. 9)

<sup>21</sup> 3,000 worksites in 2018, including 1,200 foreign workers.

Presumed victims of THB agreed to enter the Victim Support Programme.	2018-2016	57 <sup>22</sup>	[2]
Police officers trained	2018	2405 <sup>23</sup>	[3]
Asylum applications granted	2018	5	[4]
Legal assistance granted to THB victims	2018	30	[2]
Potential victims of THB	2018	56 <sup>24</sup>	[2]
Potential victims of THB	2017	88	[2]
Trafficking cases investigated	2017	37	[3]
Traffickers indicted	2017	25	[1]
Trafficking convictions	2017	14	[1]
Potential victims of THB	2016	45	[2]
Potential victims of THB	2015	56	[2]

<sup>22</sup> Which represents a 30% of victims.

<sup>23</sup> Aggregation of police officers trained including members of the specialised national police unit as well as police investigators.

<sup>24</sup> 34 were female (including two foreign nationals and 12 children) and 22 were male. Forced begging was the most common form of trafficking, with 24 cases reported by police, followed by sex trafficking (17 victims, including seven children), forced labour (seven victims), forced marriage and domestic servitude (six victims, including five children), forced marriage for the purposes of exploitation, and sex trafficking (two child victims); some cases included multiple forms of exploitation.

## 2. Treaty commitments<sup>25</sup>

Instrument	Ratification date
1926 Slavery Convention	28 May 1993
1953 Protocol to the Slavery Convention	N/A
1930 Forced Labour Convention	1 January 1993
2014 Protocol to the Forced Labour Convention	N/A
1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery	28 May 1993
1957 Abolition of Forced Labour Convention	29 September 1997
1966 International Covenant on Civil and Political Rights (ICCPR)	28 May 1993
1966 Optional Protocol to the ICCPR	28 May 1993
2005 Council of Europe Convention on Action against Trafficking in Human Beings	27 March 2007
1990 Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	N/A
1998 Rome Statute of the International Criminal Court	11 April 2002
1999 Worst Forms of Child Labour Convention	20 December 1999
2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children	21 September 2004
2000 Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography	25 June 2004
2000 Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict	7 July 2006
2011 Domestic Workers Convention	N/A
<b>Regional and bilateral instruments</b>	
1950 European Convention for the Protection of Human Rights and Fundamental Freedoms	18 March 1992
2005 Council of Europe Convention on Action against Trafficking in Human Beings	27 March 2007
2007 Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism	16 September 2008
2015 Council of Europe Convention against Trafficking in Human Organs	N/A
<b>Key International Commitments</b>	
1948 Universal Declaration of Human Rights	
1985 Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power	
2005 UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law	
2015 UN Sustainable Development Goals (5.3, 8.7)	

<sup>25</sup> UN Treaty ratification info sourced from UN Treaty Collection available [here](#); ILO Convention ratifications available [here](#); Rome Statute ratification status available [here](#). Membership data on the 2017 Call to Action is found at Delta8.7, 'Call to Action' available [here](#), accessed 09 November 2020.



2017 Call to Action to End Forced Labour, Modern Slavery and Human Trafficking	
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## 3. General country context

### 3.1. Constitutional structure<sup>26</sup>

The Slovak Republic operates a multiparty, unitary, parliamentary democracy system with a unicameral legislature. The National Council or *Narodna Rada* is endowed with legislative power.<sup>27</sup> The 1992 Constitution as amended in 1998 provides that the head of state, the President, is directly elected for a five-year term. The supreme executive body of the Republic is the government formed by the Prime Minister and a Council of Ministries, both appointed by the President –in case of the ministries, upon the previous recommendation of the Prime Minister–.<sup>28</sup> The Prime Minister is usually the leader of the majority party or coalition in the National Council.<sup>29</sup> Justice in Slovakia is administered by the ordinary law courts (District and regional courts, and Supreme Court), and the Constitutional Court of the Slovak Republic. The Supreme Court promotes the uniform interpretation and consistent application of laws, and the Constitutional Court of the Slovak Republic serves as the final arbiter of the Constitution.<sup>30</sup> In Slovakia, the territorial administration consists of municipalities and 8 self-government regions, which are administrative units. They comprise a council and a chairman who is directly elected for a four-year term.<sup>31</sup>

The judicial system in Slovakia is based on the civil /continental law model and it uses both the dualistic and monistic approaches.<sup>32</sup> After the accession of the Slovak Republic to the European Union the monistic approach with *acquis communautaire* priority is applied to the relationship between Slovak municipal law and European law. Importantly, Article 7(5) of the Constitution establishes 'International treaties on human rights and fundamental freedoms and international treaties for whose application a law is not necessary and international treaties which directly confer rights or impose duties on natural persons or legal persons and which were ratified and promulgated as laid down by law shall have precedence over domestic laws'.

### 3.2. Political context

Against a backdrop of economic growth<sup>33</sup> and crisis of political distrust, voters elected Slovakia's first female President on an anti-corruption platform in March 2019. On February 2020 the left-right coalition government led by the Smer-SD party lost the parliamentary elections to the anti-corruption Ordinary People (OLaNO) party led by Igor Matovic, who formed a centre-right coalition.<sup>34</sup> This was the first time Smer-SD was not the largest party since the 2006 elections, 'largely because of continuing public anger over the killing of Jan Kuciak and his fiancée',<sup>35</sup> and due to the rise of nationalist movements within the country. Significantly, 'an extreme far-right party whose members use Nazi salutes and which wants Slovakia out of the European Union and NATO became the fourth most popular party in the country of just under 5.5 million with 8% and 17 seats'.<sup>36</sup>

Kuciak was a journalist reporting on corruption, tax fraud and links between high-ranking Slovak politicians and the Italian mafia. His murder in February 2018 has sparked the

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<sup>26</sup> See the Republic of Slovakia's Constitution in English [here](#).

<sup>27</sup> Commission (EU), 'Together Against Trafficking in Human Beings: Slovakia' (2018), available [here](#).

<sup>28</sup> Michaela Salamun, 'The Laws on the Organization of the Administration in the Czech Republic, Hungary, Poland, and Slovakia: A Comparative Analysis in the Context of European Integration' (2007) 32 *Review of Central and East European Law* 267, 278

<sup>29</sup> Encyclopedia Britannica, 'Slovakia' (2020), available [here](#).

<sup>30</sup> Dagmar Lantajová et al, 'Slovakia', in Dinah Shelton (ed.), *International Law and Domestic Legal Systems: Incorporation, Transformation, and Persuasion* (Oxford University Press, 2011) 555.

<sup>31</sup> Michaela Salamun, above n 28, 294 ff.

<sup>32</sup> See Dagmar Lantajová et al, 555

<sup>33</sup> See, in depth: OECD Economic Surveys, 'Slovak Republic' (February 2019), available [here](#), where it is highlighted that nearly all indicators of well-being have been improving over the past 10 years.

<sup>34</sup> Eurydice, 'Slovakia' (2020), available [here](#).

<sup>35</sup> BBC, 'Slovakia Country Profile' (2020), available [here](#).

<sup>36</sup> Associated Press, 'Slovakia's anti-corruption opposition party wins parliamentary election' *Euronews* (01 May 2020), available [here](#).

biggest street protests since the Velvet Revolution in 1989, has been considered a turning point in Slovak political scenario,<sup>37</sup> and has triggered further action among European institutions.<sup>38</sup> In this context, the low perceptions of judicial independence have been outlined in the 2020 EU Justice Scoreboard, and corruption in all branches of power remains a major concern for citizens, businesses and investors.<sup>39</sup> Accordingly, in the Democracy Index 2019 Slovakia was labelled as 'flawed democracy'.<sup>40</sup>

### 3.3. Migration profile

Slovakia reflects several traits of migration dynamics characteristic of the majority of post-socialist countries: small but increasing numbers of migrants, historical experience of ethnic homogeneity, lack of research on migrant communities and utilitarian migration policies driven by an antagonistic mixture of political populism and EU pressure.<sup>41</sup> Until Slovakia's accession to the EU in 2004 and to the Schengen Area in 2007, it was almost exclusively a country of origin of migrants. While immigration has recently risen in numbers and become more visible in Slovakia, emigration remains a key feature of the country, primarily driven by economic reasons such as the differences between wages in Slovakia and destination countries, and the lack of employment opportunities.<sup>42</sup> At mid-2019 the country's emigrant population was estimated to be 345,7 thousands, while the number of international migrants residing in the country estimated at 188 thousand (3,4% of the total population).<sup>43</sup> The approximate number of those leaving the country over the past years is estimated in 15,000 to 20,000 persons annually.<sup>44</sup> The most popular countries of destination have long been the neighbouring Czech Republic, Austria, Germany, the United Kingdom and Hungary. Specifically, it is estimated that Slovak nationals working in the UK at present is around 70,000 persons.<sup>45</sup>

According to figures from Slovakia's Ministry of Interior, at the end of 2018 there were 121,264 individuals with permit to stay (2.2% of Slovakia's population). This represents an increase of 5.5 times during the period 2004–2018.<sup>46</sup> Although with modifications over the years, the most represented countries of origin of migrants legally staying in Slovakia remain from neighbouring countries (Czech Republic, Ukraine, Poland), Romania and Bulgaria. Other relevant groups of foreign citizens are the Serbs, Russians, and communities from Asian countries (Vietnam, China and South Korea).<sup>47</sup> After relatively large movements of asylum seekers to Slovakia in the mid-2000s, their figures dropped dramatically by 2016 and the number of persons under international protection in Slovakia

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<sup>37</sup> Chris Harris, 'Jan Kuciak murder: how has journalist's slaying changed Slovakia?' *Euronews* (21 February 2019), available [here](#).

<sup>38</sup> For example, a Fact-Finding mission was carried out by the European Parliament to examine the situation of Rule of Law in Slovakia. See: Parliament (EU), 'Draft report on the fact-finding mission to Slovakia 17-19 December 2018' (2018), available [here](#).

<sup>39</sup> Commission (EU), 'Country Report Slovakia 2020' (26 February 2020), 50, available [here](#).

<sup>40</sup> Economist Intelligence Unit, 'Democracy Index 2019: A year of democratic setbacks and popular protest' (2019) 31, available [here](#).

<sup>41</sup> Matej Blazek, 'Migration, vulnerability and the complexity of violence: Experiences of documented non-EU migrants in Slovakia' (2014) 56 *Geoforum* 101, 112; Peter Vermeersch, 'EU enlargement and immigration policy in Poland and Slovakia' (2005) 38(1) *Communist and Post-Communist Studies* 71, 71-88; Matej Blazek, 'Labour exploitation of non-EU migrants in Slovakia: patterns, implications and structural violence' in Waite et al (eds), *Vulnerability, Exploitation and Migrants. Migration, Diasporas and Citizenship* (Palgrave Macmillan, London, 2015) 72 and ff.

<sup>42</sup> Silvia Letavajová and Boris Divinský (Caritas Slovakia), 'Migration and Development in Slovakia' (2019) 15, available [here](#).

<sup>43</sup> Migration Data Portal (2019), available [here](#).

<sup>44</sup> Silvia Letavajová and Boris Divinský (Caritas Slovakia), above n 42, 15. On this note, the World Bank estimated that the number of Slovak nationals in other countries was 600,000 persons in 2013, which represents the 10,9% of the country's total population. See World Bank, 'Migration and Remittances, Factbook 2016' (2016), available [here](#).

<sup>45</sup> Silvia Letavajová and Boris Divinský (Caritas Slovakia), above n 42, 15-16.

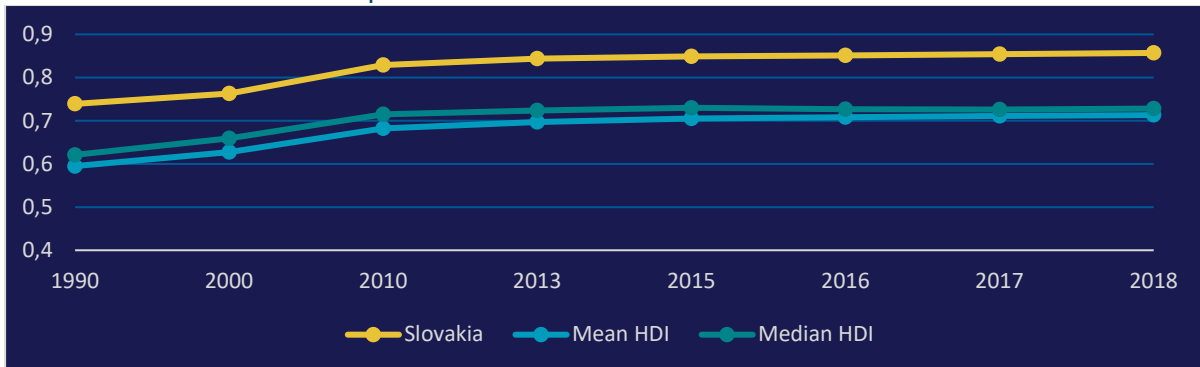
<sup>46</sup> *Ibid*, 17.

<sup>47</sup> Boris Divinský (Danube Region Information Platform for Economic Integration of Migrants), 'Slovakia Country Profile' (Danube Region Information Platform for Economic Integration of Migrants, 2019) 3.

is low.<sup>48</sup> 'The qualitative development in the category of apprehended undocumented migrants follows the trends of asylum seekers. However, a principal structural change has occurred in this area – the share of migrants crossing the border without authorisation has reversed substantially in favour of those overstaying. This fact suggests that Slovakia has been increasingly attractive to (undocumented) migrants as a country of destination'.<sup>49</sup> In 2016, the number of migrants that illegally crossed the borders or illegally resided in Slovakia increased to 2,170; in 2017 it increased to 2,706 and in 2018 their number amounted to 2,819.<sup>50</sup>

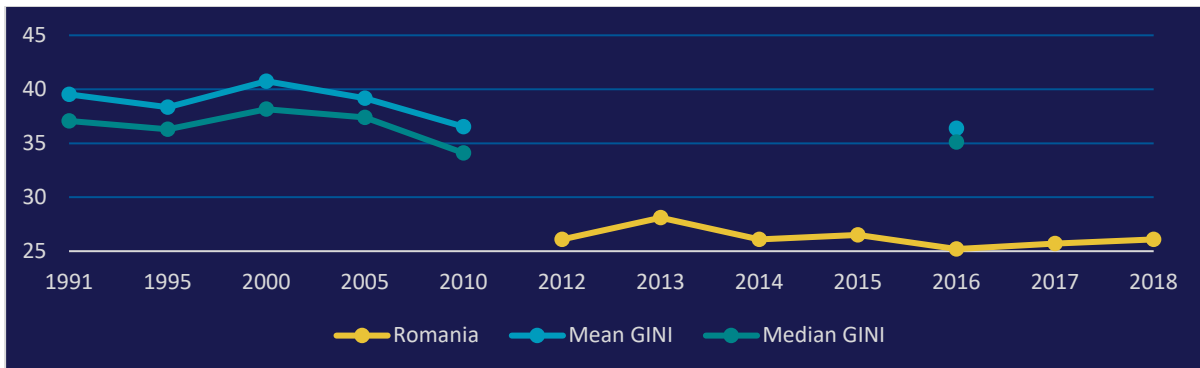
### 3.4. Development profile

#### 3.4.1. Human Development Index<sup>51</sup>



The Human Development Index (HDI) measures average life expectancy, level of education and income for each country in the world. Each country is given a score between 0 and 1 - the closer a country gets to 1, the more developed it is.<sup>52</sup> Romania's scores place it in the 'Very High Human Development' grouping

#### 3.4.2. GINI Co-efficient<sup>53</sup>



Gini index measures the extent to which income distribution or consumption expenditure among individuals or households within an economy deviates from a perfectly equal

<sup>48</sup> Factors such as changes in (irregular) migration routes to Europe, a stricter government asylum policy and the relatively weaker economic performance of Slovakia has been pointed as factors of the decline in asylum seekers. See Silvia Letavajová and Boris Divinský (Caritas Slovakia), above n 42, 19. In 2018, the number of applications for asylum in Slovakia was of 178. Of those, citizen of Afghanistan, Iraq, Yemen, Azerbaijan and Iran were the most often applicants. See Migration Office of the Ministry of Interior of Slovakia, 'Statistical overview of asylum seekers as of December 2018' (2019), available [here](#); IOM, 'Migration in Slovakia' (2018), available [here](#).

<sup>49</sup> Boris Divinský (Danube Region Information Platform for Economic Integration of Migrants), above n 49, 4  
<sup>50</sup> Bureau of Border and Alien Police of the Presidium of the Police Force, 'Statistical Overview of Legal and Illegal Migration in the Slovak Republic (from 2000 – 2018)' <<http://www.minv.sk/?rocniky>> accessed 06 August 2020.

<sup>51</sup> UNDP, 'Human Development Indicators – Slovakia' (2019) <<http://hdr.undp.org/en/countries/profiles/ROU>> accessed 05 November 2020.

<sup>52</sup> UNDP, 'Human Development Reports', available [here](#).

<sup>53</sup> World Bank, 'GINI Index Estimate'

<[https://data.worldbank.org/indicator/SI.POV.GINI?locations=SK&view=map&year\\_high\\_desc=false](https://data.worldbank.org/indicator/SI.POV.GINI?locations=SK&view=map&year_high_desc=false)> Accessed 06 August 2020.

distribution. A Gini index of 0 represents perfect equality, while an index of 100 implies perfect inequality.<sup>54</sup>

### 3.4.3. Slovakia Sustainable Development Goals<sup>55</sup>

Year	Rank	Score
2020	27	77,51
2019	27	76,2
2018	24	75,6
2017	23	76,9
2016	26	72,7

The Sustainable Development Reports assess implementation of, and progress towards, the 2015 UN Sustainable Development Goals. The SDG Index and Dashboards summarise countries' current performance and trends across the 17 SDGs. All SDGs are weighted equally in the index. Changing indicators, data, and methodology used to determine rankings and scores mean that SDG index results are not comparable over time.<sup>56</sup>

As noted in the EU Commission's report on Slovakia, the country has made progress towards achieving the Sustainable Development Goals (SDGs), but some challenges remain. It performs better than the EU average on a number of SDGs in the social domain, including reducing poverty (SDG1) and inequalities (SDG10). There has also been progress on good health and well-being (SDG3) and quality education (SDG4), although Slovakia is still lagging behind the EU average on indicators in these areas. Slovakia is still facing challenges related to reinforced climate action (SDG13), affordable and clean energy (SDG7) and more responsible consumption and production (SDG12).<sup>57</sup>

### 3.4.4. GDP Rates

Romania GDP Growth Rate

Slovak Republic GDP Growth Rate - Historical Data		
Year	GDP Growth (%)	Annual Change
2018	4.11%	0.92%
2017	3.19%	0.06%
2016	3.13%	-1.05%
2015	4.17%	1.42%
2014	2.75%	1.26%
2013	1.49%	-0.17%
2012	1.66%	-1.16%
2011	2.82%	-2.22%
2010	5.04%	10.46%
2009	-5.42%	-11.05%
2008	5.63%	-5.17%
2007	10.80%	2.35%
2006	8.45%	1.70%
2005	6.75%	1.49%
2004	5.26%	-0.16%

<sup>54</sup> World Bank, 'Metadata Glossary', available [here](#).

<sup>55</sup> Sustainable Development Report (2020), available [here](#).

<sup>56</sup> Bertelsmann Stiftung and Sustainable Development Solutions Network, 'Sustainable Development Report 2019' (June 2019) 19.

<sup>57</sup> Commission (EU), above n 39, 4

<b>2003</b>	5.42%	0.90%
<b>2002</b>	4.52%	1.21%
<b>2001</b>	3.32%	2.11%
<b>2000</b>	1.21%	1.42%
<b>1999</b>	-0.21%	-4.22%
<b>1998</b>	4.01%	-2.06%
<b>1997</b>	6.07%	-0.69%
<b>1996</b>	6.76%	0.91%
<b>1995</b>	5.84%	-0.36%
<b>1994</b>	6.21%	4.30%
<b>1993</b>	1.90%	4.30%

#### 3.4.4.2 GDP per capita (current US\$)<sup>58</sup>

<b>Year</b>	<b>GDP per capita</b>
<b>1991</b>	3,350
<b>2000</b>	5,413
<b>2010</b>	16,727
<b>2011</b>	18,338
<b>2012</b>	17,460
<b>2013</b>	18,236
<b>2014</b>	18,670
<b>2015</b>	16,309
<b>2016</b>	16,505
<b>2017</b>	17,554
<b>2018</b>	19,428
<b>2019</b>	19,329

#### 3.4.5 Other relevant indicators<sup>59</sup>

<b>Indicator</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>Unemployment rate (%)</b>	13.2	11.5	9.7	8.1	6.5	5.7
<b>Youth unemployment rate (%)</b>	12.8	13.7	12.3	12.1	10.2	-
<b>Children at risk of poverty or social exclusion (%)</b>	23.6	24.9	24.4	22.5	23.8	-

<sup>58</sup> World Bank, 'GDP per capita (current US\$)', available [here](#).

<sup>59</sup> Commission (EU), above note 30. See further indicators at OECD, 'How's life in the Slovak Republic?' (2020), available [here](#).

<b>At-risk-of-poverty or social exclusion rate</b>	18.4	18.4	18.1	16.3	16.3	-
<b>Severe material deprivation rate (%)</b>	9.9	9.0	8.2	7.0	-	-

### 3.5. Slovakia’s Human Rights record

Significant human rights issues persist in Slovakia, including various forms of discrimination against the Roma and other ethnic and racial minorities; lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons, who often face violence and menaces of violence; and against women.<sup>60</sup> Discrimination against women is fuelled by stereotypes regarding the roles and responsibilities of women and men in society and family. On this note, there had been campaigns by non-State actors advocating for traditional family values, overemphasizing the roles of women as mothers and caretakers, and criticizing gender equality as ‘gender ideology’.<sup>61</sup> Importantly, Slovakia has not yet ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). By and large, the CEDAW has outlined the inadequacy of Slovakia’s response to gender-based discrimination.<sup>62</sup>

Roma reportedly suffer from discrimination in several areas, including education and accessing to public services, unemployment, forced evictions without adequate alternative housing solutions and residential segregation, mostly in the eastern part of the country. Roma are also severely underrepresented in communal, provincial, and national elective bodies.<sup>63</sup> ‘Law enforcement authorities reported a growing number of cases of Slovak children of Romani descent being subjected to forced marriage, often by their legal guardians who sought financial benefit. Women from marginalized Romani communities were transported to the United Kingdom by force or deception to marry foreign citizens attempting to avoid deportation by marrying an EU citizen and might consequently have been subjected to trafficking in persons’.<sup>64</sup>

Prosecution of high-level corruption cases has become a pressing challenge, and impunity has triggered an unprecedented political crisis. ‘Investigative journalists and NGOs documented cases of well-connected businesspersons siphoning off state finances through tax fraud. Observers blamed political influence over police and the prosecution services for blocking or hampering anticorruption investigations’.<sup>65</sup> In a fact-finding mission from the European Parliament following up on the subsidy misuse accusations from farmers, it was reported evidence of intimidation and physical violence against small farmers and inactivity

<sup>60</sup> Human Rights Council, ‘Compilation on Slovakia. Report of the Office of the United Nations High Commissioner for Human Rights’ A/HRC/WG.6/32/SVK/2 (6 November 2018), 2.

<sup>61</sup> Ibid, 6-7

<sup>62</sup> Ibid, 7; CEDAW, ‘Concluding observations on the combined fifth and sixth periodic reports of Slovakia’ (CEDAW/C/SVK/CO/5-6, 25 November 2015), available [here](#).

<sup>63</sup> US Department of State, ‘2019 Country Reports on Human Rights Practices: Slovakia’ (2019), available [here](#).

<sup>64</sup> Ibid.

<sup>65</sup> ‘In the last article written by investigative journalist Jan Kuciak and published after his murder in February 2018, Kuciak documented Italian mafia connections to high-level politicians that were allegedly designed to abuse EU agricultural subsidies. On October 21, businessman Marian Kocner was indicted on charges of ordering Kuciak’s murder. In August, four of Kocner’s collaborators all of whom were already in jail on charges related to the Kuciak murder were charged with conspiracy to murder former first deputy prosecutor general Peter Sulfiarsky, Special Prosecutor Maros Zilinka, and former minister of justice and interior Daniel Lipsic. The potential victims were all reportedly involved in criminal investigations affecting Kocner; a criminal investigation was pending. In August, September, October, November, leaked transcripts of text messages from Kocner’s telephone communications revealed extensive relations between Kocner and high-level state officials, police, prosecutors, and judges. In the messages, Kocner discussed attempts to manipulate political, administrative, and judicial decisions to support both his personal financial interests and representatives of the ruling Smer party. According to the special prosecution service, numerous criminal investigations based on the messages were pending. In August police seized mobile phones of several judges and prosecutors allegedly involved in encrypted telephone conversations with Kocner’: *ibid*.



from state authorities. The farmers alleged that EU agricultural subsidies were not reaching the right beneficiaries due to widespread corruption and weak rule of law.<sup>66</sup> These revelations have raised specific concerns regarding the independence and integrity of the justice system.<sup>67</sup>

During the 2019 protests, there were allegations of excessive use of force by the police and the lack of an independent oversight mechanism to investigate allegations of unlawful use of force.<sup>68</sup> While the government has investigated those abuses, some observers questioned the thoroughness of these investigations.<sup>69</sup>

### 3.6. Social support systems

The Slovak social protection system covers standard social risks. Social security system comprises three pillars: social insurance, social assistance, and State social support. The first one consists of five separate insurance systems which encompasses sickness insurance –including maternity benefits–; old-age and disability pensions; accident insurance for work-related injuries; wage-guarantee and unemployment insurance.<sup>70</sup> The social assistance pillar allows people in situation of material deprivation to receive services or benefits from the State. The State social support is designed to address particular situations, including child care or death of a family member. These allowances do not depend on income but on the permanent or temporary residence in Slovakia.<sup>71</sup> Material needs assistance is also a part of the social protection system. It guarantees basic living conditions through the Material Needs Allowance and Supplements and Minimum Subsistence.<sup>72</sup>

Spending on health and social assistance has increased but remains below the EU average. For instance, it accounted for €1,600 per capita in 2017 (40% of the EU average), representing 6.7% of GDP.<sup>73</sup> An analysis carried out by Caritas assessing the availability, accessibility, affordability and adequacy of key social services and benefits in Slovakia revealed the following key deficiencies: access to public employment services remains difficult for people experiencing poverty or social exclusion; social housing is underdeveloped, and conditions for access are restrictive; homecare services are foreseen in the national strategy of de-institutionalisation but are underfunded, understaffed and not integrated; and there is a lack of homeless' protection network in small towns.<sup>74</sup>

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<sup>66</sup> Ibid; Parliament (EU), 'Draft report on the fact-finding mission to Slovakia 17-19 December 2018' (30 January 2019), available [here](#).

<sup>67</sup> Commission (EU), above n 39, 50.

<sup>68</sup> OECD Economic Surveys, above n 33, 33; Human Rights Council, above n 60, 9; International Amnesty, 'Slovakia' (2019), available [here](#); Amnesty International, 'Slovakia. Submission to the UN Committee pm the Elimination of Racial Discrimination' (2017), available [here](#). Significantly, in December 2018 the European Court of Human Rights awarded 25,000 euros in compensation to two surviving Romani family members, who were seriously injured in a 2012 attack on their home by a municipal police officer in Hurbanovo in which three other Romani family members died. See ECtHR Judgement, *Lakatošová and Lakatoš v. Slovakia*, application no. 655/16, 11 December 2018.

<sup>69</sup> US Department of State, above n 63.

<sup>70</sup> See Slovakia Social Security Administration, 'Social Security Programs Throughout the World: Europe, 2018' (2018), available [here](#).

<sup>71</sup> Euraxes Slovakia, 'Social Security System in Slovakia', available [here](#).

<sup>72</sup> Caritas, 'Access to services by vulnerable groups: barriers, obstacles and good practices' (2019) 9, available [here](#).

<sup>73</sup> Commission (EU), 'State of Health in the EU Slovakia Country Health Profile 2019', available [here](#).

<sup>74</sup> Caritas, above n 72, 11 ff.



## 4. National modern slavery context

### 4.1. Modern slavery profile

Based on the available statistical data, Slovakia remains primarily a country of origin and transit of victims of trafficking in human beings and to a lesser extent a country of destination.<sup>75</sup> Particularly, human traffickers exploit domestic –the great majority– and foreign victims in Slovakia, especially from Ukraine and Serbia.<sup>76</sup> According to the country data, while the majority of female victims were trafficked for the purpose of sexual exploitation, they were also subjected more marginally to forced begging, forced marriage, forced labour and forced criminality. On the other hand, male victims were increasingly trafficked for the purpose of labour exploitation, followed by forced begging, forced marriage and forced criminality. Child victims of trafficking were primarily victims of sexual exploitation, but also forced marriage, labour exploitation and forced begging.<sup>77</sup> 'NGOs report men and women, mostly from the Balkans and South-East Asia, are vulnerable to forced labour in Slovakia and may be unable or afraid to seek assistance from authorities. Some temporary workers from non-EU European countries, recruited for the manufacturing and construction industries, are subjected to conditions indicative of forced labour, including non-payment of wages. Women from South-East Asia are vulnerable to sex trafficking and forced labour in domestic service, restaurants, massage parlours, or spas'.<sup>78</sup>

Although there have been some changes over the last years in the countries of destination and the forms of exploitation of Slovak victims, they are generally recruited for labour trafficking in agriculture, manufacturing, and construction in Western Europe, increasingly in German-speaking countries. Women are particularly affected for sex trafficking or sham marriages,<sup>79</sup> and the main countries of destination are the UK, Ireland, Austria, Denmark, Germany, Switzerland, and other European countries, as well as the United States.<sup>80</sup> Slovaks of Romani descent are disproportionately vulnerable to trafficking and exploitation, and sometimes they are exploited by their inner social or family circles. For instance, there have been cases of Slovak children of Romani descent trafficked exploited by their parents in sex trafficking through forced marriage in Slovakia or in forced criminal activity in the UK. Traffickers also take advantage of other vulnerable groups: for instance, they force Slovak nationals with physical and mental disabilities to beg throughout Western Europe, and they exploit children without relevant support structures who leave institutional care facilities in sex and labour trafficking.<sup>81</sup>

### 4.2. Causes and drivers of modern slavery and transnational trafficking

Discrimination against women and people of Roma origin fosters their vulnerability to trafficking or exploitation and hinders their access to effective remedy.<sup>82</sup> Moreover, social attitudes towards children in the Roma community can have an influence on the type of behaviours they are subjected to, such as early and forced marriage.<sup>83</sup> 'The cultural context of the so-called arranged marriages particularly applies to the community of Wallachian Romas. It is their genuine tradition, the families of children arrange marriage, the boy's

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<sup>75</sup> In fact, there has been reported an increase in the number of presumed victims: statistics show that there were 56 victims in 2015, 45 in 2016, 88 in 2017, and 66 in 2019. See GRETA (Council of Europe), 'Evaluation Report Slovak Republic. Third Evaluation Round: Access to justice and effective remedies for victims of trafficking in human beings' (GRETA(2020)05, 10 June 2020) 7, available [here](#).

<sup>76</sup> Commission (EU), above n 27.

<sup>77</sup> Ibid.

<sup>78</sup> US Department of State (2020), above n 12, 448.

<sup>79</sup> Often, they are coerced to marry foreign citizens attempting to avoid deportation by marrying an EU citizen. US Department of State, above n 63.

<sup>80</sup> Ibid.

<sup>81</sup> US Department of State (2020), above n 12, 448.

<sup>82</sup> GRETA (Council of Europe), above n 75, 33.

<sup>83</sup> Ibid, 66

father pays a symbolical price to the girl's father for bringing her up and the money is used to prepare the wedding ceremony. The marriage is sealed and considered valid in the eyes of the community after the so-called ceremonial act'.<sup>84</sup> Regarding children, concerns have been reported regarding unaccompanied minors who had gone missing from foster homes, and the inefficiency in locating them.

Poverty and lack of economic opportunities in Slovakia, especially in the East region, make women, men and young people potential victims of traffickers associated with international criminal organizations.<sup>85</sup> They are vulnerable to false promises of job opportunities or job offers in other countries, and many of those who accept these offers end up in a situation of exploitation maintained through threats or an illegitimate debt.<sup>86</sup>

Organised criminal groups frequently use corruption to circumvent the law, and money laundering to conceal their profits from trafficking in human beings' activities they engaged in. Therefore, the presumed widespread corruption in Slovakia may hamper antitrafficking efforts.<sup>87</sup> On this note, steps undertaken under the government action plan against money laundering have not yet provided the tools necessary to effectively identify and prosecute these offences and to confiscate assets.<sup>88</sup>

### 4.3. Particularly vulnerable groups

Roma people are particularly vulnerable to human trafficking. 'Traffickers are particularly prominent individuals in Romani communities. They find victims through family and village networks, preying on individuals with disabilities or large debts. Members of the Roma community are disproportionately affected by THB, including for the purpose of early, child or forced marriages'.<sup>89</sup> Among them, women and girls are more vulnerable to sex trafficking and forced marriage,<sup>90</sup> and children are more prone to be subjected to multiple forms of exploitation, such as forced begging or forced criminal activities.<sup>91</sup>

The Committee on the Rights of the Child has outlined that children who left institutional care facilities were often at risk of human trafficking owing to a lack of sufficient support.<sup>92</sup> Asylum-seekers and unaccompanied minors are also viewed as belonging to a vulnerable group at risk of being trafficked.<sup>93</sup>

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<sup>84</sup> Ibid.

<sup>85</sup> Commission (EU), above n 39, 5

<sup>86</sup> Anna Bartošová (Caritas Slovakia), 'Human Trafficking in Slovakia' (2014), available [here](#).

<sup>87</sup> As stated in the GRETA's third evaluation report, 'according to a Eurobarometer report on corruption for 2017, 45% of Slovak respondents felt that the taking of bribes and use of power for personal gain was widespread in the police, above the EU average, which stands at 31%', GRETA (Council of Europe), above n 75, 36.

<sup>88</sup> The EU Commission highlighted that "despite ambitious plans to strengthen the prevention, investigation and prosecution of money laundering, the understanding of risk exposure remains low. Limited human resources and training hamper the effectiveness of supervision". Commission (EU), above n 39, 5.

<sup>89</sup> GRETA (Council of Europe), above n 75, 25.

<sup>90</sup> Human Rights Council, above n 60, 5; US Department of State, above n 63.

<sup>91</sup> US Department of State, above note 65; the International Labour Organization Committee of Experts on the Application of Conventions and Recommendations requested the Government to strengthen its efforts to prevent and eliminate trafficking in children, particularly in Roma girls. See Human Rights Council, above note 47, p. 5.

<sup>92</sup> Committee on the Rights of the Child, 'Concluding observations on the combined third to fifth periodic reports of Slovakia' (20 July 2016) CRC/C/SVK/CO/3-5, para 58, available [here](#).

<sup>93</sup> GRETA (Council of Europe), above n 75, 39.

## 5. Antislavery governance frameworks

### 5.1. Legislative measures

#### 5.1.1. Slovak Constitution<sup>94</sup>

Articles 18(1) and (2) of the Slovak Constitution prohibit forced labour and services and establishes legitimate exceptions to State imposition of labour ('No one shall be sent to perform forced labour or forced services'<sup>95</sup>), and Article 19(1) declares that everyone has the right to maintain and protect his/her dignity. Article 151a envisages the Public Defenders of Rights with the aim of protecting 'fundamental rights and freedoms of natural persons and legal persons in the proceedings, decision making or inactivity of public administration bodies, if their proceedings, decision making or inactivity is inconsistent with legal order or with principles of a democratic state and rule of law'.<sup>96</sup>

#### 5.1.2. Criminal Code 2005 (CC)<sup>97</sup>

**Trafficking in human beings**, which is prohibited under Article 179 of the Slovak Criminal Code (CC),<sup>98</sup> carries an imprisonment term of four to 10 years. Whether aggravating circumstances of Article 179 CC concur, the imprisonment term increases to seven to 12 years (paragraph 3); 12 to 20 years (paragraph 4); 20 to 25 years; or life imprisonment (paragraph 5):

(1) Whoever with the application of fraudulent conduct, deception, restriction of personal freedom, kidnapping, violence, threat of violence, threat of another grievous harm or other forms of coercion, or by accepting or providing monetary fulfilment or other benefits in order to gain a person's consent on whom another person is dependent, or abuse of position of vulnerability or otherwise vulnerable position, entices, harbours, transmits or accepts another person, even with their consent, for the purpose of prostitution or another form of sexual exploitation, including pornography, forced labour or forced service including begging, slavery or slavery-like practices, servitude, forced marriage, exploitation of criminal activities, removal of organs, tissues or cells or other forms of exploitation, shall be punished by a prison sentence of four to ten years.

(2) As in paragraph 1, he/she shall be punished who deceives, transports, keeps, gives or takes a child, even with its consent, for the purpose of child prostitution or other forms of sexual exploitation, including child pornography, forced labour or forced services including begging, slavery or practices similar to slavery, servitude, forced marriage, exploitation of criminal activities, illegal adoption, removal of organs, tissues or cells, or other forms of exploitation.<sup>99</sup>

3) The offender shall be liable to a term of imprisonment of seven to twelve years if he commits the offence referred to in paragraphs 1 or 2,

a) and obtains larger benefit for himself or another through its commission,

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<sup>94</sup> See unofficial translation of the Slovak Constitution [here](#).

<sup>95</sup> Article 18 (2): Provisions of paragraph 1 of this Article shall not apply to: a) labour lawfully imposed on prisoners or on persons serving a sentence, which is replacing imprisonment, b) military service or other service performed instead of compulsory military service, c) service lawfully required in cases of natural disasters, accidents or other danger, which is threatening the lives, health or considerable property values, d) activity imposed by law for the protection of life, health or rights of other people, e) minor municipality services on the basis of a law.

<sup>96</sup> See Projustice, 'The Ombudsman in the constitutional system of the Slovak Republic' (8 April 2018), available [here](#).

<sup>97</sup> Criminal Code (Act No. 300/2005 Coll. as amended) See unofficial translation [here](#).

<sup>98</sup> Article 246 of the previous version Criminal Code was also used to prosecute offenses which occurred before the new code went into effect; it prescribed penalties of three to 10 years' imprisonment for offenses involving a victim over 15 years of age, and five to 12 years' imprisonment for those involving a victim under the age of 15.

<sup>99</sup> As it is quoted in GRETA (Council of Europe), 'Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Slovak Republic. Second Evaluation Round' (GRETA(2015)21, 9 November 2015) 32, available [here](#).

- b) against a protected person,
- c) by reason of specific motivation,
- d) acting in a more serious manner.

(4) The offender shall be liable to term of imprisonment of twelve to twenty years if he commits the offence referred to in paragraphs 1 or 2,

- a) and obtains substantial benefit for himself or another through its commission,
- b) and causes grievous bodily harm or death, or other particularly serious consequence through its commission, or
- c) as a member of a dangerous grouping.

(5) The offender shall be liable to a term of imprisonment of twenty to twenty-five years or to life imprisonment if he commits the offence referred to in paragraphs 1 or 2,

- a) and obtains large-scale benefit for himself or another through its commission,
- b) and causes grievous bodily harm or death to several persons through its commission".<sup>100</sup>

A non-punishment cause is also envisaged when victims of trafficking have been compelled to engage in criminal activities: 'the punishment of an offender may be waived if the offence is minor and was committed by a person under duress due to the fact that he or she was the victim of trafficking, sexual abuse or child pornography' (Article 40(1b) CC). 'Minor offence' is defined in Article 10 of the CC as offences committed by negligence and offences carrying a maximum sentence of imprisonment of five years.<sup>101</sup>

The offence of trafficking under Article 179 of the CC is one of the criminal offences for which the court may order the forfeiture of property as part of the punishment for the crime, in line with Article 83 and 58(2) of the CC.<sup>102</sup> Since the adoption of Act 91/2016 on Criminal Liability of Legal Persons, legal persons can be held criminally responsible of certain crimes, including human trafficking, sexual abuse, and money laundering.<sup>103</sup>

Article 180 (1) CC prohibits **illegal adoption** in the following terms:

- (1) Any person who, in breach of a generally binding legal regulation, places a child under the control of another for the purpose of adoption shall be liable to a term of imprisonment of up to three years.<sup>104</sup>

**Child labour** is prohibited under **Article 181(1)** of the CC, which stipulates:

- (1) Any person who, in exchange for money, places a child under the control of another for the purpose of exploiting the child for child labour, or for any other purpose, shall be liable to a term of imprisonment of four to ten years.<sup>105</sup>

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<sup>100</sup> As translated in Antislavery Domestic Legislation, 'Slovakia', available [here](#).

<sup>101</sup> GRETA notes that these provisions do not foresee the possibility of withdrawing prosecution and punishment for serious offences. Similarly, the provisions do not concern the liability for administrative offences. See: GRETA (Council of Europe), above n 75, 34.

<sup>102</sup> Ibid, 23

<sup>103</sup> Ibid, 35.

<sup>104</sup> Aggravating circumstances: (2) The offender shall be liable to a term of imprisonment of four to ten years if he commits the offence referred to in paragraph 1: a) and obtains larger benefit for himself or another through its commission, or b) acting in a more serious manner. (3) The offender shall be liable to a term of imprisonment of ten to fifteen years if, through the commission of the offence referred to in paragraph 1, he causes grievous bodily harm or death, or other particularly serious consequence.

<sup>105</sup> Aggravating circumstances are also established: (2) The offender shall be liable to a term of imprisonment of seven to twelve years if he commits the offence referred to in paragraph 1: a) and obtains larger benefit for himself or another through its commission; b) acting in a more serious manner. (3) The offender shall be liable to a term of imprisonment of twelve to twenty years if he commits the offence referred to in paragraph 1: a) and causes grievous bodily harm or death, or other particularly serious consequence through its commission, or b) and obtains substantial benefit for himself or another through its commission. (4) The offender shall be liable to

It is important to note that there is no separate criminal offence defined by the Criminal Code as slavery, servitude or forced labour. Therefore, severe forms of exploitation are punished as part of either a criminal offence of trafficking in human beings (Article 179 CC), or under Article 251a of the CC as an offence of imposition of 'extremely exploiting conditions' to undocumented migrants:

(1) Whoever unjustifiably employs a person who resides in the territory of the Slovak Republic in violation of a generally binding legal regulation [...], shall be punished by imprisonment for up to two years.<sup>106</sup>

(2) An offender shall be punished by imprisonment for six months to three years if he commits the act referred to in paragraph 1, regardless of the previous sanction for a similar act:

a) on the protected person;

b) or acting in a more serious manner;

(c) **under extremely exploiting working conditions** including work conditions based on discrimination, significantly disproportionate as compared to working conditions of legally employed persons and which effect human health and security and security and is in conflict with human dignity; or

(d) to a person who is a victim of trafficking in human beings.

Other relevant provisions include Deprivation of personal freedom (Article 182);<sup>107</sup> Restriction of personal freedom (Article 183);<sup>108</sup> Restricting the freedom of residence (Article 184);<sup>109</sup> or Gross coercion (Article 190).<sup>110</sup>

### 5.1.3. Code of Criminal Procedure 2005 (CPC)<sup>111</sup>

Articles 46-49 of the CPC regulate the rights of injured parties in criminal proceedings, including the right to be informed, the right to claim compensation, and the right to be informed about a possible release of the defendant.<sup>112</sup> Victims' involvement in criminal proceedings is carried out with special safeguards when they are considered 'particularly vulnerable' –according to Article 2 of the Victims Act, all victims of trafficking are particularly vulnerable–or whether they are children. For instance, according to Article 125 (4) of the CPC, a 'direct confrontation' between the victim and the defendant is not permitted.

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a term of imprisonment of twenty to twenty-five years or to life imprisonment if he commits the offence referred to in paragraph 1, a) and obtains large-scale benefit for himself or another through its commission, b) and causes death to several persons through its commission, or c) as a member of a dangerous grouping.

<sup>106</sup> It is related to employment of migrants contrary to separate Acts, such as Act on Residence of Foreigners or Act No. 5/2004 Coll. on Employment Services. See Zuzana Bargerová, Elena G. Kriglerová, Alena Chudžíková, Jana Kadlečíková (FRANET), 'Severe forms of Labour exploitation: Supporting victims of severe forms of labour exploitation in having access to justice in EU Member States. Slovakia, 2014' (Social Fieldwork Research, 2014), 7, available [here](#).

<sup>107</sup> 'Any person who unlawfully deprives another of personal freedom shall be liable to a term of imprisonment of four to ten years'

<sup>108</sup> 'Any person who, without lawful authority, prevents another from enjoying personal liberty shall be liable to a term of imprisonment of between six months and three years'.

<sup>109</sup> 'Any person who, through deception or violence, threat of violence or other harm: a) forces without lawful authority other person to stay in a certain place, or b) prevents without lawful authority other person from staying in a certain place, shall be liable to a term of imprisonment of between six months and three years'.

<sup>110</sup> '(1) Any person who, by violence, the threat of violence or other serious harm, forces another to render consideration of proprietary or other than proprietary nature for himself or for a third party in return for his own services or the services of a third party, which he forces on such person against his will, even if he pretends providing the services concerned, shall be liable to a term of imprisonment of four to ten years. (2) The same sentence as referred to in paragraph 1 shall be imposed on the offender who, with respect to a group of persons because of their race, complexion, ethnicity, age or health condition, or with the intention to obtain an unlawful or undue advantage for himself or another: a) without lawful authority, forces them by violence or the threat of violence to do anything, omit doing or endure anything being done contrary to their fundamental human rights, or b) batters, tortures or treats them in a similar inhuman and cruel manner'.

<sup>111</sup> Act No. 301/2005 Coll. as amended.

<sup>112</sup> GRETA (Council of Europe), above n 75, 12



Other relevant provisions include Article 136 (1) and (2) CPC, which establishes witnesses' rights;<sup>113</sup> Articles 91 to 95, regarding seizure of property; and Article 287 CPC, which provides the legal grounds for the injured party to be awarded damages in criminal proceedings. In this vein, the Constitutional Court Decision 759/2017 ruled that the criminal proceeding is preferable to address a trafficking compensation claim than in a civil court to avoid secondary victimisation.<sup>114</sup> This judgement spans a promising scenario in a context in which 'criminal courts do not consider adjudicating claims for compensation to be their primary task and refer victims to claim compensation through civil proceedings', in accordance to Article 288 of the CPC.<sup>115</sup>

Pursuant to Article 215(2) CPC, a prosecutor may terminate the criminal prosecution of a minor offence committed by a person who is a victim of trafficking, in accordance with the abovementioned non-punishment clause of Article 40 (1b) CC.

#### 5.1.4. Act on Victims of Crime and Amendments of Certain Rules 2017 (Victims Act)<sup>116</sup>

The Victims Act provides for the following rights of victims of crime: the right to be informed; the right to be assisted; the right to receive legal aid; the right to be protected against secondary or repeated victimisation; and the right of victims of violent crimes to state compensation.<sup>117</sup> While damages for a physical injury must be claimed and proven during the police investigation, claims for moral damage can be sought directly from the Ministry of Justice, without prior court procedures (Article 11(4) of the Act).

The Act concerns all victims of crime but has numerous specific provisions addressing children and victims of trafficking's special needs. For example, Article 8 envisages that trafficking victims have the right to protection from secondary or repeated victimisation, regardless of whether they enter the Programme of Support for Victims of Trafficking.

#### 5.1.5. Act on Residence of Foreigners 2011<sup>118</sup>

The Act on Residence of Foreigners provides for 'tolerated residence', which the Slovakian authorities have argued is equivalent to a recovery and reflection period. Pursuant to Article 58(2) of this Act, a police department shall grant tolerated residence to a third-country national who is a victim of human trafficking, if there are no reasons for the refusal of an application as per Article 59(2).<sup>119</sup> In accordance with Article 58(4), the duration of tolerated residence for victims of THB is up to 90 days, during which the person decides whether he/she would cooperate with the authorities in the investigation of the trafficking offence, which can be extended to 180 days and further renewed (Article 59(6) of the Act). Children are granted tolerated residence without further conditions (Article 58(1) of the Act).<sup>120</sup>

#### 5.1.6. Act on Asylum 2002<sup>121</sup>

According to the law, victims of trafficking in human beings may also apply for asylum, although the personal status of victim of trafficking in human beings does not amount as condition for granting asylum status (Article 8). Applicants have to prove that in their countries of origin they are being persecuted due to their race, nationality, religion, political

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<sup>113</sup> For example, if there is a justified concern that the witness or a person close to them will be put at risk by stating the residence of the witness, the witness may be permitted to state their place of work or another address for the purpose of the procedures: see *ibid*, 29.

<sup>114</sup> *Ibid*, 19

<sup>115</sup> *Ibid*, 18

<sup>116</sup> Act No. 274/2017 Coll. as amended

<sup>117</sup> See in-depth GRETA (Council of Europe), above n 75, 20 ff.

<sup>118</sup> An English translation of the Act No. 404/2011 can be found on the website of the Ministry of the Interior [here](#). Pursuant to this Act, foreigner is anyone who is not a state citizen of the Slovak Republic, including EU citizens. A third-country national is everybody who is neither a state citizen of the Slovak Republic nor an EU citizen (Article 2(4) of the Act). Likewise, a person without any citizenship is considered a third-country national.

<sup>119</sup> Pursuant to Article 59, paragraph 13, of the Act on Residence of Foreigners, the grounds for refusing an application to grant tolerated residence are as follows: 'a) a third-country national gives false or misleading data or submits falsified or counterfeited documents or a document of another person; b) does not fulfil the conditions for the granting of tolerated residence; c) a third-country national is an undesired person; d) s/he has not attached any document as per paragraph 3'

<sup>120</sup> See further GRETA (Council of Europe), above n 99, 28

<sup>121</sup> Act No. 480/2002 Coll. as amended.

views, or affiliation to a social group.<sup>122</sup> Child asylum seekers, including possible victims of trafficking, are placed in specialised centres.<sup>123</sup>

#### 5.1.7. Act on Social and Legal Protection of Children and on Social Guardianship 2005<sup>124</sup>

The Act as amended aims to facilitate access to specialised assistance for children in need of protection, as well as to provide support to the children's families and avoid de-institutionalisation.

#### 5.1.8. Act on Employment Services 2004<sup>125</sup>

According to Article 30(1) of the Act, temporary employment agencies and employment intermediaries must ensure that workers' conditions of employment and work are secured. Thus, they have the legal obligation to submit annual activity reports to allow authorities to check compliance with applicable legislation. Violations of the Employment Services Act may be penalised with a fine of up to approximately €33,000.<sup>126</sup>

#### 5.1.9. Act on Illegal Employment 2005<sup>127</sup> and Act on Labour Inspection 2012<sup>128</sup>

The Act on Illegal Employment regulates minimum sanctions and measures with respect to employers of illegally staying third country nationals ('unlawful employment'). Pursuant to Article 7, a legal or natural person, who has been fined for a violation of this act is obliged to pay the agreed salary to the person illegally employed, regardless his/her migratory status.<sup>129</sup> The amount of fines that can be imposed for illegal employment is regulated separately within the Act on Labour Inspection (Articles 19 and 20).

#### 5.1.10. Labour Code 2001<sup>130</sup>

In Slovakia, the main pieces of legislation governing the employment relationship are the Labour Code, Labour Inspectorate Act, and Health Protection Act.<sup>131</sup> Basic principles are stipulated in Article 1 of the Labour Code, which further refers to the Anti-Discrimination Act and includes the prohibition of forced labour as one of the fundamental principles without defining it in any provision of the Labour Code.<sup>132</sup> Freedom of work is also envisaged within the Slovak labour legislation.<sup>133</sup> Pursuant to Article 150 of the Labour Code, any employee has the right to file a complaint to the Labour Inspectorate, if they are injured due to a breach of regulations by the employer.

The minimum age for employment is 15, although child labour is permitted under exceptional circumstances. The National Labour Inspection Service and the Public Health Office must approve, determine the maximum hours, and set conditions for work by children younger than 15 (Article 11).<sup>134</sup>

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<sup>122</sup> Zuzana Bargerová, Elena G. Kriglerová, Alena Chudžíková, Jana Kadlečíková (FRANET), above n 106, 11. For humanitarian reasons, the Migration Office of the Ministry of Interior of the Slovak Republic (has the power to grant asylum status to victims of trafficking in human beings even though they fail to comply with these conditions; however, since the law fails to specify these reasons, it is up to the Immigration Office to assess each individual case.

<sup>123</sup> GRETA (Council of Europe), above note 62, p. 38.

<sup>124</sup> Act No. 305/2005 Coll. as amended.

<sup>125</sup> See unofficial translation [here](#).

<sup>126</sup> See GRETA (Council of Europe), 'Reply from the Slovak Republic to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties' (GRETA(2018)26\_SVK\_rep, 20 March 2019), 38, available [here](#); GRETA (Council of Europe), above n 75, 37.

<sup>127</sup> Act on Illegal Employment (Act 82/2005). See in Slovak [here](#).

<sup>128</sup> Act No 48/2012 Coll. See unofficial translation [here](#).

<sup>129</sup> GRETA (Council of Europe), above n 75, 20.

<sup>130</sup> See an English version [here](#).

<sup>131</sup> ILO, 'Slovakia', available [here](#).

<sup>132</sup> Zuzana Bargerová, Elena G. Kriglerová, Alena Chudžíková, Jana Kadlečíková (FRANET), above n 106, 7.

<sup>133</sup> See further: Iftikhar Ahmad (Wage Indicator Foundation), 'Decent Work Check 2019. Slovakia' (2019), available [here](#).

<sup>134</sup> US Department of State, above n 63. Regional inspection units, which were under the auspices of the NLI, received and investigated child labour complaints. Apart from regional inspection units, the state Social Insurance Company was also responsible for monitoring child labour law compliance. If a unit determined that a child labour 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.

#### 5.1.11. Regulation of the Ministry of the Interior of the Slovak Republic on the Program of Support and Protection of Victims of Human Trafficking<sup>135</sup>

The Victim Support Programme, run by the Slovak Catholic Charity, ensures various aspects of victims of trafficking's protection. To enter the Victim Support Programme, a victim needs to give his/her consent and agree to certain conditions, including to break all contacts with the suspected perpetrators. The first phase lasts 90 days, considered as a period for crisis intervention, during which victims who enter the Victim Support Programme receive accommodation, medical care, social counselling and assistance, material support, psychological counselling and free legal counselling. In the second phase, also consisting of 90 days and referred to as an 'integration period', the victims receive further counselling and training, as well as support in finding accommodation and employment. Beyond 180 days, if the victim co-operates in the criminal proceedings, the assistance can continue for the duration of the proceedings.<sup>136</sup>

## 5.2. Prosecution

In 2019, law enforcement authorities initiated investigations of 16 cases (27 cases in 2018 and 37 cases in 2017), with 27 ongoing investigations initiated in prior reporting periods. Of the 16 investigations, 8 cases were for sex trafficking and 8 were for labour trafficking (3 for forced begging, 1 for forced criminality, 2 combination cases, and 2 for forced labour); all suspects were Slovak nationals. In 2018, 53 defendants were prosecuted in 23 cases, while in 2017, 72 defendants were prosecuted in 19 cases; in 2016, 31 defendants were prosecuted in 14 cases; and in 2015, a total of 23 defendants were prosecuted in 9 trafficking cases. Prosecutors indicted 38 alleged traffickers in 2019, while 21 were indicted in 2018 and 25 in 2017. There were 30 concluded criminal prosecutions of trafficking cases in 2018, 36 in 2017, 28 in 2016 and 23 in 2015.<sup>137</sup> Prosecutors obtained convictions of 11 traffickers in 2019, although all were suspended: five traffickers received prison sentences and six traffickers received suspended sentences. Courts sentenced two traffickers to four years' imprisonment, two traffickers to five years' imprisonment, and one trafficker to 8.6 years' imprisonment. In 2018, prosecutors obtained convictions of 8 traffickers, 15 in 2017, 4 in 2016 and 21 in 2015.<sup>138</sup> The great majority of identified victims were Slovak nationals, who were mostly exploited abroad.<sup>139</sup>

Although there has been a significant percentage increase compared with zero percent of traffickers receiving prison sentences in 2018, the 2020 TIP Report notes that 'it still did not meet the minimum standard generally requiring incarceration for convicted traffickers. Alleged corruption, inefficiency, and lack of accountability within the judicial branch remained concerns during the reporting period and hindered law enforcement efforts. Additionally, over the past six years, approximately 70 percent of trafficking convictions resulted in fully suspended sentences; the low number of significant prison terms in Slovakia contributed to impunity for traffickers and undermined rule of law. Slovak authorities said the high percentage of suspended sentences and plea bargains were due to a weak body of evidence, unreliable victim testimony,<sup>140</sup> and the fact that many domestic investigations resulted in the prosecution only of low-level recruiters and not the organizers of the trafficking operation, who were often located in other jurisdictions'.<sup>141</sup> Accordingly, in its third Report, GRETA noted that cases of trafficking frequently qualified as other offences, and when they did, mitigating circumstances were regularly considered and applied by judges, thus resulting in lenient sanctions which does not reflect the impact this crime has on individuals and society.<sup>142</sup> Further, it noted that claims about possible

<sup>135</sup> Act No. 180/2013 Coll. as amended.

<sup>136</sup> GRETA (Council of Europe), above n 75, 43

<sup>137</sup> Ibid, 24

<sup>138</sup> US Department of State (2020), above n 12, 446

<sup>139</sup> GRETA (Council of Europe), above note 62, p. 7

<sup>140</sup> According to civil society representatives met by GRETA, victims of THB are sometimes not taken seriously by the police when they provide information about abuse they have suffered, and thus the reported offences do not get investigated. See GRETA (Council of Europe), above n 75, 25.

<sup>141</sup> US Department of State (2020), above n 12, 446.

<sup>142</sup> GRETA (Council of Europe), above n 75, 23



trafficking cases were often not taken seriously by the Police. GRETA suggested that 'if the Police and prosecutors made more extensive use of special investigation techniques and seizure of proceeds of crime or property used for it, including as evidence, this would increase the efficiency of investigations and ultimately successful prosecution of THB offences'.<sup>143</sup>

### 5.3. National policies and plans

#### 5.3.1. Programme against Trafficking in Human Beings (2019-2023)<sup>144</sup>

On 6 November 2018 the fifth National **Programme against Trafficking in Human Beings**, covering the years 2019-2023 was adopted by the Slovak Government.<sup>145</sup> The Programme includes 21 tasks grouped under four pillars –prevention, protection, prosecution and partnership–. It focuses on assistance to victims of THB and co-operation between authorities, both domestically and internationally. There is also a focus on research and data collection, with a particular emphasis on labour trafficking. While responsible authorities are expected to finance their actions, there is no dedicated budget for the implementation of the National Programme.<sup>146</sup>

#### 5.3.2. National Strategy for Gender Equality (2014-2019)<sup>147</sup>

For the period National 2014-2019, Slovakia adopted the National Strategy for gender equality and a related National action plan for gender equality.<sup>148</sup> The strategy and the action plan are interconnected and represent a comprehensive conceptual framework for the promotion of gender equality into practice.<sup>149</sup>

#### 5.3.3. National Action Plan for the Prevention and Elimination of Violence against Women (2014-2019)<sup>150</sup>

Under the National Action Plan for the Prevention and Elimination of Violence against Women (2014–2019), several measures were adopted, including the establishment of a Coordination Centre for Gender-based Violence and Domestic Violence to coordinate activities aimed at prevention and elimination of gender-based and domestic violence; the strengthening of the capacity of support services; and a free 24/7 helpline aimed at providing an efficient support to women experiencing violence and seeking support.

#### 5.3.4. Strategy for the Integration of Roma 2020<sup>151</sup>

In January 2019, the government approved an updated **Roma integration action plan**, valid until 2020, with an allocation of €55.7 million to advance in different policy areas such as education, employment, health, and housing.<sup>152</sup>

#### 5.3.5. Action Plan on Anti-money Laundering (2019-2020)

Slovakia has also adopted a 2019-2022 Action Plan on anti-money laundering.<sup>153</sup> It aims to establish an efficient anti-money laundering framework by June 2020.<sup>154</sup>

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<sup>143</sup> Ibid, 26.

<sup>144</sup> See, in English [here](#).

<sup>145</sup> Previously, it was in place the national Programme for combating human trafficking for years 2015 – 2018.

<sup>146</sup> GRETA (Council of Europe), above note 62, p. 9. Slovak authorities estimate 300,000 euros for State funding for the Ministry of the Interior's work related to THB.

<sup>147</sup> See, in English [here](#).

<sup>148</sup> The strategy is available in English [here](#).

<sup>149</sup> See further CEDAW, 'List of issues in relation to the combined fifth and sixth periodic reports of Slovakia' (CEDAW/C/SVK/Q/5-6/Add.1, 15 June 2015), 4, available [here](#). See further Human Rights Council, 'National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21. Slovakia' (A/HRC/WG.6/32/SVK/1, 6 November 2018)

<sup>150</sup> See the Strategy in English [here](#).

<sup>151</sup> See the Strategy in Slovak [here](#).

<sup>152</sup> EU (Commission), above n 39, 38; Eurydice, 'Eurypedia, National Education Systems – Slovakia' (2019), available [here](#); Michaela Bednarik, Slavomir Hidas and Gabriel Machlica (OECD), 'Enhancing the social integration of Roma in Slovak Republic' (Economics Department Working Papers No. 1551, 21 May 2019) 36, available [here](#).

<sup>153</sup> See [here](#) (in Slovak).

<sup>154</sup> Commission (EU), above n 39, 28 .

## 5.4. National institutions and inter-departmental coordination

The **Expert Group for the Area of the Fight against Trafficking in Human Beings** constitutes the main monitoring body in the work against trafficking. It is chaired by the **National Coordinator for Combatting Trafficking in Human Beings** –the State Secretary of the Ministry of Interior–.The Expert Group has 21 members representing the Ministry of the Interior and its subordinated agencies: the Ministry of Defence, the Ministry of Justice, the Ministry of Labour, Social Affairs and Family, the Ministry of Health, the Ministry of Finance, the Ministry of Foreign Affairs, the Ministry of Education, Science, Research and Sports, the Government Office, the Plenipotentiary for Roma Communities, the Office of the Prosecutor General, the National Labour Inspectorate, the League of Slovak Cities and Towns, IOM and the NGO Slovak Catholic Charity.

The **Information Centre for Combating Trafficking in Human Beings and Crime Prevention** acts as National Rapporteur for trafficking, and the **National Referral Framework** is a mechanism for victim identification and referral. The Information Centre also administers contracts for the victim-care program, gathers trafficking data, publishes an annual human trafficking report, and coordinates the **Task Force** consisting of Slovak authorities and relevant NGOs which discuss general action against trafficking and practical cooperation issues.<sup>155</sup>

The **National Unit for Combating Illegal Migration of the Border and Alien Police of the Police Corps Presidium** are the main bodies responsible for investigating trafficking offences with a total of 15 investigators specialised in trafficking and with a Coordination Unit.<sup>156</sup>

Article 14 of the CPC lists the offences which are to be adjudicated to the Specialised Criminal Court and the Special Prosecutor Office, which include murder, organised crime, corruption and terrorism. However, it is important to note there are no judges specialised in trafficking cases when they do not involve organised crime, and neither are there prosecutors or judges specialised in cases involving child victims.<sup>157</sup>

## 5.5. Victim support and assistance frameworks

In the period 2016-2019, there has been an increase in the number of presumed victims of trafficking: a total of 255, of whom 55% (141) were female and 16% (40) were children –34 girls and 6 boys–. 66 were identified in 2019; 56 in 2018; 88 in 2017; 45 in 2016; and 56 in 2015. The great majority of identified victims were Slovak nationals, most of whom were exploited abroad. According to GRETA, 'in the period 2016-2018, 5 the female victims were primarily trafficked for the purpose of sexual exploitation (79 victims), followed by forced begging (16), forced marriage (13), forced labour (7) and forced criminality (2). In some cases, the victims were subjected to multiple forms of exploitation. Male victims were trafficked primarily for the purpose of labour exploitation (44) and forced begging (33), but also forced marriage (2) and forced criminality (1). Among the child victims of THB there were 18 victims of sexual exploitation, 8 victims of forced marriage, 4 victims of labour exploitation and 2 victims of forced begging.'<sup>158</sup> The great majority of identified victims were Slovak nationals, most of whom were exploited abroad. The government used its National Reference Framework for victim identification and referral, but as reported by GRETA the identification of foreign national, unaccompanied minor, and Slovak victims within the country remained a challenge.<sup>159</sup>

In 2006 the **Victim Support Programme** was set up, currently implemented by the NGO Slovak Catholic Charity and legislatively, institutionally, and financially secured by the Ministry of the Interior of Slovakia. In 2019, the government provided €215,000 for assisting the Victim Support Programme, and the national trafficking hotline, compared

<sup>155</sup> GRETA (Council of Europe), above n 75, 8

<sup>156</sup> Ibid, 30

<sup>157</sup> Ibid, 23

<sup>158</sup> Ibid, 7

<sup>159</sup> GRETA (Council of Europe), above n 99, 5.

with €275,000 in 2018.<sup>160</sup> The Victim Support Programme entitle persons who are reasonably suspected to have become human trafficking victims in Slovakia to emergency health care, psycho-social support, crisis care, legal assistance, interpretation services, financial support, job training, and assisted voluntary return.<sup>161</sup> These services are offered regardless their administrative status or nationality, and regardless their cooperation with the Police and prosecutors in the criminal proceedings. Victims who cooperate benefit from support during the entire duration of the criminal proceedings, while it is limited to a maximum of 180 days (the duration of 'tolerated stay') for those who do not cooperate.<sup>162</sup> The Victim Support Programme accommodate victims in domestic violence shelters, with men and women housed separately, or homeless shelters.<sup>163</sup> Since trafficking victims fall within the category of 'particularly vulnerable victims' pursuant to the Victims Act, they are entitled to receive specialised professional assistance and legal aid (Article 5(4) of the Act), even if they decide to not enter in the Victim Support Programme. However, in its third Report, GRETA noted that trafficking victims' access to legal assistance and aid in practice seems to be conditional on their entry into the Victim Support Programme, to which only about a third of all victims agree.<sup>164</sup> Of the total victims identified by the government and NGOs, only few (17) entered the Victim Support Programme in 2019 (16 of 56 in 2018 and 19 of 88 in 2017). The program continued to assist an additional 14 victims enrolled from previous years

The Victims Act sets up a **state compensation scheme** for victims of crime. It can cover both physical injuries and moral damage, although they have different procedures for claiming. The maximum amount of state compensation for moral damages is €5,000.<sup>165</sup>

Various concerns regarding **identification of victims** of trafficking, **information about their rights, application of the non-punishment principle** in trafficking cases, **witnesses' protection** and **compensation** persist. The National Coordinator on Antitrafficking Efforts approved the official procedures for identification of victims and their enrolment into the Victim Support Programme. While they focused on law enforcement and social workers, other officials lacked such procedures to refer victims to the care facilities, including health care specialists, or employees of foster homes.<sup>166</sup> Furthermore, although any employee –regular or irregular– has the right to file a complaint to the Labour Inspectorate (Article 150 of the Labour Code), in practice labour inspectors contact the Aliens Police and the irregular migrant is deported, which provides a disincentive for any irregular foreign workers to contact to labour inspectors irregularities at a workplace. This hinders identification efforts of trafficking victims, especially for the purpose of labour exploitation.<sup>167</sup> There are also reasons to argue that misidentification of victims of trafficking proliferates amongst asylum seekers and persons placed in immigration detention centres. In fact, decisions taken by police officers about whether to place asylum seekers in open asylum reception centres or in detention centres appear rather arbitrary, detention facilities are deemed unsuitable for vulnerable persons, and the current staff of the immigration detention centres do not appear to have been trained on either trafficking or trauma-oriented approach.<sup>168</sup>

Regarding the application of the non-punishment clause in trafficking cases referred to 'minor offences' committed while being trafficked, no guidance has been issued to police

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<sup>160</sup> US Department of State, above n 12, 447

<sup>161</sup> Ibid

<sup>162</sup> Ibid, 14. Within the Victim Support Program is also included: isolation from the criminal environment, information on tolerated stay on the territory of Slovakia and, if necessary, information on the possibility of granting international protection, if the victim is a third country national financial support, social assistance, social and psychological counselling, psycho-therapeutic services, interpretation and translation services, health care, trainings and re-skilling courses, possibility of inclusion in the program of witness protection under a special act, the possibility of one-time financial compensation under a special act, mediation of the assistance of an organization operating in the country of origin and the possibility of appropriate and safe accommodation.

<sup>163</sup> US Department of State (2020), above n 12, 447.

<sup>164</sup> GRETA (Council of Europe), above n 75, 14

<sup>165</sup> Ibid, 20 ff.

<sup>166</sup> US Department of State (2020), above n 12, 447.

<sup>167</sup> GRETA (Council of Europe), above n 75, 41.

<sup>168</sup> Ibid, 41-42.

officers or prosecutors.<sup>169</sup> GRETA has also reported the underuse of available means of providing protection to victims and witnesses of trafficking as established in the CPC, and the need to set up a sufficient number of specially adapted interview rooms around the country and systematically use them to interview children and other vulnerable victims of trafficking.<sup>170</sup>

## 5.6. Training and capacity-building for responders

The Slovak authorities have delivered training to different actors: the Police, and specifically representatives of the Border and Alien Police of the Presidium; judges and prosecutors; and labour inspectors and officials of the Labour, Social Affairs and Family Labour Offices. Since 2018, the government has provided anti-trafficking training to 55 representatives of the Border and Alien Police, 105 members of the specialized national police unit and more than 300 additional officers, and the police academy trained approximately 2,000 police investigators on the protection of victims of crime.<sup>171</sup> A workshop on a victim-centred, trauma-informed approach for trafficking victims reached 47 prosecutors, police, and judicial personnel.<sup>172</sup> A total of 329 labour inspectors have been trained about the risks of trafficking in labour contexts as part of the Anti-trafficking Strategy.<sup>173</sup>

However, shortcomings in identification of victims reveal the inadequacy or inefficiency of anti-trafficking training, and civil society continued to recommend training for labour inspectors, especially on victim identification and referral.<sup>174</sup> On this note, GRETA recommended that all relevant professionals should receive regular specialised training, including social workers, child welfare staff, healthcare staff, and diplomatic and consular staff.<sup>175</sup>

## 5.7. Public awareness raising

The Slovak government launched 'extensive trafficking prevention and public awareness campaigns to engage the public, students, employers, and at-risk children in orphanages; though trafficking was sometimes portrayed in a sensationalized manner. Antitrafficking awareness campaigns conducted via various social media platforms reached approximately 528,000 people. The crime prevention office conducted awareness-raising sessions that reached 700 high school students, and the information centre reached an additional 1,300 students. The government also used television, radio, and billboards to help raise trafficking awareness'.<sup>176</sup> The Ministry of Labour issued a brochure for temporary workers on trafficking indicators, and translated it into other languages –Bosnian and Macedonian– and distributed it to relevant Slovak embassies, and in areas with a sizeable community of foreign workers in Slovakia through local employers and municipalities.<sup>177</sup> Despite these efforts, GRETA noted the lack of engagement with the private sector, and suggested that Slovak authorities should be more proactive in raising awareness of the important role and

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<sup>169</sup> Ibid, 27.

<sup>170</sup> Other recommendations include avoid cross-examination of the victim and the accused, and ensure the presence of a psychologist when vulnerable victims are being interviewed. See *ibid*, 29; US Department of State (2020), above n 12, 447.

<sup>171</sup> There is also an ongoing training of police officers on the rights and needs of child victims during criminal proceedings, and it is expected that 350 officers will have received such training by the end of 2021. GRETA (Council of Europe), above n 75, 34.

<sup>172</sup> US Department of State (2019), above n 12, 419

<sup>173</sup> GRETA (Council of Europe), above n 75, 30.

<sup>174</sup> US Department of State (2020), above n 12, 448. And especially amongst professional in migration detention centres.

<sup>175</sup> GRETA (Council of Europe), above n 75, 31

<sup>176</sup> US Department of State (2020), above n 12, 448

<sup>177</sup> *Ibid*.

responsibility of businesses to prevent human trafficking in their supply chains, to support the rehabilitation and recovery of victims, and to provide access to effective remedies.<sup>178</sup>

## 5.8. Efforts to address vulnerabilities and drivers

As for promoting gender equality and for prevention and elimination of violence against women, several measures have been adopted in line with the National Action Plan for the Prevention and Elimination of Violence against Women 2014-2019, the National Strategy for Gender Equality 2014-2019 and the Action Plan for Gender Equality 2014-2019,<sup>179</sup> with concrete commitments such as reducing the pay gap and ratifying the Istanbul Convention.<sup>180</sup>

Slovakia has adopted the Action Plan for the Rights of National Minorities and Ethnic Groups (2016–2020), and updated the Strategy for integration of Roma for the period of 2019–2020 in areas of education, employment, health, housing and financial inclusion. These strategies are backed by an overall financial investment of €215 million –the majority from EU funds–.<sup>181</sup> Following the Parliamentary election held on 29 February 2020 in Slovakia, the new Slovak government in its programme declaration has committed itself to support overall social inclusion initiatives targeted to Roma living in marginalised communities. It declared a range of measures that have a potential to contribute to positive development in this area, provided that they are implemented in practice.<sup>182</sup>

For addressing special vulnerability of children to trafficking, a methodological tool was developed by the General Prosecutor for the provision of assistance to victims of trafficking, with a special focus on children and foreigners.<sup>183</sup> Furthermore, following amendments made to the Asylum Act in 2015, unaccompanied asylum-seeking children are accommodated in children’s homes, a measure targeted to prevent any threats from traffickers.<sup>184</sup>

## 5.9. Frameworks for international coordination

It is important to note that the Programme against Trafficking in Human Beings emphasises international cooperation, notably with the UK as the main country of destination of Slovak victims. The Slovak Republic has actively cooperated in antitrafficking matters at the OSCE, cooperates with the Council of Europe and the UN Commission for the Prevention of Crime and Criminal Justice (UN CCPCJ), with Interpol and Europol.<sup>185</sup> At grass-root level, the Slovak Catholic Charity participates in the international network of faith-based nongovernmental organisations RENATE, which promotes co-operation to help victims of trafficking.<sup>186</sup>

Since 2013, the National Unit for Combating Illegal Migration of the Border and Alien Police of the Police Corps Presidium, which is responsible for investigating trafficking cases, has

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<sup>178</sup> GRETA (Council of Europe), above n 75, 35 In line with the UN Guiding Principles on Business and Human Rights and Council of Europe Committee of Ministers Recommendation CM/Rec(2016)3 on human rights and business.

<sup>179</sup> The Committee on the Elimination of Discrimination against Women noted with concern, however, the prevalence of gender-based violence and harmful practices against women, the underreporting of such violence and the low numbers of prosecutions and convictions of perpetrators, the limited application of protection orders by the police and the lack of a coordinated system for preventive measures and victim assistance in cases of gender-based violence. See Human Rights Council, above n 60, 7.

<sup>180</sup> See a critical analysis in European Network of legal experts in gender equality and non-discrimination (EU), Country Report. Gender Equality’ (2019), available [here](#).

<sup>181</sup> European Network of legal experts in gender equality and non-discrimination (EU), ‘The Slovak Government adopted the updated action plans of the Strategy for integration of Roma up to 2020 for the period of 2019 – 2020 in the areas of education, employment, health, housing and financial inclusion (7 February 2019) 1, available [here](#).

<sup>182</sup> European Network of legal experts in gender equality and non-discrimination (EU), ‘The programme declaration of the new Slovak government has been approved by the Slovak Parliament’ (29 May 2020), available [here](#).

<sup>183</sup> GRETA (Council of Europe), above n 75, 44-45.

<sup>184</sup> Ibid, 38.

<sup>185</sup> Commission (EU), above n 27.

<sup>186</sup> More information about RENATE is available at: <https://www.renate-europe.net/>



taken part in four Joint Investigation Teams (JITs) with the UK.<sup>187</sup> In 2019, the National Unit for Combating Illegal Migration requested legal assistance in 12 cases of transnational trafficking in human beings and extradited two trafficking suspects to foreign countries and received three Slovak suspects from Croatia, Germany, and Italy.<sup>188</sup> While welcoming Slovak authorities' participation in multilateral and bilateral international co-operation, in its third report GRETA suggested the need to strengthen the international framework concerning the protection of victims of trafficking.<sup>189</sup>

## 5.10. Key challenges to effective antislavery governance

In view of the above, the areas remaining as key challenges for the implementation of an effective antislavery framework are:

— Victims' misidentification.

This may be influenced by an approach of immigration control by the Police, Labour Inspectors, and other relevant officials. This is strongly correlated with a more general lack of effectiveness in monitoring labour exploitation of workers in general.<sup>190</sup>

— Lenient criminal response.

In general, there is a lack of effective, proportionate and dissuasive sanctions: sentences convicting traffickers are lenient, mitigating circumstances are regularly applied, whereas aggravating circumstances appear not to be taken sufficiently into account. Notably, the large majority of sentences imposed between 2016 and 2019 have been suspended.<sup>191</sup> This undermines efforts to combat trafficking and precludes victims from accessing to justice due to the lack of criminal norms' deterrent effect.

— Structural imbalances.

Gender abuse and social exclusion, especially among Roma communities, are also major contributors to vulnerability. Although there are governmental efforts to combat these structural imbalances, challenges remain especially regarding social attitudes and alleged abuse of force within Police forces against them.<sup>192</sup>

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<sup>187</sup> The first case, which started in 2013, concerned trafficking of Slovak women for the purpose of sexual exploitation and forced marriage in the UK. It ended in 2017 and resulted in prison sentences of Slovak citizens ranging from 16 months to eight years. The second one, started in 2016 and also concerns sexual exploitation and forced marriage in the UK, resulting in the conviction of four traffickers in the UK in November 2019. The third one, still ongoing, started in 2017 and concerns THB for the purposes of labour and sexual exploitation in the UK. The fourth JIT, still ongoing, started in 2017 and concerns THB for the purpose of labour exploitation in the UK. In total, 34 victims of labour trafficking in the UK were identified in 2019 (18 in 2018). GRETA (Council of Europe) above n 75, 32; US Department of State (2020), above n 12, 446; US Department of State (2019), above n 12, 419.

<sup>188</sup> US Department of State (2020), above n 12, 446.

<sup>189</sup> GRETA (Council of Europe) above n 75, 32

<sup>190</sup> Zuzana Bargerová, Elena G. Kriglerová, Alena Chudžíková, Jana Kadlečíková (FRANET), above n 106, 39.

<sup>191</sup> GRETA (Council of Europe) above n 75, 24

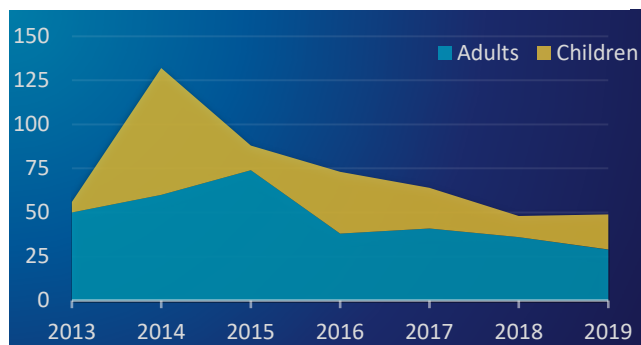
<sup>192</sup> See above-mentioned ECtHR judgement *Lakatošová and Lakatoš v. Slovakia* (above n 68), and European Network of legal experts in gender equality and non-discrimination (EU), 'The first instance court dismissed an *actio popularis* lawsuit launched by a human rights NGO addressing segregation of Roma children in Roma-only primary school' (16 June 2020), available [here](#).

## 6. Experiences of modern slavery of Slovakian nationals in the UK

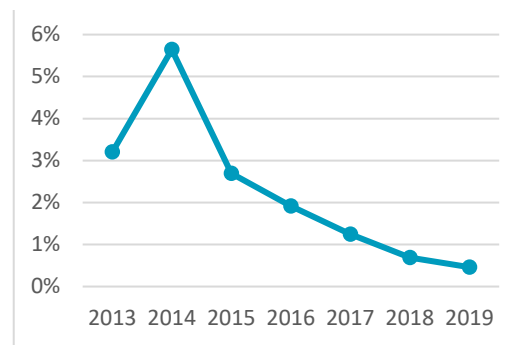
### 6.1. Slovakian nationals in the UK National Referral Mechanism<sup>193</sup>

Slovakian nationals have consistently been in the top twenty nationalities represented in National Referral Mechanism referrals, although they have typically represented less than 5% of all referrals, although the proportion spiked to 5.6% in 2014. The number of Slovakian nationals referred into the NRM has varied from 48 potential victims referred in 2018, up to 132 referrals in 2014. Adults have typically made up the majority of Slovakian nationals referred into the NRM, with between 6 (2013) and 72 (2014) Slovakian nationals referred who were minors at the time of their exploitation from 2013-2019. However, since 2014, the proportion of Slovakian nationals referred, as a proportion of all referrals, has been steadily decreasing.

Number of Slovakian nationals referred into the NRM by age at time of exploitation



Proportion of potential victims referred into the NRM that are Slovakian nationals

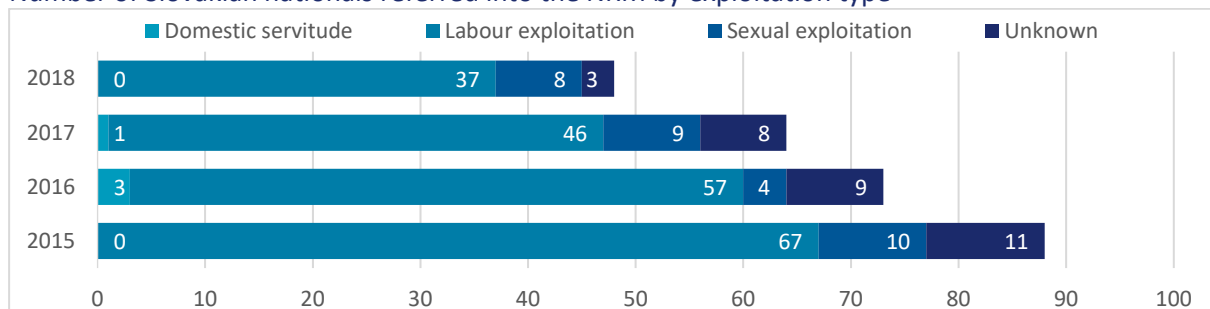


Slovakian nationals referred into the NRM typically experience labour exploitation, with only a small proportion of Slovakian potential victims recorded as having experienced domestic servitude or sexual exploitation, and none recorded as having experienced organ harvesting. While gender data was not disaggregated by nationality from 2015-2019, NRM reports included such data in the 2013 and 2014 reports. In these years, referrals were

<sup>193</sup> Home Office, 'National Referral Mechanism Statistics UK: End of Year Summary 2019: Data tables' 2<sup>nd</sup> edn available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2018' (2019) available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2017' (2018) available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2016' (2017) available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2015' (2016) available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2014' (2015) available [here](#); National Crime Agency, 'United Kingdom Human Trafficking Centre: National Referral Mechanism Statistics 2013' (2014) available [here](#).

close to evenly split between males and females—with 57% males and 43% females in 2013, and 48% males and 52% females in 2014.

Number of Slovakian nationals referred into the NRM by exploitation type<sup>194</sup>



## 6.2. Typical journeys from Slovakia to the UK for trafficking victims

In general, rare empirical data from an East-Central European region indicate patterns of migration or trafficking, different from the already known dynamics in Western Europe.<sup>195</sup> Although UK is considered one of the main destination countries of persons trafficked from the Slovak Republic,<sup>196</sup> little has been said about typical journeys or trends from Slovakia to the UK. The 2020 TIP report mentions that ‘traffickers transport them [THB victims] to the UK by force or deception for sham marriages for the purpose of sex trafficking or forced labor. Parents of Slovak children of Romani descent exploit their children in sex trafficking through forced marriage in Slovakia and forced criminal activity in the UK’.<sup>197</sup> The 2019 US Country Report also stated, regarding sham marriages, that ‘women from marginalized Romani communities were transported to the United Kingdom by force or deception to marry foreign citizens attempting to avoid deportation by marrying an EU citizen and might consequently have been subjected to trafficking in persons’.<sup>198</sup>

A 2019 research conducted by Antislavery/ECPAT UK/Pacific links foundation revealed that Slovakia is a common transit country travelled through en route to the UK by Vietnamese trafficking victims.<sup>199</sup>

## 6.3. Experiences of exploitation and working conditions

There is a lack of reliable data about the specific experiences of exploitation of Slovakian nationals into the UK. We know that in 2019 the majority of identified victims (75%) were women subjected to either labour or sexual exploitation,<sup>200</sup> and that there is a trend of increasing number of male victims. We also know that since 2013, the National Unit for Combating Illegal Migration of the Border and Alien Police of the Police Corps Presidium, which is responsible for investigating THB cases, has taken part in four Joint Investigation Teams (JITs) with the UK, for trafficking cases taking place within the UK. The first and the second cases concerned trafficking of Slovak women for the purpose of sexual exploitation and forced marriage; the second concerns THB for the purposes of labour and sexual exploitation; and the fourth concerns THB for the purpose of labour exploitation.<sup>201</sup>

<sup>194</sup> Ibid. Note that exploitation type data is not disaggregated by nationality in the 2013, 2014, or 2019 data and these years are therefore excluded.

<sup>195</sup> Matej Blazek, above n 41, 72.

<sup>196</sup> GRETA (Council of Europe), above n 75, 7.

<sup>197</sup> US Department of State (2020), above n 12, 448.

<sup>198</sup> US Department of State, above n 63.

<sup>199</sup> ECPAT/Anti-Slavery/Pacific Links Foundation, ‘Precarious Journeys: Mapping vulnerabilities of victims of trafficking from Vietnam to Europe’ (2019) 9, available [here](#).

<sup>200</sup> UK Home Office, above n **Error! Bookmark not defined.**, 48.

<sup>201</sup> GRETA (Council of Europe), above n 75, 7



## 6.4. Consequent effects of trafficking on survivors

In general terms, human trafficking exerts psychological effects on survivors that persist after intervention, and even after community reintegration. Effects include anxiety, depression, alienation, disorientation, aggression, suicidal ideation, attention deficit, and posttraumatic stress disorder (PTSD). In this context, community support and coping mechanisms may mitigate these effects.<sup>202</sup>

## 6.5. Particular needs, requirements, and considerations for support and engagement

Vulnerability to trafficking is influenced by overlapping and interconnected risk factors which affects different personal and social levels and may vary depending on the country. To build on prevention work in Slovakia, it is necessary a mix of immediate antitrafficking work alongside longer term interventions. Apart from the need of structural changes, as eliminating violence against women and people from Roma communities, particular needs have been identified in view of specific trends. For instance, it has been reported that children are sometimes exploited by their relatives,<sup>203</sup> and social attitudes may have an impact on the type of behaviours they are subjected to –such as early and forced marriage–,<sup>204</sup> and the reluctance to report an abuse to law enforcement authorities. The third GRETA Report refers to ‘one case in which a 12-year old Roma girl had been sold by her parents for 3500 Euros to the parents of a 14-year old boy, for the purpose of an arranged marriage. The girl was forced to move to live with the boy’s family. A schoolteacher who had noticed marks on the girl’s neck filed a complaint under the heading of “endangering moral upbringing”. The social services took the girl from school to a crisis centre for children. The police started investigating the case as THB and the girl indicated her willingness to testify, despite pressure from her parents not to’.<sup>205</sup> These needs to be taken into account when designing an effective anti-trafficking and anti-slavery policy.

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<sup>202</sup> See David Okech et al, ‘Social Support, Dysfunctional Coping, and Community Reintegration as Predictors of PTSD Among Human Trafficking Survivors’, (2018) 44 *Behavioral Medicine* 209-218, and Asefch Haileelassie Reda, ‘An investigation into the experiences of female victims of trafficking in Ethiopia’ (2018) 11 *African and Black Diaspora: An International Journal* 87.

<sup>203</sup> Parents of Slovak children of Romani descent exploit their children in sex trafficking through forced marriage in Slovakia and forced criminal activity in the UK. See US Department of State (2020), above n 12, 448.

<sup>204</sup> GRETA (Council of Europe), above n 75, 66: ‘The cultural context of the so-called arranged marriages particularly applies to the community of Wallachian Romas. It is their genuine tradition, the families of children arrange marriage, the boy’s father pays a symbolical price to the girl’s father for bringing her up and the money is used to prepare the wedding ceremony. The marriage is sealed and considered valid in the eyes of the community after the so-called ceremonial act’.

<sup>205</sup> *Ibid*, 44.

## 7. The impact of COVID-19

### 7.1. The Government's response to COVID-19

Starting from 13 March 2020, the Central Crisis Staff of Slovak Republic declared the 'state of emergency' in Slovakia and established a restrictive quarantine and other measures to help to reduce the spread of COVID-19.<sup>206</sup> During the first week of April 2020, Slovak government and parliament adopted a first set of economic measures to mitigate the worst economic and social effects of the pandemic, including financial compensation through subsidies to employers and self-employed persons; postponement of mortgage instalments; financial aid for small and medium sized companies;<sup>207</sup> subsidies for rent;<sup>208</sup> other taxation-related measures;<sup>209</sup> among others. On 2 April 2020 the Slovak government adopted a plan targeting the spread of COVID-19 in marginalised Roma communities. The plan proposed targeted sample testing in selected Roma communities and imposing area quarantine on whole Roma communities, if over 10 percent of inhabitants in a particular community would test positive.<sup>210</sup>

According to the University of Oxford's Government Stringency Index –a composite measure of the strictness of policy responses<sup>211</sup>–, Slovakia reached 87,04 out of 100 in the score during few days in April, which dropped and remained relatively low (an average of 38) until September. From October on, more strict measures have been re-adopted.<sup>212</sup>

### 7.2. The impact of COVID-19 on workers and modern slavery victims

The overall economic impact of the COVID-19 pandemic in Slovakia has been severe. Slovak's GDP has shrunk by 3.9%, one of the largest drops in Europe.<sup>213</sup> 'Vulnerable workers are at risk to bear the brunt of the crisis. In Slovakia, these high-risk groups include (i) the non-standard workers, particularly the self-employed and the temporary workers, (ii) the marginalised Roma community and (iii) young people'.<sup>214</sup>

The Report from the European network of legal experts in gender equality and non-discrimination found that: a) some measures may have disproportionate negative impact on Roma living in marginalised communities; and b) the adopted measures do not sufficiently respond to the specific vulnerable position of Roma living in marginalised communities.<sup>215</sup> Information reported by the media and NGOs indicated that State authorities have fallen short in providing adequate health care and access to all the

<sup>206</sup> The establishment and functioning of the central crisis staff are framed by the Act no. 387/2002 Coll. on state management in crisis situations outside the time of war and state of war. Overview of measures of the central crisis staff in response to the COVID-19 is available on the website of the Office of Public Health [here](#).

<sup>207</sup> See KPMG, 'Slovakia. Government and institution measures in response to COVID-19' (14 May 2020), available [here](#).

<sup>208</sup> Bruno Gerda and Milina Schifferdeckerová, 'The Parliament approved subsidies for rent' *KPMG* (11 June 2020), available [here](#).

<sup>209</sup> Zuzana Šidlová, 'Three major changes brought by draft amendment to the Slovak VAT Act' *KPMG* (14 July 2020), available [here](#).

<sup>210</sup> European Network of legal experts in gender equality and non-discrimination (EU), 'Slovak state authorities imposed area quarantine on selected marginalised Roma communities and adopted specific restrictive measures on people over 65 years in order to prevent the spread of COVID-19' (6 May 2020), 1-2, available [here](#).

<sup>211</sup> See in depth [here](#).

<sup>212</sup> Our World in data (2020), available [here](#).

<sup>213</sup> Martin Kahanec and Monika Martišková (Institute of Labour Economics), 'Crisis Response Monitoring: Slovakia' (2020), available [here](#).

<sup>214</sup> Gabriel Machlica (OECD), 'The Slovak labour market during the pandemic – who is at risk and how to protect all workers?' *Ecoscope* (6 August 2020), available [here](#).

<sup>215</sup> European Network of legal experts in gender equality and non-discrimination (EU), 'Response of the Slovak state authorities and local governments to the spread of COVID-19 and its consequences on Roma living in marginalised communities' (3 April 2020), available [here](#). It is important to note that around 200,000 Roma people live in Slovakia as marginalised communities often without access to basic infrastructure and public services – European Commission, 'Slovakia: Helping the Most Vulnerable in the Fight against COVID-19 and Beyond' (European Commission), available [here](#).

necessary resources for Roma under quarantine (such as food or sanitation).<sup>216</sup> Apart from health risks that disproportionately affect marginalised Roma, the current situation creates a range of other inequalities which can foster the already existing vulnerabilities and facilitates people from Roma communities to be subjected to severe forms of exploitation and trafficking. On this note, it is important to note that many Roma work in the informal economy, which increases their income insecurity, as they are not entitled to unemployment benefits when they are out of work.<sup>217</sup> All these factors place Roma at a higher risk of falling into poverty when faced with a health or employment shock.<sup>218</sup>

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<sup>216</sup> International Amnesty, 'Roma must not be further stigmatised during Covid-19' (8 April 2020), available [here](#). Although it recommended the local governments to provide unlimited access to drinking water to all persons living in marginalised communities to prevent the spread of infection, many municipalities dismissed the recommendation. See FRA, 'Coronavirus COVID-19 outbreak in the EU Fundamental Rights Implications' (23 March 2020) 7, available [here](#).

<sup>217</sup> Gatti et al, *Being Fair, Faring Better, Promoting Equality of Opportunity for Marginalized Roma* (World Bank, Washington, DC, 2016).

<sup>218</sup> Gabriel Machlica (OECD), above n 214.