

**SELECTED REPORTING ON
ROMANI HUMAN RIGHTS
FROM THE
U.S. DEPARTMENT OF STATE'S
ANNUAL COUNTRY REPORTS
ON HUMAN RIGHTS
FOR CALENDAR YEAR 1998**



**A Report Prepared by the Staff of the
Commission on Security and Cooperation in Europe**

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ABOUT THE ORGANIZATION (OSCE)

The Conference on Security and Cooperation in Europe, also known as the Helsinki process, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. Since then, its membership has expanded to 55, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia. (The Federal Republic of Yugoslavia, Serbia and Montenegro, has been suspended since 1992, leaving the number of countries fully participating at 54.) As of January 1, 1995, the formal name of the Helsinki process was changed to the Organization for Security and Cooperation in Europe (OSCE).

The OSCE is engaged in standard setting in fields including military security, economic and environmental cooperation, and human rights and humanitarian concerns. In addition, it undertakes a variety of preventive diplomacy initiatives designed to prevent, manage and resolve conflict within and among the participating States.

The OSCE has its main office in Vienna, Austria, where weekly meetings of permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations and periodic consultations among Senior Officials, Ministers and Heads of State or Government are held.

ABOUT THE COMMISSION (CSCE)

The Commission on Security and Cooperation in Europe (CSCE), also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance with the agreements of the OSCE.

The Commission consists of nine members from the U.S. House of Representatives, nine members from the U.S. Senate, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair are shared by the House and Senate and rotate every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

To fulfill its mandate, the Commission gathers and disseminates information on Helsinki-related topics both to the U.S. Congress and the public by convening hearings, issuing reports reflecting the views of the Commission and/or its staff, and providing information about the activities of the Helsinki process and events in OSCE participating States.

At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

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The material below has been excerpted from the U.S. Department of State's Country Reports on Human Rights Practices for 1998. Text in brackets has been added for identification purposes. The full text of the 1998 report is available at www.state.gov.

ALBANIA

[Introduction]

The Government's overall human rights record improved somewhat, in hand with the gradual quieting of the massive civil unrest of 1997; however, problems remained in several areas. The opposition Democratic Party made numerous allegations that the Government was responsible for the murders of various Democratic Party members during the year, but the Party never produced evidence to support these claims. The police beat and otherwise abused suspects and prisoners. The Democratic Party often legitimately complained about incidents of police harassment of its members and of the dismissal of some of its members from official positions for political reasons. The judiciary is inefficient and subject to corruption and executive pressure. There were complaints of unqualified and unprofessional judges and credible accounts of judges who were intimidated or bribed by powerful criminals. The Government infringed on citizens' privacy rights. Government respect for freedom of speech and of the press improved; however, academic freedom was constrained. Government respect for freedom of assembly improved. The gains in human rights were largely offset by the Government's stubbornly passive approach to basic law enforcement: in too many instances crime, corruption, and vigilantism undermined the Government's efforts to restore civil order. Violence and discrimination against women are problems, and trafficking in women and children is a significant problem. Child abuse is also a problem. The Government took steps to improve the treatment of ethnic minorities; however, societal discrimination against Roma remains a problem.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status Children

Child abuse is a little-reported problem, but authorities and NGO's believe that it exists. Trafficking in children is a serious problem. Criminals may kidnap children from families or orphanages to be sold to prostitution or pederasty rings abroad. Within the country, Romani children often are used as beggars, and the police generally ignore the practice.

National/Racial/Ethnic Minorities

Two distinct groups of Roma, the Jevg and the Arrixhi (Gabel), are established in the country. The Jevg tend to be settled in urban areas and are generally more integrated into the economy than the Arrixhi. Roma are clearly the most neglected minority group. Broadly speaking, they suffer from high illiteracy, poor public health conditions, and marked economic disadvantage. Roma encounter much societal discrimination, but generally neither the police nor individuals target the Roma for violence. In the past, NGO's have reported severe hazing of Roma in the military.

According to a human rights NGO, four Romani police officers in Levan lost their jobs in April. The police force hired the Roma in the aftermath of the 1997 civil violence, when both Roma and

non-Roma died in Levan. The Ministry of Interior waived certain conditions to hire the Roma in the interests of preventing intercommunal violence. The Levan police chief fired the Roma police officers reportedly because he believed that Roma no longer were in danger of violence from non-Roma and that the police department was able to protect them. However, Roma living in Levan still fear revenge from the families of the non-Roma who died during the unrest.

BULGARIA

[Introduction]

The Government generally respected the human rights of its citizens; however, problems remained in some areas. Police used questionable lethal force against three suspects. Security forces beat suspects and inmates and at times arbitrarily arrested and detained persons. Reforms designed to increase accountability have improved the Government's control over the security forces, although control remains incomplete. A climate of impunity persists and inhibits government attempts to end police abuses. Conditions in some prisons were harsh, pretrial detention was often prolonged, and inspection visits were not allowed in some prisons. The judiciary is underpaid, understaffed, and has a heavy case backlog; corruption is a serious problem. A journalist investigating crime and corruption was physically attacked. Constitutional restrictions on political parties formed on ethnic, racial, or religious lines effectively limit participation for some groups. Police, local government authorities, and private citizens continued to obstruct the activities of nontraditional religious groups, although there was some improvement in their treatment by central government authorities. Violence and discrimination against women remained serious problems, and some women were also victims of trafficking and forced prostitution. Discrimination and societal violence against Roma were serious problems. Because of a lack of funds, social services did not adequately assist homeless and other vulnerable children, notably Romani children. Security forces harassed, physically abused, and arbitrarily arrested and detained Romani street children. Child labor was a problem.

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

a. Political and Other Extrajudicial Killing

There were no reports of political killings.

In three cases, police officers used questionable lethal force against citizens, two of whom were members of the Roma minority. However, there were no reports of deaths in custody.

On January 30, Tzvetan Kovachev was shot and killed by police officers while fleeing from them in Kostinbrod. Human rights groups expressed concern that Kovachev did not threaten police with a lethal weapon but was simply seen in the company of a fleeing murder suspect. He was killed by a bullet wound behind the right temple. No investigation of police conduct took place.

On June 20, police fatally shot Yordan Yankov in the Ovcha Kupel district of Sofia. Police claimed that Yankov's shooting was a case of mistaken identity, as they were at that time chasing fleeing criminal suspects in the vicinity. When told to halt, Yankov, also a member of the Roma minority

and also unarmed, fled in fear and was shot. Yankov also died of a gunshot wound to the head. Witnesses claimed that he was hit first by a bullet in the foot, which immobilized him, before receiving the fatal wound to the head. The policeman who fired the fatal shot was indicted for murder. However, the court found that there was a conflict of interest on the part of the investigator and returned the case to the prosecutor's office. The investigation again was pending at year's end.

In October 16-year-old Staniela Bugova was killed by police when her brother's car was stopped in a routine check near the town of Sliven. Bugova, who was seated in the back of the car while one policeman checked her brother's documents, was shot in the head when another policeman present discharged his assault rifle, apparently by accident. An investigation is underway, and the officer who fired the fatal shot was charged with manslaughter. A public scandal ensued, and the Minister of Interior demanded and received the resignation of the national police director of the region.

An incident of racial violence resulted the death of a Rom in May at the hands of skinheads (see Section 5).

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

The HRP [Human Right Project] also reported that on July 10 approximately 80 policemen raided the village of Mechka and beat more than 30 Roma with truncheons, broke down doors, and smashed windows and furniture in Romani houses. The policemen beat men, women, and children indiscriminately while insulting the villagers with ethnic slurs. Those beaten reported that the police showed no warrants (with one exception, approximately 30 minutes before the real raid began) and gave no explanation for their actions. A 10-year-old boy's arm was fractured with a truncheon. A disabled resident who was unable to flee also was beaten. Altogether, despite initial difficulties in obtaining medical (forensic) certificates, 15 residents eventually obtained them, and 9 complaints were submitted to the Military Prosecutor's Office. By year's end, no action had been taken on the complaints.

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

Citizens have the right to change their government and head of state through the election of the President and of the members of the National Assembly, although the Constitutional prohibition of parties formed on ethnic, racial, or religious lines has the effect of circumscribing access to the political party process for some groups (see Section 2.b.), particularly those Roma who have expressed a desire to create their own party. Suffrage is universal at the age of 18.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for individual rights, equality, and protection against discrimination, but in practice discrimination still exists, particularly against Roma and women. Local human rights groups reported progress in religious tolerance among the public at large and among central government officials and institutions, although problems of intolerance persist in some areas as a result of local government or private action.

Children

Credible sources report that there is no provision for due process of law for Romani and other juveniles when they are detained in Labor Education Schools run by the Ministry of Education. Living conditions at these reform schools are poor, offering few medical, educational, or social services. The Labor Education School at Slavovitsa has been the target of the harshest criticism.

Generally, staff members at many such institutions lack the proper qualifications and training to care for the children adequately. Degrading and severe punishment, such as the shaving of a child's head, reduction in diet, severe beatings, and long periods of solitary confinement, are common at the schools. In 1996 the Ministry of Education acknowledged problems at the schools and attributed the cause to a lack of funding. In 1996 Parliament enacted legislation providing for court review of sentencing to such schools and addressing other problems in the reform school system (see Section 1.e.).

The vast majority of children are free from societal abuse, although some Romani children are frequent targets of skinhead violence and arbitrary police detention; the homeless or abandoned were particularly vulnerable. Family or community members forced some Romani minors into prostitution. Police made little effort to address these problems. The National Police Directorate announced in June that juvenile delinquency was halved in the first 5 months of the year compared with the same period during the previous year. Some observers believe that there is a growing trend toward the use of children in prostitution, burglaries, and narcotics distribution.

National/Racial/Ethnic Minorities

In the 1992 census 3.4 percent of the population identified itself as Romani. The real figure is probably closer to 6 or 7 percent, since many persons of Romani descent tend to identify themselves to the authorities as ethnic Turks or Bulgarians. Romani groups continued to be divided among themselves, although several groups had some success in presenting Romani issues to the Government. In June Prime Minister Kostov announced that his UDF Party would draft a long-term program to integrate ethnic and religious minorities into the country's sociopolitical and economic life. In August a Roma community center was opened in a Sofia neighborhood, with Vice President Todor Kavaljdjev in attendance.

As individuals and as an ethnic group, Roma faced high levels of discrimination. In August former Member of Parliament Roumen Vodenicharov made blatantly anti-Roma and anti-Semitic remarks at the funeral of former Communist dictator Todor Zhivkov. President Stoyanov quickly condemned Vodenicharov's remarks as "outspokenly Fascist," and both the Zhivkov family and the Bulgarian Socialist Party (BSP), on whose list Vodenicharov previously was elected to the National Assembly, disavowed Vodenicharov's statement.

Attacks by private citizens on Roma continued. In May skinheads attacked eight Romani boys in an abandoned building in downtown Sofia. One of the boys fell to his death from a window; according to the other boys who witnessed his fatal fall, he was pushed by the skinheads. President Stoyanov sent his personal representative to visit the deceased boy's family to express sympathy

over the racially motivated attack. One suspect was arrested, but he was released shortly thereafter for lack of evidence; no further arrests have been made.

On March 4, a 10-year-old Romani girl named Minka Stoyanova was shot to death in her home in Rozino by private security guards after her father was accused of theft. Although a murder investigation is pending, the two guards accused of the killing had not been taken into custody by year's end.

On March 1, following an altercation between two Romani girls and two non-Romani males in the village of Hadji Dimitrovo, a group of 40 to 50 persons from the village attacked Roma living in a separate neighborhood. Witnesses said that the attackers were armed with rifles, pickaxes, and iron bars, and that they fired shots. One local Rom suffered a fractured skull, and another was beaten with a metal implement. There were also reports that some members of the self-styled vigilante group attempted to molest sexually the daughters of the households that they broke into. No arrests were made in the case by year's end.

Police harass, physically abuse, and arbitrarily arrest Romani street children (see Sections 1.c. and 1.d.). Little progress has been made in cases of violence against Roma during previous years, and these largely remain in the investigatory phase.

Roma encounter difficulties applying for social benefits, and rural Roma are discouraged from claiming land to which they are entitled under the law disbanding agricultural collectives. Many Roma and other observers made credible allegations that the quality of education offered to Romani children is inferior to that afforded most other students. For example, Bulgaria has 34 all-Roma schools; according to one estimate, only half of all students at these schools attend class regularly. The Government has been largely unsuccessful in attracting and keeping many Romani children in school. Poverty has led to widespread school truancy as many children in Romani ghettos cannot afford shoes or basic school supplies and turn to begging, prostitution, and petty crime on the streets.

Workplace discrimination against minorities continued to be a problem, especially for Roma. Employers justify such discrimination on the basis that most Roma have only elementary education and little training. In June a Rom set fire to himself in front of the Lom town hall to protest his unemployment and inability to feed his children. Local firefighters were present on the scene and quickly extinguished the flames. A spokesman for the Romani protestors in Lom explained that Roma in Lom had not received social assistance payments for 5 months, faced general societal discrimination, and were disappointed that a construction contract had been awarded recently without the stipulation that local labor be employed. During compulsory military service most Roma (and Muslims) are shunted into units where they often perform commercial, military construction, or maintenance work rather than serve in normal military units (see Section 2.c.). The MRF protested this practice, as did human rights groups and labor observers who cited it as a violation of International Labor Organization (ILO) accords. There was speculation that the National Assembly's ratification in June of the ILO Convention on the Eradication of Forced Labor

would mean the demise of the construction troops, but this had not happened by year's end. There are only a few ethnic Turkish, Pomak, and Romani officers in the military and an insignificant number of high-ranking officers of the Muslim faith.

The National Council on Ethnic and Demographic Issues was founded in December 1997. This organization serves as an advisory group to the Council of Ministers and reports directly to it. In April the Council announced that it would study the state of the Roma community.

CROATIA

Violence and discrimination against women remained problems. The Government discriminates against Muslims. Ethnic minorities, including Roma, also faced continued discrimination. Government commitments to foster reconciliation among ethnic groups and overcome the war's strong legacy of animosity have not been met completely. Although the Government made progress in establishing civil authority in the former occupied areas, and physical violence declined overall, some abuses, such as harassment, threats, and in some instances, even beatings still occurred, particularly in the areas of the former conflict. Police performance improved overall, but in a significant number of cases when the victim was an ethnic Serb, the police either did not investigate thoroughly or failed to take effective action against the criminal activity.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

Children

The majority of students continue their education to the age of 18, with Roma being the only group reporting any notable exclusion. The Government blamed the problems of Roma largely on linguistic and cultural differences that make their integration in schools difficult. Romani children face some discrimination and problems, due largely to these cultural and linguistic barriers at school. The Government's commitments to children suffered from less funding than in the past, as priorities such as reconstruction and economic development took a larger portion of government resources.

National/Racial/Ethnic Minorities

The situation of other minority groups--Slovaks, Czechs, Italians and Hungarians--did not reflect significant discrimination to the same extent as that of the Serb community. Roma continued to face societal discrimination and official inaction when complaints were filed. However, public awareness of the difficulties that Roma face in society was raised by several public forums, including roundtable and panel discussions with government and civic leaders.

CZECH REPUBLIC

[Introduction]

The Government generally respected the human rights of its citizens; however, discrimination and sporadic skinhead violence against the Romani community remain problems. A 1997 commission

on Romani issues achieved mixed results. Problems persist with the discriminatory impact on Roma of the 1993 Citizenship Law, despite partial remedies legislated in 1996. Lengthy pretrial detention is a problem, due to a lack of resources for the judicial system. There is some violence against women. Trafficking in refugees and economic migrants, often by elements of organized crime, into and across the country is a growing concern. In September the new Government appointed well-known former dissident and U.N. Human Rights Committee expert Petr Uhl to the newly created position of Commissioner for Human Rights.

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

d. Arbitrary Arrest, Detention, or Exile

Since 1993 local courts and foreign police have expelled to Slovakia "Slovaks" without proper citizenship or residency papers. Some of these expulsions involve "Slovak" Roma who have never been in Slovakia. In May a judge in Teplice ordered the expulsion of a Rom named Milan Sivak, even though he formally received Czech citizenship in February. The Appeals Court later overruled this expulsion sentence. By the first half of 1997 (latest available statistics) a total of 851 "Slovaks" had been administratively or judicially expelled by the authorities. A February presidential amnesty (which was expected to affect three-quarters of all expulsion sentences issued between January 1, 1993 and February 2, 1998) granted amnesty to those receiving expulsion sentences for crimes in which the punishment is less than 5 years' imprisonment. However, according to one nongovernmental organization (NGO) that follows this issue, some courts have not implemented this amnesty. Since the recent amendment of the Criminal Code, fewer courts have imposed an expulsion sentence.

Section 2 Respect for Civil Liberties, Including:

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for freedom of movement to travel domestically and abroad, as well as for emigration and repatriation. Czechs who emigrated during the period of Communist rule frequently return to visit or live and are able to regain Czech citizenship if they relinquish their claim to any foreign citizenship. Citizenship is not revoked for political reasons. Nonetheless, the United Nations High Commissioner for Refugees (UNHCR) has expressed concern to the Government that its 1993 citizenship law has created a problem of statelessness, especially among Roma (see Section 5).

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

Most of the estimated 200,000 to 250,000 Roma have not been fully integrated into Czech political life (see Section 5). The political culture generally defines Roma as outsiders. Roma themselves have been unable to unite behind a program or set of goals to advance their interests within the democratic structures of the country. Few Roma serve in local government structures, although some have been appointed to advisory positions in government ministries. There is one representative of Romani background in the Parliament.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

In September U.N. Human Rights Commission expert Petr Uhl was appointed to a newly-created position as Commissioner for Human Rights. As such Uhl succeeds Minister Without Portfolio Jaroslav Basta as head of the government Council for Nationalities and of the Interministerial Commission for Romani Community Affairs. Uhl pointed to his appointment as evidence that the Government views consistent protection of human rights as an "inseparable part of its efforts to establish a rule of law."

In each house of Parliament there is a petition committee for human rights and nationalities, which includes a subcommittee for nationalities. A government-sponsored Council for Nationalities advises the Cabinet on minority affairs. In this body, Slovaks and Roma have three representatives each; Poles and Germans, two each; and Hungarians and Ukrainians, one each. There is also a government commission staffed by members of the NGO and journalistic communities that monitors interethnic violence. In 1997 the Government created an Interministerial Commission for Romani Community Affairs, which achieved only mixed results (see Section 5). In December the Government created the Council for Human Rights to be the consulting and coordinating body of the Government on human rights issues. Commissioner Uhl was appointed chairman of the Council.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The law provides for the equality of citizens and prohibits discrimination. Health care, education, retirement, and other social services generally are provided without regard to race, sex, religion, disability, or social status. In practice Roma face discrimination in such areas as education, employment, and housing.

National/Racial/Ethnic Minorities

After ethnic Slovaks, the largest minority is the Romani population, officially estimated to number between 200,000 and 250,000. Roma live throughout the country but are concentrated in the industrial towns along the northern border, where many eastern Slovak Roma were encouraged to settle in the homes of Sudeten Germans transferred to the West more than 40 years ago.

Roma suffer disproportionately from poverty, unemployment, interethnic violence, discrimination, illiteracy, and disease. They are subject to deeply ingrained popular prejudice, as is repeatedly affirmed by public opinion polls. For example, in a July poll 29 percent of the respondents agreed that Roma who commit criminal offenses should be punished more severely than other criminals.

A court case charging editors of a Republican magazine with publishing offensive statements against Roma was filed with a Prague district court in January and was pending at year's end. However, in the June parliamentary election the extreme rightwing Republican Party, whose leaders and deputies espouse virulently anti-German and anti-Romani policies, failed to cross the 5-percent threshold, thus failing to gain parliamentary representation for the first time since 1990.

The state funds television and radio programs for Roma on public stations and also supports Romani press publications. During the year, more and better information on Romani issues was available in the mainstream press and other sources. However, efforts by NGO's and individuals in the health and education fields to improve living conditions for the Roma have had only minimal impact, sometimes due to the attitudes or intransigence of local authorities. Romani leaders themselves have had limited success in organizing their local communities, which are often disunited and where many are reluctant to foster contacts with the majority.

Members of skinhead organizations and their sympathizers most often perpetrate interethnic violence. Roma are the most likely targets of such crimes. Sixty persons were convicted of "racially motivated" crimes in the first 6 months of the year. A March report by police authorities reported over 400 cases involving "extremist" elements between January 1996 and June 1997.

In September two young men were convicted and sentenced to 6 1/2 and 8 1/2 years in prison for throwing a young Romani mother, Helena Bihariova, into an icy river in February, where she drowned. Although initially investigated as a racially motivated murder, the lead prosecutor, who cited lack of a racial motive or malicious criminal intent in the case, reclassified it as involuntary manslaughter. Yet another case occurred in the town of Orlova where Milan Lacko, a Romani father of five, in May was beaten by a group of skinheads and left lying in the street, where he was run over and killed by a truck. Three suspects were charged with a racially motivated crime and taken into custody, although they were later released pending completion of the investigation and trial. In October four persons were found guilty in the attack and received suspended sentences of between 15 and 22 months. The prosecutor plans to appeal what many consider to be surprisingly light sentences for this case in which the victim died. In January and February, two incidents of firebombing of Romani residences took place, in Krnov and Orlov respectively.

Eleven suspects detained for terrorizing Romani residents in Domazlice in 1997 were charged with disturbing the peace, violence against groups and individuals, and racial crimes. Their case was being heard before the district court in Domazlice. In a well-publicized retrial, several skinheads were found guilty of murder and sentenced to 8, 7 1/2, and 7 years respectively for causing the 1995 drowning death of a Rom named Tibor Danihel after an earlier court found them guilty only of negligence.

Tensions rose between Roma and law enforcement personnel during the year, resulting in a number of Romani-instigated assaults on local police officers. One policeman was seriously injured after being beaten by five unidentified Romani men who yelled racial slurs at him in May in Liberec. In Usti Nad Labem, a group of approximately 40 Roma attacked 3 city policemen responding to a report of disturbing the peace in the neighborhood. Four suspects later were convicted of assault on a public official, and one remains in prison. In February in Nove Mesto Pod Smrkem, several Roma were arrested and charged with a racially motivated crime after assaulting and taunting a pair of local officers patrolling the town. Local Romani organizations generally denounced these attacks and offered their assistance in the investigations.

Racial and ethnic tensions and discrimination were the subject of increased media attention during the year. Even when federal authorities have spoken out on these problems, local attitudes often proved impervious to change. The most highly publicized example occurred in the city of Usti Nad Labem, where city authorities in May announced their intention to construct a 15-foot high wall as a "noise and hygiene barrier" between a primarily Romani apartment complex and its residents' neighbors across the street. City spokesman Milan Knotek stated that the wall would separate the "decent people" from the "problematic community" of Roma. Both the Roma and several human rights groups described the wall as an attempt to create a ghetto. Following national and international protests, the city delayed the proposal and fostered community interaction to resolve the situation. By year's end, no construction had begun, and plans were changed to construct a lower fence, a new playground for neighborhood children, and new sidewalks for all area residents. In December President Havel paid a goodwill visit to the site and pledged financial resources from his wife's charity foundation for mediation by conflict resolution experts. In a strong statement condemning the construction of the wall, the Zeman government asked the Commissioner for Human Rights to meet with local officials to dissuade them from their plan, but warned that it would use all legal and administrative remedies to stop construction should dialogue fail.

Roma wishing to integrate face practical difficulties in the areas of employment and education. A government-commissioned report estimated unemployment among Roma at 70 percent, with many unemployed Roma subsisting on government support or earnings from illegal activities. Some employers refuse to hire Roma and ask local labor offices not to send Romani applicants for advertised positions. Many Roma are qualified only for low-paying jobs as manual laborers, since very few complete secondary education. A higher than average share of the Romani population applies for partial or full disability pensions due to the occurrence of advanced-stage malignant diseases resulting from the neglect of preventive health practices or the lack of available medical care in areas with above-average Romani populations.

The integration of Romani children into mainstream schools is frequently impeded by language and cultural barriers. Official estimates indicate that less than 20 percent of the Romani population completed the ninth grade, and less than 5 percent completed high school. A significant number of Romani children are transferred at an early age to "special schools" for the mentally disabled and socially maladjusted. According to unofficial government estimates, Romani children make up 60 percent or more of pupils placed in these "special schools," although Roma comprise less than 3 percent of the population. Some Romani parents do not send their children to school regularly due to a fear of violence, the expense of books and supplies, or the lack of a strong cultural emphasis on education among some Roma. In May Romani parents in the Ostrava area protested the allegedly inadequate protection of the local Romani community by keeping their children home from school for several days, an action criticized as inappropriate by some government officials and national Romani leaders. Some Roma refuse to cooperate with programs for the compulsory vaccination of children or are refused treatment by general practitioners who have full quotas of subsidized patients.

In 1993 the government created the framework for a number of yearlong programs (so-called zero grades) to prepare disadvantaged youths for their first year in school. Many districts with high concentrations of Roma participate in the program, which is funded solely by local authorities. Nearly 90 zero grades were open during the year, and another educational initiative introduced Roma "assistant teachers" into the primary and special school system. Their function is to help teachers communicate with Roma pupils and encourage cooperation between schools and Romani parents. There are now 62 Romani assistant teachers in the school system. Some districts tracking local Romani students report that up to 70% of the children who attend zero-grade training successfully enter and remain in mainstream schools. NGO's support additional studies and private initiatives to prepare Romani children for mainstream schools.

Roma also face discrimination in housing and other areas of everyday life. Despite constitutional prohibitions on discrimination, a civil law framework to implement these provisions has not been incorporated into specific offenses under the Criminal Code. The Government took a positive step toward protecting the rights of Roma in March, when the Senate repealed a 1958 law forbidding nomadic lifestyles. Some restaurants, pubs, and other venues refuse service to Roma and post signs prohibiting their entry. In some cases, local authorities intervened to have such signs removed. However, in May pub owner Ivo Blahout from Rokycany was acquitted of refusing service in 1996 to Romani patrons in a retrial of the country's first prominent antidiscrimination case. Despite additional supporting evidence presented at the retrial, the regional court held that the prosecution had failed to prove that Blahout had committed a crime.

Beginning in 1997, over 1,200 Roma submitted applications for refugee status in Canada and the United Kingdom (UK) after a national television program portrayed these countries as inclined to accept, and be generous toward, Romani immigrants. However, few asylum applicants were successful, and over 600 persons returned to the Czech Republic in 1998 after their asylum applications were denied. According to a September statement by the British Ambassador, Only 3 of 560 Romani applicants had received asylum in the UK since the summer of 1997. Nonetheless, Romani families continued to emigrate in 1998.

In July the office of the Minister Without Portfolio released a report analyzing the efforts of the Government to improve the situation of Roma, based on proposals that it adopted in 1997. This report showed mixed efforts and accomplishments towards the goal. No progress was made in addressing the problems of Romani children leaving foster care without Czech citizenship or residency or towards creation of programs designed specifically to deal with crime prevention and drug addiction in the Romani communities. Federal support (primarily monetary) for the reconstruction of the museum of Romani culture in Brno was counteracted by local obstructionist efforts of the Brno city council to prevent refurbishment of the building. However, a Health Ministry grant agency successfully launched a research project to collect data on the health problems of Roma, for whom no separate statistics previously were available, so that concrete proposals for organizational and preventive measures might be made. The Labor Ministry created and filled 58 district-level positions (out of 81 districts nationwide) with "Roma advisors" or "Roma assistants" to aid local authorities on Romani issues. Eventually 20 Roma were placed in the 58

available positions. Some Romani leaders, while conceding the difficulties in finding educationally qualified or trained Romani applicants to fill these positions, expressed regret that only a third eventually were filled by Roma.

The Interministerial Commission for Romani Affairs was created to analyze government measures proposed by individual ministries, to collect information and inform the Romani community about government activities, to allocate grants to supplementary programs for the Romani community, and to deal with housing, education, and discrimination issues. The Commission, which began operations on December 31, 1997, has received mixed reviews. The lack of an operating budget and unpaid members' limited availability hampered operations. Some NGO's and Romani leaders credited the Commission for working on policy statements and pushing the Government to fill district-level Romani advisor positions with individuals of Romani descent. Others criticized the Commission for the lack of a clear, continuing mandate and a low level of direct communication with the Romani communities that it was created to help. In December the Commission was expanded; it now includes 12 government representatives and 12 Romani representatives, as well as the Commissioner for Human Rights and his deputy.

The 1993 Citizenship Law, created when the Czech Republic and Slovakia split, is a continuing concern, despite partial remedies legislated in 1996. Under the 1993 law Czechoslovaks of Slovak nationality ("Slovaks") were able to opt for Czech citizenship until December 1993 (later extended to June 1994) under conditions more favorable than those faced by non-Czechoslovaks in the normal naturalization process. Nonetheless, these Slovaks had to present proof of a clean criminal record for the previous 5 years and residency in what is now the Czech Republic for 2 years. Romani leaders and human rights groups protested that these provisions were designed to discriminate against Roma, most of whom were designated as being of Slovak nationality by a 1969 law. After June 1994, the Slovaks could apply only for naturalization, a more stringent process. The practical result of the law was that an unknown number of Slovaks resident in the Czech Republic at the time of the split--a great many of them Roma--found themselves without Czech citizenship. Some failed to meet the law's requirements; others never applied, either out of negligence or ignorance of the consequences. Many of these Roma were long-term residents of, or born in, the Czech Republic.

The UNHCR and the Council of Europe repeatedly have criticized the 1993 law for its disproportionately discriminatory impact on Roma. Without Czech citizenship under the law, many Roma who are long-term residents or were born in the Czech Republic have no right to work, vote, or receive health insurance and other social benefits. The 1996 amendment permitted the Interior Ministry to waive the requirement for a clean criminal record and allowed several thousand Roma to obtain citizenship. By December a total of 3,956 applicants had received waivers of the clean criminal record requirement, 1,368 in 1998. However, thousands more await resolution of their citizenship status. Citizenship petitions were rejected or discontinued in 468 cases. By October the Czech Helsinki Committee's citizenship advisory section still was assisting approximately 6,000 Roma to resolve their citizenship status, a process that can take from 6 to 9 months. Advisers estimate that anywhere from 10,000 to 15,000 additional persons remain undocumented. One

adviser cited cases where local authorities informed places of employment, schools, benefit offices, and local police when Romani applicants made citizenship applications, thereby preventing them from receiving current benefits (or causing them to lose those they may have had), as well as notifying authorities that the applicants were deportable.

By mid-year approximately 800 minor children in foster care who lack Czech citizenship or permanent residency status were registered by the Helsinki Committee citizenship project. The actual number is believed to be higher as only one-third of foster care facilities communicate such cases to the citizenship project. Typically, the children are ethnic Roma who formally were deemed Slovak citizens following the Czech-Slovak split. All noncitizen children in foster care may claim permanent residency, but this is canceled on their release, leaving them without the benefits of citizenship or residency. Some may face deportation. Even in children's homes where the directors take an active interest in resolving the problem, legal expenses and local bureaucratic intransigence present significant barriers. In 1997 the Interior Ministry cooperated with the Czech Helsinki Committee to inform the directors of state institutions about the harsh consequences of releasing a child with unresolved citizenship or permanent residency status.

Isolated incidents of violence against nonwhites continued. In March a Congolese doctor was beaten in Prostejov; a judge later handed down more lenient sentences for the attackers than the law prescribed, citing their later repentance for the crime. Skinheads in separate incidents in Prague metro stations in May attacked two Indians and an Algerian. Skinheads also attacked and beat a nonwhite American in the Prague metro in November. In March a 19-year-old skinhead who killed a Sudanese student in Prague in November 1997 was sentenced to 14 1/2 years in prison.

GERMANY

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

National/Racial/Ethnic Minorities

In 1997 the Government pledged to protect and foster the languages and cultures of the national and ethnic minorities that have lived traditionally in Germany (e.g., Sorbs, Danes, Roma, Sinti, and Frisians). In July the Saxony state government passed a law to protect the Sorb minority, and the Hesse government recognized Romani as a minority language.

Although the Government has recognized the Sinti and Roma each as an official "national minority" since 1995, the Federal Interior Ministry and individual states have thus far resisted including Romani among the languages to be protected and cultivated under the European Charter on Regional and Minority Languages. During the year, the Hesse government had indicated its willingness to meet the obligations of the Charter to protect Romani, although the other states have not yet followed suit. According to the Chairman of the Central Council of German Sinti and Roma, the Sinti/Romani minority is the only of the national minorities recognized by the Government that does not have any unique legal protection, political privilege, or reserved representation in certain public institutions. According to the chairman, opinion polls indicated that

60 percent of Germans opposed protected status for Sinti and Roma, and public statements of government officials and the media continued to perpetuate prejudice against Sinti and Roma.

GREECE

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

a. Political and Other Extrajudicial Killing

A Romani man was killed in Partheni in April when he refused to stop his car for inspection. Police claimed that they exchanged gunfire with the subject in self-defense. A trial of the policemen involved was pending at year's end.

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

The Constitution specifically forbids torture, and a 1984 law makes the use of torture an offense punishable by a sentence of 3 years' to life imprisonment. This law has never been invoked. However, security force personnel sometimes abused suspects during arrests and interrogations and abused illegal aliens. Police also abused Roma (see Section 5).

In May two Romani teenagers claimed that they were beaten while in police custody for attempting to steal ice cream from a kiosk. A trial was pending at year's end.

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

While the Government generally respects citizens' political rights, there are sometimes charges that it limits the right of some individuals to speak publicly and associate freely on the basis of their self-proclaimed ethnic identity, thus impinging on the political rights of such persons. However, in the 1996 parliamentary elections three Muslim deputies were elected in Thrace, one each from PASOK, New Democracy, and the Coalition of the Left. Romani representatives report that local authorities sometimes deprive Roma of the right to vote by refusing to register them. However, Romani activists also report that some municipalities encourage Roma to register. Municipalities can refuse to register Roma who do not meet basic residency requirements, which many Roma have trouble meeting.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status Children

Child health specialists say that some social groups, such as Roma and illegal immigrants, are underserved. Children's rights advocacy groups claim that protection of high-risk children in state residential care centers is inadequate and of low quality. They cite a lack of coordination between welfare services and the courts, inadequate funding of the welfare system, and poor staffing of residential care centers as systemic weaknesses in the treatment of child abuse. Child health specialists note that the number of children in residential care facilities is decreasing, while the number in foster care is rising.

In recent years, the number of street children who panhandle or peddle at city intersections on behalf of adult family members or for criminal gangs has increased. In November the Ministries of Public Order and Welfare began to implement a plan to return the approximately 3,000 street children in Athens to their families or to place them in state institutions. According to the Ministry of Public Order, 78 percent of these children are Albanian, 12 percent are from other Balkan countries, and 10 percent are Romani. Parents can reclaim their children but risk deportation if they are illegal immigrants.

National/Racial/Ethnic Minorities

There are communities that identify themselves as Turks, Pomaks, Vlachs, Roma, Arvanites (who speak a dialect of Albanian), and "Macedonians" or "SlavoMacedonians." Most are fully integrated into society. The Government formally recognizes only the "Muslim minority" specified in the 1923 Treaty of Lausanne, applying the term to several different ethnic communities. Most of the Muslim minority (officially estimated at 120,000 persons) is ethnically Turkish or Turcophone and lives in western Thrace. The Muslim minority also includes Pomaks and Roma. Many Greek Muslims, including Pomaks, identify themselves as Turks and say that the Muslim minority as a whole has a Turkish cultural consciousness. While use of the terms "Tourkos" and "Tourkikos" ("Turk" and "Turkish") is prohibited in titles of organizations, individuals may legally call themselves "Tourkos." Use of a similar adjective, "Tourkoyennis" (of Turkish descent, affiliation, or ethnicity) is allowed. To most Greeks, the words "Tourkos" and "Tourkikos" connote Turkish identity or loyalties, and many object to their use by Greek citizens of Turkish origin. The 8-month prison sentences of a dozen Muslim teachers, convicted in 1996 for using the name "Turkish Teachers of Western Thrace" in a union document, remained suspended pending appeal.

Roma frequently face discrimination in employment and in housing, particularly when attempting to rent accommodations. They experience police abuse more frequently than some other groups, including instances in previous years when police raided entire Roma camps based on a warrant to arrest one individual.

The General Secretariat for Adult Education (GSAE), a government agency, estimated the Romani population to be 150,000 to 200,000 in 1998. Nonofficial sources estimate the total at 250,000 to 300,000. Most of the Roma in Western Thrace are Muslim; elsewhere, the majority are Greek Orthodox. Almost half are permanently settled, mainly in the Athens area. The other half are mobile, working mainly as agricultural laborers, peddlers, and musicians throughout the country. The GSAE reports that the number of Roma who move around the country is decreasing gradually as families settle into slums in the suburbs of major cities.

A Romani man was killed on April 1 in Partheni, Thessaloniki, when he refused to stop his car for inspection. Police claimed that they exchanged gunfire with the subject in self-defense. A court hearing was pending at year's end. Amnesty International charged that in May two Romani teenagers were beaten while in police custody for attempting to steal ice cream from a kiosk. A trial was pending at year's end.

Romani representatives report that local authorities refuse to register Roma as legal residents in their municipalities. Until registered with a municipality, no citizen can vote or exercise other civic rights such as obtaining an official marriage, commercial, or driver's license or contributing to social security.

In August the mayor of Evosmos, Thessaloniki, ordered the eviction of 3,500 Roma from a location they had occupied for the past 30 years. The group subsequently was evicted from four other locations within the next 15 days. The Ministry of Defense allocated land and houses at a former army camp for the group to occupy for the next 5 years. Human rights monitors charge that the Government delayed renovating the camp in reaction to protests by neighboring residents who do not want the Roma in their vicinity. The Government provided funding to several other municipalities to transfer Roma settlements to new areas supplied with water, sewers, and electricity. It intends to provide portable mobile housing in addition to "non-mobile" housing for Roma who demonstrate financial need.

Government policy is to encourage the integration of Roma. The Prime Minister has designated a member of his staff to coordinate the efforts of all government ministries having a role in their integration. Poverty, illiteracy, and social prejudice nevertheless continue to plague large parts of the Romani population; these problems are most severe among the Roma who are mobile or who live in slums. Although the GSAE conducts education and training programs for them, the illiteracy rate among Roma is estimated at 80 percent. The Ministry of Education established a system of identity cards designed to permit students to change schools easily as their parents move and is developing a system of satellite schools for Romani settlements.

The integration of Roma into social security systems is quite low. It is estimated that 90 percent of Roma are not insured by the public social security systems, since they are unable or unwilling to make the required contributions. As are all qualified Greek citizens, indigent Roma are entitled to free health care. However, their access to health care is at times hindered by the fact that their encampments are located far from public health facilities.

In June the Ministry of Health and Welfare initiated several projects addressing the chronic problems of the Roma community. The projects include training courses for civil servants, policemen, and teachers to "increase sensitivity to the problems of the Roma," development of teaching materials for Roma children, and the establishment of youth centers in areas close to Roma communities. The Ministry has already established six such centers.

HUNGARY

[Introduction]

Through its macroeconomic policies and extensive privatization, the Government demonstrated its commitment to the transition to a market economy. The private sector generates about 80 percent of gross domestic product. Services, trade, and government employ about 63 percent of the labor force, and industry nearly 30 percent. Major exports include manufactured goods (34 percent) and

machinery and transport equipment (50 percent). An estimated 25 percent of the population live in poverty, with elderly pensioners, dependent housewives and children, and Roma most affected. Romani leaders and civic organizations claim that socioeconomic conditions for the Romani minority have worsened since the change of regime in 1989.

The Government generally respected the human rights and civil liberties of its citizens; however, there were problems in some areas. Although the authorities addressed problems in specific cases, police continued to use excessive force against suspects. Police also harassed and abused both Roma and foreign nationals. In practice the authorities do not always ensure due process in all cases. Prosecutors and judges may impose what amounts to unlimited pretrial detention, although the Government expanded legal provisions for the right to fair trial. Police on occasion enter private residences without warrants to check foreigners' identification.

The electronic media are a mix of state-owned and privately owned radio and television. Opposition politicians and some journalists criticized what they termed the Government's "media monopoly," the constraints it purportedly imposes on press freedom by economic pressure, and its discrimination against conservative media. However, there is no evidence of government interference with editorial content. Societal discrimination against Roma remains a serious problem. Anti-Semitic and racist attacks continued to decline. Spousal abuse of women, sexual harassment, and discrimination in the job market remain serious problems. Steps were implemented to improve the rights of women and persons with disabilities.

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

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

No known incidents of torture occurred. Police abuses continued, including harassment, use of excessive force, and beatings of suspects. Police also continued to harass and physically abuse Roma and foreign nationals. A total of 114 police officers were accused of physical abuse in 1997. The figure for the first half of 1998 was slightly higher, with 60 officers accused of abuse. Between 10 and 15 percent of these cases result in prosecution and conviction. Punishment included fines, probation, and the imposition of suspended sentences. In 1997 the Budapest central district court sentenced four police officers to 1 to 2 1/2 years in prison for the exceptionally severe beating of a detainee under interrogation. The appeals court suspended the sentences, and three out of the four officers continue to serve as police officers. According to a report by the Hungarian Helsinki Committee, persons detained by police complain of abuse, but very few file official complaints because they do not expect positive results and fear that the complaint may affect their cases adversely.

d. Arbitrary Arrest, Detention, or Exile

Pretrial detention, based on a warrant issued by a judge, is initially limited to 1 year while criminal investigations are in progress; it may be extended indefinitely on the prosecutor's motion (provided the judge concurs). According to the new Criminal Procedure Law, pretrial detention is to be limited to a maximum of 3 years, after which the case expires automatically if formal charges are not brought. The lack of a bail system gives tremendous leeway to the judge. In 1996 the average

length of pretrial detention was 3 to 6 months, although nearly 10 percent of detainees were held for periods ranging from 8 to 12 months. In addition, foreigners usually are held until their trial since they are considered likely to flee the country. Roma allege that they are kept in pretrial detention longer and more frequently than non-Roma (see Section 1.e.). The law provides for compensation when a detainee is released for lack of evidence, but the procedure rarely is exercised since detainees must undertake a complicated legal procedure to pursue their claims.

e. Denial of Fair Public Trial

Many human rights and Romani organizations claim that Roma receive less than equal treatment in the judicial process. Specifically, they allege that Roma are kept in pretrial detention more often and for longer periods of time than non-Roma. This allegation is credible in light of general discrimination against Roma; however, there is no statistical evidence because identifying the ethnicity of offenders is not allowed under the data protection law.

Section 2 Respect for Civil Liberties, Including:

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There are no restrictions on the movement of citizens within or outside the country, including on the rights of emigration and repatriation. However, local authorities have in some cases tried to expel Roma from towns or to induce Roma to live in the equivalent of ghettos. The Government may delay but not deny emigration for those who have significant court-assessed debts or who possess state secrets. It requires that foreigners from countries that do not have a visa waiver agreement with Hungary obtain exit visas each time they leave the country, although blanket permission is sometimes available. In August the police chief in Bacs-Kiskun County ordered a 30-day limit on the validity of visitor passes for foreigners arriving at the county's Yugoslav-Hungarian border. Critics charged that the police chief did not have the authority to impose such a limit.

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

No legal impediments hinder women's participation in government or the political process: 33 of 386 parliamentary deputies are women and 1 woman serves in the Cabinet. Few women occupy other leadership positions in the Government or political parties. Despite the lack of guaranteed minority representation, several minorities are represented in the Parliament, including one ethnic German and one ethnic Slovak. There are no Romani Members of Parliament.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Numerous human rights organizations operate without government restriction or interference. Many nongovernmental organizations (NGO's) report that the Government is generally responsive to their requests for information. However, individual police units and prosecutors reportedly are uncooperative at times, particularly in cases involving Roma or police abuses. Some NGO's also reported attempted intimidation and harassment by the police. There is also a 21-member parliamentary Committee for Human, Minority, and Religious rights.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for individual rights, equality, and protection against discrimination, but in practice discrimination still exists, particularly against Roma.

National/Racial/Ethnic Minorities

The 1993 Law on Ethnic and Minority Rights establishes the concept of collective rights of minorities and states that minorities need special rights in order to preserve their ethnic identities. It explicitly permits organized forms of limited self-government in areas where ethnic groups constitute a majority and states that the establishment of self-governing bodies must be made possible in localities where an ethnic group constitutes less than a majority of the population. The law permits associations, movements, and political parties of an ethnic or national character and mandates the unrestricted use of ethnic languages. Only those ethnic groups that have lived within the country's present borders for at least 100 years and whose members are citizens may obtain recognized status under this law.

On this basis, the law specifically grants minority status to 13 ethnic or national groups. Other groups may petition the Chairman of Parliament for inclusion if they include at least 1,000 citizens and have their own language and culture.

There were 770 Romani minority self-governments elected in the local elections in October, a significant increase over the 477 elected self-governments in the first minority elections held in 1994. The new self-governments are to begin operating in January 1999. Of the 477 elected in 1994, 396 are still functioning; the discrepancy reflected the number that ceased functioning between 1994 and 1998 due to a lack of funds. With funding from the central budget of \$75 million (Huf 1.5 billion) in 1997 and logistical support from local governments, these bodies seek to influence and oversee matters affecting minorities. However, the national minority self-government bodies elected in 1994 had only limited success. The non-Romani minorities appear to be the most satisfied, while Romani leaders express frustration with the self-governments' lack of clear authority, responsibility, or resources. Critics of the minority self-governments claim that, for the Roma, the system failed, in part because it has permitted local governments to abdicate responsibility for their poorest inhabitants while the under-funded minority self-governments cannot meet adequately the needs of this population.

In 1995 Parliament appointed an Ombudsman--currently an ethnic German-- specifically charged with defending minority rights.

Roma constitute at least 4 percent of the population; Germans, the second largest minority group, constitute about 2 percent. Smaller communities of Slovaks, Croats, Romanians, Poles, Ukrainians, Greeks, Serbs, Slovenes, Armenians, Ruthenians, and Bulgarians are recognized as ethnic minorities.

Education is available to varying degrees in almost all minority languages. There are minority-language print media, and the state-run radio broadcasts 2-hour daily programs in the mother tongue of major nationalities, i.e., Romani, Slovak, Romanian, German, Croatian, and Serbian. State-run television carries a 30-minute program for the larger minority groups, complemented by 5-minute weekly news bulletins. The newly privatized television stations also carry weekly programs for ethnic minorities.

Conditions of life for the Romani community are significantly worse than among the general population. Roma suffer from discrimination and racist attacks and are considerably less educated, with lower than average incomes and life expectancy. The unemployment rate for Roma is estimated to be 70 percent, over seven times the national average. With unemployment benefits exhausted and social services stretched thin, Roma often confront desperate situations.

Roma continue to suffer widespread discrimination in education, housing, and access to public institutions, including restaurants and pubs. Roma and other civic organizations highlighted the practice of placing Roma children in remedial education programs designed for children with disabilities or low academic performance, resulting in a form of de facto segregation. Although the children could be returned to the regular school system, only a small percentage return. Schools for Roma are more crowded, more poorly equipped, and in markedly poorer condition than those attended by non-Roma. The Hungarian Helsinki Committee found that there are 132 segregated schools throughout the country. The Government contests the claims of the human rights organizations and states that the Romani schools are designed to provide intensive help for disadvantaged children.

In what is considered a landmark case, in July a court ordered a bar owner in the city of Pecs to pay a \$750 fine and take out newspaper advertisement apologizing for refusing to serve a Rom.

Local officials have in some cases taken advantage of rules prohibiting overcrowded, unsafe, or unsanitary housing, or have punished nonpayment of utility bills by evicting Roma families from residences without providing alternative housing as the law requires. The Government sponsors programs both to preserve Romani languages and cultural heritage and to assist social and economic assimilation. Oversight and budgetary control of the Coordination Council for Roma Affairs and the Office of National Ethnic Minorities was shifted from the Prime Minister's Office to the Ministry of Justice. In July the Government published an action plan designed to improve living conditions in Romani communities, with specific focus on public health, education, and work training. However, the plan provides no additional funds; rather, it redistributes already inadequate resources.

Widespread popular prejudice against Roma continues. Police commonly abuse them (see Section 1.c.). The Helsinki Committee recorded two cases of skinhead assaults during the year (one against a group of Roma, the other against an Asian student). According to press reports, a Sudanese man was attacked in Budapest by four skinheads in December. The attackers were arrested and the case is under investigation. Foreigners of color reported harassment by police and at border control

checkpoints. The Martin Luther King Organization (MLKO) which documents assaults on nonwhites, recorded two such incidents in 1998, a decrease in the number of assaults. However, MLKO sources believe that many cases go unreported.

ITALY

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

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

The law prohibits torture and cruel or degrading punishment. However, there were some reports of abuse by police. Amnesty International (AI), the United Nations Human Rights Commission (UNHRC), the United Nations Committee Against Torture, the U.N. Special Rapporteur on Torture, and the Council of Europe's Committee for the Prevention of Torture (CPT) have reported instances in which police abused detainees, commonly at the time of arrest or during the first 24 hours in custody, before detainees saw an attorney or a judicial authority. Examples of mistreatment include insults, particularly those aimed at aliens or Roma, kicking, punching, beatings with batons, or deprivation of food. A high proportion of these cases involved non-European union immigrants (mostly Africans), Roma, and persons held in connection with drug-related offenses. The U.N. Committee, the UNHRC, the U.N. Special Rapporteur on Torture, and Caritas have expressed concern over a possible trend towards racism. Amnesty International (AI), the UNHRC and the U.N. Committee have noted that, although authorities routinely investigate complaints of mistreatment in detention, some of the investigations lack thoroughness. The U.N. Committee and the UNHRC also have questioned whether appropriate sanctions were imposed on those found guilty. The CPT and the UNHRC have recommended that the authorities take more effective steps to safeguard detainees and inmates from mistreatment.

National/Racial/Ethnic Minorities

Immigrants and other foreigners face societal discrimination. Some are subjected to physical attack. Roma encounter difficulties in finding places to reside. There are 60,000 to 80,000 citizens who are Roma. Sedentary Roma have more success in receiving equal treatment in the workplace and in the housing market. Nomadic Roma tend to live in camps and to have more difficulty in these areas. Immigrant Roma (45,000 to 60,000), predominantly from the former Yugoslav states often are precluded from obtaining residence or work permits because they do not possess valid identity documents from their country of origin and can be deported. With no legal source of income available, they often turn to begging or petty crime. The interests of the Roma are represented by over 130 nonprofit organizations, which, however, have funding difficulties.

MACEDONIA

[Introduction]

The Government generally respected the human rights of its citizens; however, there were problems in some areas. Police abused suspects and prisoners. The Government's practice of police compelling citizens to appear for questioning continued, despite official claims that the practice had ended pursuant to a 1997 law. Another 1997 law imposed some limitations on religious practices.

Societal discrimination against minorities, including ethnic Albanians, ethnic Turks, Roma, and ethnic Serbs is a problem. Ethnic minorities made progress in securing more representation in state institutions, although ethnic Macedonians continue to hold a disproportionate number of positions. Violence and discrimination against women remain problems; the trafficking of women and girls for prostitution is also a problem.

Section 2 Respect for Civil Liberties, Including:

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of association, and the Government generally respects this right in practice. Political parties and organizations are required to register with a court. More than 40 political parties are registered, including ethnically based parties of Albanians, Turks, Serbs, and Roma. A new ethnic Albanian party, comprising two previously registered parties, was denied registration by the judge responsible for the case, based on the grounds that the party's symbols and program contained elements that the judge considered unconstitutional. Subsequent rulings of the Appeals Court and the Constitutional Court questioned the grounds for the registration court's decision and returned the case to the original judge. However, even after the party modified its program to reflect some of the judge's concerns, the court ultimately blocked the registration because of the party's use of symbols of a foreign state (Albania), which is specifically prohibited under the Constitution.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation Some provisions of the law on citizenship are highly restrictive, requiring, for example, 15 years of residence for most naturalizations. This has left several thousand persons who were living legally in the country at the time of independence without citizenship. The law particularly affects ethnic Albanians who had moved to the country from other parts of Yugoslavia before Macedonia's independence. As citizens of the predecessor state living legally in the territory of the country at the time of independence, they believe they have a right to citizenship. The law also affects many Roma who wish to become citizens, particularly with regard to difficulties they encounter in establishing residence and meeting requirements of a regular income. In accordance with the Council of Europe Convention on Citizenship, which the Government signed, it must shorten the period of residency necessary for naturalization to 10 years.

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

A number of political parties represent the interests of minorities, including ethnic Albanians, ethnic Turks, ethnic Serbs, and Roma. Minorities nevertheless complained that the political structures were biased against them. A new electoral law incorporated elements of proportional representation, partly to address these concerns. A total of 35 of the 120 parliamentary members were chosen on the basis of proportionality, while the other 85 members were elected in single-member districts. Some ethnic Albanians complained that the Albanian-majority districts had more voters than districts with predominantly ethnic Macedonian populations, thus violating the "one-person, one-vote" principle. There is some merit to this complaint, but the ethnic Albanian party was consulted on the 1996 redistricting. Also, all the political parties supported the new electoral law. Some ethnic Albanians and Roma also complain that discrimination against them in

citizenship decisions effectively disenfranchises a large portion of their community (see Section 2.d.).

Ethnic minority members of the new Parliament will include 25 ethnic Albanians, 1 Macedonian Muslim, 1 Rom, and an indeterminate, small number of Vlachs.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status National/Racial/Ethnic Minorities

The population of 2.2 million is composed of a variety of national and ethnic groups, mainly Macedonians, Albanians, Turks, Roma, Serbs, and Vlachs. All citizens are equal under the law. The Constitution provides for the protection of the ethnic, cultural, linguistic, and religious identity of minorities, including state support for education in minority languages through secondary school and the official use of ethnic minority languages in areas where ethnic minorities make up a majority of the population.

At the university level, ethnic minorities are underrepresented, but there has been much progress in increasing the number of ethnic minority applicants and students since 1991. There are eased admission requirements for minorities at the universities in Skopje and Bitola for up to 23 percent of entering places, a quota that was not filled in 1998. Ethnic minorities in the 1998-99 school year constituted 16 percent of the enrolled students. Most university education is in Macedonian, although there is Albanian-language university education for students at Skopje University's teacher training faculty who study to teach in Albanian-language primary and secondary schools. An obstacle to increasing university attendance of ethnic Albanians and Roma is their low but increasing enrollment in secondary education, especially of girls.

Little tension is evident between the Roma and other citizens of the country, although Roma tend to occupy the lowest economic rung of society. In 1996 optional education in the Romani language started at four elementary schools, although there has been no call for a full curriculum. Although there were two Romani members of the previous Parliament, only one was elected in the October-November elections. There is some Romani-language broadcasting.

MOLDOVA

RESPECT FOR HUMAN RIGHTS Section 1

Respect for the Integrity of the Person, Including Freedom From:

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

There was an unconfirmed NGO report of two police officers beating Roma in Soroca in an incident in 1997.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

National/Racial/Ethnic Minorities

The population is about 4.3 million, of which 65 percent are ethnic Moldovans. Ukrainians (14 percent) and Russians (13 percent) are the two largest minorities. A Christian Turkic minority, the Gagauz, lives primarily in the southern regions of the country. The Gagauz are largely Russian-speaking and represent about 3.5 percent of the population. Official statistics put the Roma population at 11,600, although estimates from the OSCE and Roma nongovernmental organizations range from 50,000 to 200,000.

There was an unconfirmed NGO report of two police officers beating Roma in Soroca in an incident in 1997.

POLAND

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

National/Racial/Ethnic Minorities

The Romani community, numbering around 40,000, faced disproportionately high unemployment and was harder hit by economic changes and restructuring than were ethnic Poles, according to its leaders. The national Government does not discriminate overtly against Roma; however, some local officials have been known to discriminate by not providing services in a timely manner or at all. Some schools have experimented with separate special classes for Romani children, stating that because of economic disadvantage, language barriers, and parental illiteracy, Romani children are behind their non-Romani counterparts when starting school. In April in Kety, a small town in southern Poland, local skinheads and Roma clashed over a period of several weeks. In September a 14-year-old Romani girl from Bytom was injured seriously when a skinhead threw a Molotov cocktail into the apartment where she was sleeping. Police immediately made an arrest in the case and are pursuing an indictment.

PORTUGAL

[Introduction]

Citizens enjoy a broad range of civil and other human rights, which the Government generally respects. Credible reports continued that security personnel occasionally beat detainees. Prison conditions remained poor. A large case backlog leads to lengthy delays in trials. Violence against women, discrimination against Roma, and child labor are problems. Reports increased of both pedophilia and trafficking in women.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

National/Racial/Ethnic Minorities

The principal minority groups are immigrants, legal and illegal, from Portugal's former African colonies. There is also a resident Romani population, which is the subject of some discrimination.

The law permits victims and antiracism associations to participate in race-related criminal trials by lodging criminal complaints, retaining their own lawyers, and calling witnesses.

The Council of Europe commented favorably on the country's antidiscrimination and antiracism laws. Although the Council noted isolated difficulties with the Roma, African, and Afro-Portuguese populations, the populace generally is tolerant.

ROMANIA

[Introduction]

The Government generally respected the rights of its citizens; however, several serious problems remained. Some police officers continued to beat detainees. The Government investigated police officers suspected of abuse and in some cases indicted those accused of criminal activities in military courts. However, investigations of police abuses are generally lengthy and inconclusive and rarely result in prosecution or punishment. The Government improved the poor living conditions in prisons and implemented vocational training programs. The judiciary remains subject to executive branch influence but is becoming increasingly independent. In September key members in the general prosecutor's office were replaced, and an effort was made to improve the professionalism of prosecutors. Violence and discrimination against women remained serious problems. A large number of impoverished and apparently homeless children are visible in large cities. Societal harassment of religious minorities was a problem and religious groups not officially recognized by the Government sometimes complain that they receive discriminatory treatment from the authorities. Discrimination and violence against Roma continued.

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

The Constitution and electoral legislation grant each recognized ethnic minority one representative in the Chamber of Deputies, provided that the minority's political organization obtains at least 5 percent of the average number of valid votes needed to elect a deputy outright (1,784 votes in the 1996 elections). Organizations representing 15 minority groups elected deputies under this provision in 1996. Ethnic Hungarians, represented by the UDMR, obtained parliamentary representation through the normal electoral process. Roma are underrepresented in Parliament because of low Roma voter turnout and internal divisions that worked against the consolidation of votes for one candidate, organization, or party. They have not increased their parliamentary representation beyond the one seat provided through the Constitution and electoral legislation.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Domestic human rights monitoring groups include the Romanian Helsinki Committee (APADOR-CH), the independent Romanian Society for Human Rights (SIRDO), the League for the Defense of Human Rights (LADO), the Romanian Institute for Human Rights, and several issue-specific groups such as the Young Generation of Roma and the Center for Crisis Intervention and Study, also a Romani NGO. Other groups, such as political parties and trade unions, continued

to maintain sections monitoring the observance of human rights. These groups, as well as international human rights organizations, functioned freely without government interference.

The Government cooperates with local and international monitoring groups, although some offices are slow to respond to inquiries. Local human rights monitoring agencies have found it difficult to obtain statistics concerning police abuses. The General Inspectorate of Police, which is responsible for investigating such abuses, responds unevenly to inquiries from monitors. Often victims are reluctant to come forward, and the Government does not promote transparency in this regard.

With the aim of protecting citizens against abuses or capricious acts of public officers, the Ombudsman's office envisioned under the 1991 Constitution was instituted by law in March 1997, and its first appointee, Paul Mitroi, took office in June 1997. However, due to a lack of office space, the office began working at normal capacity only at the beginning of 1998: by the end of August, it had received 2,700 complaints. The Office is registering these complaints and is obliged by law to provide an initial response within a year of the date they were recorded. It deals not just with human rights but with all facets of citizens' interaction with the government.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution forbids discrimination based on race, nationality, ethnic origin, language, religion, sex, opinion and political allegiance, wealth, or social background. However, in practice the Government does not enforce these provisions effectively, and women, Roma, and other minorities are subject to various forms of extralegal discrimination. Homosexuals are reportedly the victims of widespread police brutality.

National/Racial/Ethnic Minorities

The Romani population, estimated at approximately 2 million persons, continues to be subject to societal discrimination. The Minister of Education announced in April a series of initiatives designed to improve Roma education. New programs will provide caravan classrooms to follow the migrant Romani population and will open additional classrooms at the request of Roma in several high schools throughout the country. Credible reports of anti-Roma violence continued, as did the harassment of Roma. In July a court in Mures sentenced 11 persons who in 1993 burned 13 Romani houses--resulting in the deaths of 3 Roma-- to 3 to 7 1/2 years' imprisonment. Other cases dating to 1993 involving Romani deaths and property destruction still are under investigation by prosecutors or under review by the courts.

RUSSIA

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status National/Racial/Ethnic Minorities

Roma from the Caucasus and Central Asia face widespread societal discrimination, which often is reflected in official attitudes and actions. In addition, since 1993, discrimination against persons from the Caucasus and Central Asia increased concurrently with new measures at both the federal and local levels to combat crime. Law enforcement authorities targeted persons with dark

complexions for harassment, arrest, and deportation from urban centers (see Section 2.d.). In Moscow such persons--including refugees from Africa as well as darker-skinned citizens from the North Caucasus--are subjected to far more frequent document checks than lighter-skinned persons, and frequently are detained or fined in excess of permissible penalties, often without formal documents recording the infraction being drawn up and presented by police. Reports also suggest a pattern, at least tacitly supported by city authorities, of extortion and beatings by law enforcement officials.

SERBIA-MONTENEGRO

[Introduction]

The Government's human rights record worsened significantly, and there were problems in many areas. Serbian police committed numerous serious abuses including extrajudicial killings, disappearances, torture, brutal beatings, and arbitrary arrests and detentions. The judicial system is not independent of the Government, suffers from corruption, and does not ensure fair trials. The authorities infringed on citizens' right to privacy. The Government severely restricted freedom of speech and of the press, and used overbearing police intimidation and economic pressure to control tightly the independent press and media. The Government restricted freedom of assembly and association. While under the Constitution citizens have a right to stage peaceful demonstrations, in practice the police seriously beat scores of protesters throughout the republic of Serbia, sending many to hospitals. The Government infringed on freedom of worship by minority religions and restricted freedom of movement. The Milosevic regime used its continued domination of Parliament and the media to enact legislation to manipulate the electoral process. In practice citizens cannot exercise the right to change their government. The most recent electoral manipulation by the regime was in the Serbian parliamentary and presidential elections in the fall of 1997. The Federal and Serbian Governments' record of cooperation with international human rights and monitoring organizations was poor. The Federal Government remained uncooperative with the International Criminal Tribunal for the Former Yugoslavia (ICTY): it failed to meet its obligations under numerous U.N. Security Council Resolutions to comply fully with the Tribunal's orders, failed to issue visas to allow ICTY investigators into Kosovo (and, in the last quarter of the year, even into the rest of Serbia), and failed to transfer or facilitate the surrender to the Tribunal of persons on Serbian territory indicted for war crimes or other crimes against humanity under the jurisdiction of the Tribunal. Instead, the Milosevic Government openly harbored indicted war criminals--three of whom the Government openly acknowledged were present on Serbian territory--and publicly rejected the Tribunal's jurisdiction over events in Kosovo. Discrimination and violence against women remained serious problems. Discrimination against ethnic Albanians, Muslims, Roma, and other religious and ethnic minorities worsened during the year. Police repression continued to be directed against ethnic minorities, and police committed the most widespread and worst abuses against Kosovo's 90 percent ethnic Albanian population. Police repression also was directed against Muslims in the Sandzak region and other citizens who protested against the Government. The regime limits unions not affiliated with the Government in their attempts to advance worker rights.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

On December 27, three Roma were found dead in Kosovska Mitrovica. The Roma community reportedly attributed responsibility for the deaths to the KLA. On December 31 a Serb janitor in the Urosevac agricultural school was found dead on the outskirts of town.

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

Police beat an APTV cameraman in Pristina in October (see Section 2.a.). Police occasionally attacked Roma (also see Section 5). Police used truncheons, tear gas, and water canons against student demonstrators in Belgrade (see Section 2.b.).

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

On December 27, three Roma were found dead in Kosovska Mitrovica. The Roma community reportedly attributed responsibility for the deaths to the KLA.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status National/Racial/Ethnic Minorities

The Romani population generally is tolerated, and there is no official discrimination. Roma have the right to vote, and there are two small Romani parties. However, prejudice against Roma is widespread. Local authorities often ignore or condone societal intimidation of the Romani community. Skinheads and police occasionally violently attacked Roma (see Section 1.c.).

SLOVAKIA

[Introduction]

Slovakia continued to make progress in the difficult transition from a command-based to a market-based economy, with more than 82 percent of gross domestic product (GDP) now generated by the private sector. GDP growth continued to be strong (around 6 percent) and the inflation rate increased to 6.7 percent during the year. However, progress in industrial restructuring was uneven, and financial sector restructuring still has not occurred. The most critical problems are a large state budget deficit, government debt, a weakened balance of payments, and a shaky banking sector. Real GDP per capita was approximately \$3,600 at the end of June, providing most of the population with an adequate standard of living. Unemployment was more than 13 percent, reaching almost 30 percent in some areas. A disproportionate number of unemployed are Roma, who face exceptional difficulties in finding and holding jobs, partly as a result of discrimination. The economy is largely industrial, with only 7 percent of GDP generated by agricultural production. Major exports are iron and steel products, audio and video equipment, machinery and transport equipment, plastic materials, paper products, apparel, petroleum products, and organic chemicals.

Although the former Meciar government generally respected most of the human rights of its citizens, it demonstrated a lack of attachment to democratic principles and continued to show intolerance for opposition views and a penchant for the recentralization of state authority. Most

notably, in July former Prime Minister Meciar, using presidential powers acquired when Parliament failed to elect a president in Parliament, granted general amnesties to those involved in the 1995 kidnaping and torture of the former President's son and the unconstitutional thwarting of a May 1997 referendum on direct election of the President. Both of these actions undermined the rule of law. Human rights monitors continued to report police brutality against Roma. In December the newly elected Parliament passed a resolution acknowledging that the previous Parliament violated the rights of ousted Deputy Frantisek Gaulieder. Although the new Parliament regretted the action of its predecessor, it did not annul the former Parliament's resolution, and Gaulieder chose not to withdraw his complaint that was accepted in September by the European Court of Human Rights.

There were credible allegations that the SIS under the former government conducted surveillance of many political figures, journalists, and their spouses. There also were credible allegations of politically motivated dismissals of public officials and the intimidation of opponents of government policy. Defamation laws and a climate of intimidation led some journalists to practice self-censorship. Media monitors confirmed government politicization of the state-owned electronic media. Actions by the former government called into question academic freedom. Discrimination and violence against women remain problems. Roma faced societal discrimination, and the police sometimes failed to provide adequate protection against attacks on them by skinheads or to investigate cases vigorously. Some anti-Semitic incidents occurred, and some discrimination against the Hungarian minority appears to persist.

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

a. Political and Other Extrajudicial Killing

Skinhead violence against Roma led to one death (see Section 5).

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

The Constitution prohibits such practices; however, police on occasion abused Roma.

Human rights monitors reported cases of police brutality against Roma. According to a nongovernmental organization (NGO) spokesperson, there were five cases of police mistreatment of Roma in the eastern towns of Moldava and Turna, but he would not provide details of the incidents. In July police raided a Romani settlement in Rudnany, according to human rights monitors. Five police officers reportedly beat two male youths during the raid. The police conducted house-to-house searches during which they broke windows, doors, and furniture and confiscated residents' hammers, axes, and other tools without providing receipts. More often, the police are accused of tolerating violence against Roma by not preventing or investigating attacks against them in a timely and thorough manner.

e. Denial of Fair Public Trial

With respect to the Roma minority, human rights monitors continued to charge that police are reluctant to take the testimony of witnesses to skinhead attacks on Roma. Further, they reported that police used the device of countercharges to pressure Roma victims of police brutality to drop their complaints, that medical doctors and investigators cooperated with police by refusing to describe

accurately the injuries involved, and that lawyers often were reluctant to represent Roma in such situations, for fear that this would have a negative effect on their practice.

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

The large ethnic Hungarian minority, whose coalition gained 15 seats in Parliament in the September elections, is well represented in Parliament and in local government. Roma are not represented in Parliament and hold no senior government positions.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status Religious Minorities

Despite an order by the Prime Minister to withdraw a controversial history book entitled the "History of Slovakia and the Slovaks" by Milan Durica, it remains available in schools. The book has been widely criticized by religious groups and the Slovak Academy of Sciences for gross inaccuracies and distortions, particularly in its portrayal of wartime Slovakia and the deportation of Jews and Roma.

National/Racial/Ethnic Minorities

The largest minority is the ethnic Hungarian minority. It is concentrated primarily in southern Slovakia, with a population registered at 570,000 (150,000 of whom are thought to be Roma who speak Hungarian and choose to declare themselves as ethnic Hungarian). Most ethnic Hungarians and ethnic Slovaks living in mixed areas continued to coexist peacefully, but in recent years there have been occasional expressions of anti-Hungarian sentiments by Slovak nationalists.

Roma constitute the second largest ethnic minority and suffer disproportionately from high levels of poverty and unemployment. Credible reports by human rights monitors indicated that Roma continued to suffer from discrimination in employment, housing, and the administration of state services. In the spring some Roma families were granted asylum by a judge in the United Kingdom for the persecution they faced at home. The ensuing increase in Slovak Roma seeking asylum in the UK (1,600 persons applied due to asylum in August and September) led the British Government to impose a visa requirement on Slovaks in October, thereby focusing attention on the problem in Slovakia.

Skinhead violence against Roma was a serious problem, and human rights monitors reported that police remain reluctant to take action. An Office of Legal Protection (KPO) spokesman stated in October that the number of skinhead attacks on Roma dropped compared with the previous year. However, the authorities tended to tolerate such attacks and accepted them as "normal." In almost no case did the police categorize the incidents as racially motivated.

In January an unidentified device exploded in front of some houses inhabited by Roma in Trnava. No one was injured. It was the third explosion within 6 months in front of Romani houses in that city. In February three Romani children were brutally attacked in Presov in eastern Slovakia and beaten by a group of skinheads. An 11-year-old boy had to undergo surgery, and due to serious

injuries he remained in a coma for some time. The police started an investigation, but it produced no results by year's end.

On May 7 in the southern town of Lucenec, a non-Romani man allegedly assaulted a Romani boy who was playing ball and then beat unconscious a 16-year-old Rom who tried to intervene. The 16-year-old was taken to the hospital and released after 3 days. When the father of the first boy went to the police to file a complaint, officers reportedly tried to dissuade him from pursuing the matter.

In July a Romani youth was beaten unconscious and hospitalized following an attack after his house in Zarovnice was set on fire. He subsequently died. At year's end, the police had no suspects. In July an unknown perpetrator threw a bomb through an open window of a family's house in Banska Bystrica where nine Roma were sleeping. The blast injured one child and damaged the interior of the house. The case is under investigation. In September skinheads with baseball bats beat a group of five Roma in Banska Bystrica. Two Roma suffered serious injuries. Fearing retaliation, the youths did not press charges. In September six unidentified males attacked a Romani house in the town of Cierny Balog. They kicked in doors and smashed windows and left one man with a broken leg and another with a broken ankle.

In the August 1997 case in which two persons broke into a Romani home in Banska Bystrica and beat the whole family with baseball bats, the trial remains in progress but is stalled since the victim refused to participate. The victims of an October 1997 attack by 10 skinheads on 3 Romani students refused to press charges.

Beginning in January, Romani families living in the center of Spisska Nova Ves in central Slovakia began receiving notices that they would be settled involuntarily approximately 2 kilometers outside of town. They were to be resettled into two-family houses with a common kitchen, bathroom, and toilet, although municipal authorities then revised their plans to house four families in each two-family structure. As of late spring, 14 families consisting of approximately 100 individuals had received eviction notices from their present accommodations, although only 5 of the houses were ready.

SLOVENIA

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status National/Racial/Ethnic Minorities

The Constitution provides special rights for the "autochthonous Italian and Hungarian ethnic communities," including the right to use their own national symbols, enjoy bilingual education, and other privileges. It also provides for special status and rights for the small Romani community, which are observed in practice.

SPAIN

[Introduction]

The Government generally respected the human rights of its citizens; however, there were problems in some areas, including cases of police brutality and lengthy pretrial detention. The Government investigates allegations of human rights abuses by the security forces and punishes those found guilty of such abuses, although investigations are often lengthy and punishments can be light. Societal violence against women, instances of trafficking in women and forced prostitution, discrimination against women, Muslims, and Roma, and incidents of racism and rightwing youth violence were also problems.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status National/Racial/Ethnic Minorities

Public opinion surveys indicate the continued presence of racism and xenophobia. A February poll of teenagers published in the daily *El Mundo* found that while 86 percent of those surveyed denied being racist, 38 percent subscribed to the belief of white racial supremacy. Of these surveyed, 27 percent would expel Roma if given the opportunity, 24 percent are in favor of ejecting Arabs, and 15 percent advocate the same fate for Jews. Over 50 percent would be uncomfortable marrying a Roma or an Arab.

Roma, who make up 2.5 percent of the population, continue to suffer discrimination in jobs, schools, and housing. Romani activists attribute the high incidence of Romani informal sector employment in agriculture and peddling (an estimated 75 to 80 percent) to discrimination and historical marginalization. Although the Madrid High Court of Justice struck down a city ordinance prohibiting peddling, the NGO Gypsy Presence reports that local authorities continue to enforce the ban. According to the organization, the largest Roma-rights NGO, several other municipalities have enacted similar statutes, and this has been detrimental to the economic welfare of many Roma. Romani women suffer even more acute difficulties when seeking employment, since employers are reluctant to hire women from ethnic groups with high birth rates.

A 1998 study found that only 35 percent of Romani children are fully integrated into the educational system. Truancy and dropout rates are very high, and Romani parents, over 80 percent of whom are functionally illiterate, often do not see the value of an education or are unaware of the educational opportunities for their children.

An unofficial government tendency to prioritize non-Roma squatter resettlement over Roma resettlement has led to an increasing proportion of Roma in shantytowns: Roma went from constituting 55 percent of the shantytown population in 1975 to constituting 95 of the squatter population in 1990. The Consortium for the Marginal Population, which receives funding from the Madrid municipality and autonomous community, rehoused 211 families in 1997 at a cost of \$15 million.

The Office of the People's Defender, Gypsy Presence, SOS Racismo, and Greenpeace continued to criticize the Romani squatter settlement in Canada Real's substandard environmental and sanitary conditions. The squatters were relocated to Canada Real in 1994, when Madrid officials sold the public land on which they were settled to developers. The non-Romani families displaced were transferred to public housing, while the dislodged Roma were moved to Canada Real with the promise that prefabricated housing would soon be built for them on the site. Legal documents show that the land was not zoned for residential construction, and the plans soon were abandoned. Sanitary conditions are poor due to the lack of a sewage hookup, the lack of running water to individual homes, and the presence of many rats and insects. Residents are said to suffer from a high incidence of respiratory ailments, chronic diarrhea, and skin infections. A 1997 Council of Europe fact-finding mission expressed concern over the proximity of Canada Real to a garbage incinerator and a pig farm shut down by public health authorities in 1995. The Council's report cited controversial reports documenting the incinerator's emission of carcinogenic chemicals such as dioxides and sodium cyanide and the dumping of medical waste products and the remains of dead animals into nearby rivers. However, the Madrid High Court's findings in a 1997 case contradicted these reports, however. The Court declared that the incinerator did not pose a threat to public health. The Public Prosecutor announced that he would appeal. The People's Defender announced that he would solicit Parliament's help in solving the problem, since the Madrid city government had failed to act on his recommendations. Gypsy Presence intends to ask the World Health Organization to commission a study of the site's sanitary conditions.

TURKEY

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status National/Racial/Ethnic Minorities

The Romani population is extremely small, and there were no reported incidents of public or government harassment directed against them.

UKRAINE

RESPECT FOR HUMAN RIGHTS

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

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

Police also abused Roma, particularly in the Transcarpathian region, and harassed and abused dark-skinned persons (see Section 5).

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

National/Racial/Ethnic Minorities

Roma face considerable societal discrimination. Opinion polls have shown that among all ethnic groups, the level of intolerance is highest towards Roma. In the Transcarpathian region in particular, Roma have been subject to violence and abuse by police (see Section 1.c.).

UNITED KINGDOM

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Race Relations Act of 1976 prohibits discrimination on the basis of race, color, nationality, or national or ethnic origin, and outlaws incitement to racial hatred; these protections were extended to Northern Ireland in 1997. Human rights groups claim that Travellers, nomadic populations consisting of Roma, Irish, and "new" Travellers, estimated to number some 100,000 persons, experience marginalization, educational discrimination, and police and societal harassment greater than that of the settled population. U.N. Committees on both the Rights of the Child and the Elimination of Racial Discrimination have expressed similar concerns.

OSCE Country Reports with No Reporting on Roma¹

Austria
Belgium
Bosnia-Herzegovina
France
The Netherlands
Norway
Sweden
Switzerland

¹There are 55 OSCE participating States, including Yugoslavia (which is currently suspended). For the purposes of this compilation, only those countries with significant Romani populations were examined.