



Hungarian American Coalition

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STATEMENT ON RECENT POLITICAL DEVELOPMENTS AFFECTING THE HUNGARIAN MINORITY IN SLOVAKIA

The Hungarian American Coalition (HAC), together with its member organizations, the Hungarian Human Rights Foundation (HHRF), and the National Committee of Hungarians from Slovakia (NCHS), has viewed with concern the escalation of overtly nationalistic, anti-Hungarian actions and rhetoric by the Slovak government.

After his election in July 2006, Prime Minister Robert Fico of SMER sent an unmistakable message with his choice of coalition partners: ultra-nationalist Jan Slota of the Slovak National Party (SNS) and Vladimir Meciar of the Peoples' Party-Movement for Democratic Slovakia (HZDS), and soon, a campaign of inflammatory anti-Hungarian rhetoric began to be heard in Slovakia. In spite of repeated warnings by the European Parliament and EU to distance himself from his partners, Mr. Fico provided tacit approval for blatantly anti-Hungarian sentiments that eventually led to violence against ethnic Hungarians.

On August 25, 2006, a Hungarian university student, Malina Hedvig, was viciously attacked by two unidentified male assailants in Nitra (Nyitra) for speaking Hungarian, her native language, in public. In the past 14 months, Ms. Hedvig has faced a legal nightmare: she, the victim, has become the accused; Mr. Fico, ignoring all legal standards, provoked public sentiment against her; and her continued prosecution has raised serious doubts about the independence of both the Slovak police and the judicial system as documented by the attached background report prepared by HHRF.

In September 2007, the Slovak Parliament passed by an overwhelming majority a resolution on the inviolability of the infamous post-World War II Benes Decrees. In 1945, as President of the Czechoslovak Republic, Eduard Benes, had passed a series of laws which declared the collective guilt of the Germans and Hungarians living in their ancestral homeland, which had been annexed to the territory of Czechoslovakia. On the basis of these decrees, approximately 2.5 million German inhabitants were expelled, some 200,000 Hungarians were deported from South Slovakia to the Czech Lands and in 1947, about 100,000 Hungarians were transferred to Hungary. These articles of the Benes Decrees are based on right-wing totalitarian ideologies; they charge peoples and national groups with collective guilt on the basis of their ethnicity, without guaranteeing a right to self-defense.

Thus, just as elderly Hungarians gathered last month for solemn commemorations of the 60th anniversary of the inhumanities caused by the Benes Decrees, the Slovak government declared before the world that in ethnic tolerance very little progress has

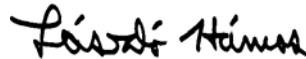
been made in the past 60 years. A detailed background report on the Benes Decrees prepared by HHRF is attached.

Today, the 526,000-strong historic Hungarian community of Slovakia represents 10% of the country's population. To maintain their ethnic identity and to develop future leaders, the Hungarian Coalition Party (HCP) has worked hard to establish the Hungarian language János Selye University in Komárno. While the former Slovak government pledged to provide funding to this institution, the Fico government has not only cut back on funding, but has threatened to limit the university's efforts to gain accreditation. Other Hungarian educational and cultural institutions have also faced such severe cuts in funds that their very existence is threatened. For example, this year the Fico government cut in half the 160 million Kr assistance to minority cultures, thereby reversing the hard-won reforms of 2005.

The undersigned organizations view with genuine alarm the above described events. Many of our members hail from the Hungarian communities of Slovakia and are particularly interested in monitoring developments there. We urge all organizations and individuals who are concerned with these recent developments to sign this statement and encourage their representatives in the US Congress to send a strong message to the Fico government to discontinue its openly negative and hostile discriminatory policies. We also request the U.S. government to use all diplomatic channels in multilateral institutions as well as in bilateral relations to persuade the Fico government to practice the democratic values of tolerance and respect for ethnic minorities in Slovakia.



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Victim of Hate Crime Indicted

Hedvig Malina's Ordeal in the Slovak Legal System

Police tampering with evidence; the suspicious death of an alleged complainant; fundamental human rights and criminal procedure violations; official harassment, public humiliation and vilification of the victim, are but some of the facts that point to the Slovak government's and authorities' deep complicity in the case of **Hedvig Malina**, a by now 24-year-old ethnic Hungarian university student from Nitra (Hungarian: Nyitra), Slovakia.

According to her lawyer, "neither she, her truth nor the weight of evidence have been important from the very day of her attack," August 25, 2006, when on her way to school in the morning, two men berated Ms. Malina for speaking in Hungarian, then robbed and beat her. Photographs taken in the aftermath of the assault show the severe injuries to her face, stomach, arms and legs. After making her way to the university, students and teachers also noticed two anti-Hungarian slurs scrawled on her blouse, thus elevating the attack to a hate crime. [See inset below for details].

Yet, for the past 14 months, not only have the authorities failed to identify and charge the perpetrators who brutally beat her, on May 14, 2007 authorities indicted Ms. Malina for allegedly bearing false witness when she detailed the crime committed against her to police. With mounting evidence of official tampering of evidence, however, by July 24, 2007, national police chief **Ján Packa** conceded that "someone" had indeed attacked Hedvig Malina. On September 22, 2007, Slovak **Prosecutor General Dobroslav Trnka** then admitted to serious and irreversible mistakes by the police and prosecutors' offices and, on September 25, replaced the lead prosecutor with a new team to investigate what really happened.

At a September 11 special press conference last year, just 17 days after Ms. Malina was assaulted, police had abruptly announced the closure of the investigation in the company of Slovak **Prime Minister Robert Fico** and **Interior Minister Robert Kalinak** who accused Ms. Malina of fabricating her own attack [HHRF Statement: *Slovak Prime Minister Assails 23 Year-Old Victim*, September 20, 2006]. Since then the full force of the police, prosecutors' offices and the country's highest officeholders have borne down on her to prove her a liar. Even Slovak television reporters who questioned the investigation were fired in January 2007 for their supposed "unbalanced reporting" of her attack.

“This girl has endured at minimum three trips to hell” concluded psychiatrist **Jozef Hasto** after 30 hours of discussion with Ms. Malina and went on to add: *“I can state responsibly, with sound mind that I have no doubts that this incident transpired in the manner she describes, how she remembers it.”*



Malina Hedvig fighting charges at the court

The attack against Ms. Malina was the most brutal assault in the wave of anti-Hungarian and anti-minority incidents that followed inclusion of ultra-nationalistic parties in the new Slovak government formed in July 2006. [See HHRF Report *“Ethnically-Motivated Attacks Increase against Minorities in the Wake of New Slovak Government Formed with Extremist Party,”* September 5, 2006]

On August 25, 2006, Malina Hedvig was viciously attacked by two unknown male assailants after they heard her speaking Hungarian. The victim was walking to school in a park underpass close to Nitra University. After regaining consciousness, she managed her way back to campus where teachers and students discovered ethnic slurs scrawled in Slovak on her blouse ***“Hungarians beat it to the other side of the Danube”*** and ***“Slovakia without parasites.”*** The medical reports issued by the local hospital and the one in Dunajska Streda [Hungarian: Dunaszerdahely], where she was later transported, confirmed multiple injuries: lacerations and bleeding on the face and mouth due to blunt force trauma, contusions on the abdominal area and thighs, vaginal bleeding, and the probability of a concussion.



Interior Minister Robert Kaliňák on a press conference, accusing Malina Hedvig of fabricating her own attack
(photo: ČTK)

Police actions strongly suggest that already during the initial investigation of the attack their focus swiftly turned from apprehending the assailants to proving Ms. Malina a liar. HHRF’s Statement of September 20, 2006: *“Slovak Prime Minister Assails 23 Year-Old Victim”* details most of the inconsistencies that surfaced in the investigation up until that time.

For the past 14 months Hedvig Malina has been denied justice. In the words of one of the witnesses to the aftermath of her attack *“I thought that things like this only happened in the Soviet Union during the time of the show trials, but it looks like anything is possible here too.”* Ms. Malina’s case should be followed closely by the international community as precedent setting for the handling of hate crimes in the region. The attack against her not only has major ramifications in the life of Slovakia’s 526,000-strong Hungarian community and its relations with the country’s Slovak majority. Its reverberations have and will continue to be felt in the other countries of the region with significant minority populations.

Evidence of Criminal Procedure, Due Process and Human Rights Violations; Willful Police Misconduct; and Prosecutorial Cover-Up in the Case of Hedvig Malina's August 25, 2006 Attack

Crime Scene Investigation Irregularities

Some of the police actions **Jozef Sátek**, former head of the Slovak police force's anti-corruption unit questions regarding the immediate aftermath of the attack and the initial crime scene investigation:

- Why did police arrive at the crime scene four hours later and without police dogs?
- Why was Ms. Malina's bra and skirt—also soiled according to eyewitnesses— not taken into evidence and examined?
- Why did police not obtain tapes from the town's and a nearby shopping center's video surveillance cameras?
- Why did police not make a sketch of the crime scene and an inventory of the size, color and other characteristics of objects found there?

Failure to Pursue Witness Leads

"The incident occurred in that park exactly the way Malina described," declared a witness on June 19 in a TA3 Television interview. The man — who remains anonymous — stated that he knows the identity of one of the attackers, a skinhead from the town of Nitra he labeled "basically a Hungarian-hating nationalist." According to this witness, the man admitted the crime to a family member and was an initial suspect police let go. The police, however, have failed to officially interview the witness, **Zdeno K.**, with Ms. Malina's lawyer present. On July 3, Chief of Police spokesman **Martin Korch** announced that the witness had nothing to say which would affect the substance of the case and would warrant re-opening it. In a closed case, no [new] witnesses can be interrogated, concluded Korch.

- In the days after the attack, when police had supposedly rounded up, examined and eliminated hundreds of suspects, Ms. Malina was not asked to identify in a line-up a suspect who matched the description she gave to the police.
- Furthermore, there is no mention in the official transcript of several suspects the interior minister announced the police had interrogated and cleared at the end of August 2006.
- The first witnesses to the aftermath of the attack-- nine students and teachers— were only questioned six months after the incident.

Denying the Right to Legal Counsel; Threats and Harassment

Police denied the victim's right to legal counsel, repeatedly humiliated her and applied coercive tactics to pressure her into changing her testimony. On September 9, 2006 police took Ms. Malina in under the false pretense that she would be asked to identify two suspects in a line up. Instead, she was interrogated for nine hours and not allowed to call her attorney. Six officers continually shouted and cursed at her, accused her of lying and being a disgrace to the entire nation and country, and ultimately threatened to put her in preliminary detention if "she didn't admit everything."

Denying the Right to Know and Confront her Accuser

The motives and associations of Ms. Malina's alleged accusers are highly questionable and the authenticity of their written complaints suspect.

Juraj Kubla is the man who allegedly reported Ms. Malina in writing to the police in November 2006 for giving false testimony. For seven months police kept Kubla's identity a secret, denying Ms. Malina the right to know and confront her accuser. When Kubla failed to appear at a 9:00 am hearing on May 24, 2007, police told Ms. Malina — also summoned — that the accuser had died. The police claimed that they had not known of Kubla's death on May 4, just two days after they announced an indictment would be filed against Ms. Malina. Within hours, Chief of police spokesman Martin Korch changed his account of Kubla's cause of death from natural causes to suicide. Police continue to withhold the contents of a purported suicide note.

Within a day, police announced the existence of an alleged *second complainant*, **Peter Korek**. A former employee of the Slovak Information Service (SIS), Korek supposedly mailed his complaint on October 6, 2006 because he was "a taxpayer offended by Ms. Malina's assertions that suggest she lives in a nationalistic state." Korek works for the same member of the Slovak Parliament—Peter Gruber—as does **Zuzana Trnková**, wife of the prosecutor general.

Tampering with and Concealing Evidence

On October 2, 2007, when defense attorney **Robert Kvasnica** received the file from the prosecutor's office, Peter Korek's written complaint—the basis for the indictment—was missing.

On July 25, 2007 police admitted that they had doctored the transcript of their September 9, 2006 interview with Ms. Malina after her attack by omitting a critical sentence from her in the transcription.

In his May 21 motion to dismiss the indictment of perjury against Ms. Malina, attorney Kvasnica cited the following due process violations:

- The defense was denied the right to examine and evaluate evidence.
- The Prosecution had failed to adequately notify defense counsel: The public was informed about the indictment before Ms. Malina or her counsel, who learned about it from the press.
- The Prosecutor General, **Dobroslav Trnka**, informed the media that Ms. Malina would be charged before the competent authorities had made that decision
- The indictment failed to state when, where and how the alleged false testimony and perjury occurred.
- The indictment did not cite Hedvig Malina's purported false testimony to police, presumably to prevent her from rebutting the charge at trial.

No Recourse for the Victim in the Judicial System

Ms. Malina's September 18, 2006 85-page complaint to the prosecutor documenting police mishandling of her case was rejected on October 17, 2006 citing Article 193, Paragraph 1 of the Penal Code. On September 26, 2006 her attorney submitted an additional 41-page complaint, followed by two more, to various prosecutors' offices, requesting that her case be reopened. All were rejected. On May 24, the Slovak Constitutional Court also rejected her December 15, 2006 complaint which documented police violations of her human rights.



Scapegoating of Hungarian Community in Slovakia Deepens

**Slovak Parliament Adopts Inviolability of Infamous
Post-World War II Benes Decrees**

*Legitimizes Deprivation of the Rights
of the Hungarian and German Minorities*

With only the 20 members of the Hungarian Coalition Party (MKP) voting against, the Slovak Parliament voted on September 21 to reaffirm the inviolability of the so-called Benes Decrees, thirteen directives issued in Czechoslovakia between 1945-'48 which accused the entire Hungarian and German minorities of supporting the Nazis and ordered their mass deportation and the wholesale deprivation of their political, citizenship, legal, property, linguistic, educational and cultural rights. Despite their patently undemocratic and unjust nature, the blanket decrees have remained in effect for 60 years. In addition to destroying the lives of millions half a century ago, the vengeful measures continue to have harsh, current-day consequences. No compensation has ever been paid to the victims by either of Czechoslovakia's successor states, nor have the properties confiscated under the Benes Decrees ever been—or can be under the new act—restored or compensated to their rightful owners.

Although an unspoken agreement muted the issue in Slovakia since 1989, the ultra-nationalist Slovak National Party (SNS), part of the governing coalition, introduced the resolution in response to the Hungarian Coalition Party's suggestion that Hungary and Slovakia mutually apologize for historical wounds. According to the Hungarian minority's proposed Declaration of Reconciliation [see Attachment 1], the text would contain an apology by Slovakia towards its own citizens deported and disenfranchised en masse without cause, and would be signed by the parliaments of both countries on behalf of the two nations. While on September 14 all five parties of the Hungarian Parliament issued a joint statement of willingness to enter into such dialogue with Slovakia [see Attachment 2], SNP president **Jan Slota** retorted by calling MKP President **Pal Csáky** "vomit," "stinking shit" and a "provocateur" on national television.

The Hungarian Human Rights Foundation is joined by the **Hungarian American Coalition** and the **National Committee of Hungarians from Slovakia** in alerting policymakers to the dangerous path followed by the Slovak Government since July 2006, when Prime Minister Robert Fico rejected the Hungarian Coalition Party and embraced the nationalist parties led by Jan Slota and Vladimir Meciar into the governing coalition. We urge all concerned governments, political and public figures, human rights organizations and the general public to call upon the Slovak Parliament and government to restore open dialogue and a spirit of cooperation. As it has done for the past 31 years, HHRF will closely monitor and report on developments affecting human rights and regional stability in Central Europe.

This latest assault on the 600,000-strong Hungarian community of Slovakia is not an isolated event but part of a steady slide toward anti-Hungarian scapegoating by the governing coalition since it assumed power in July 2006. An almost immediate increase in violence and intolerance against Hungarians and other minorities ensued as the extremist SNP became part of the government, with Slovak authorities failing to prosecute the perpetrators in the case of Ms. **Hedvig Malina**, a 23 year-old Hungarian college student viciously assaulted for speaking Hungarian. While a year ago the new Prime Minister **Robert Fico** promised to maintain the status quo in minority relations, since then the only Hungarian-language János Selye University in Komárno/Komárom continues to be under-financed, the use of native-language historical names in textbooks used in schools for minorities has been prohibited, a major reduction in minority-language broadcasting by Slovak Radio is imminent, and the SNP submitted another parliamentary resolution which would honor as a hero **Andrej Hlinka**, whom *“the Jewish community in Slovakia considers a symbol of Slovak fascism in the years of 1939-45.”* [see Attachment 3]

In its position of October 1 on the Benes Decree resolution, the Hungarian Coalition party states that *“this discriminative step of the Slovak parliament contravenes Article 6 of the Agreement on the European Union as well as the obligations of the Slovak Republic embedded in Document No. 175/1993 on the accession of the Slovak Republic to the Council of Europe.”* In fact, the Slovak Parliament’s resolution fundamentally opposes European legal norms, said **Markus Ferber**, representative in the European Parliament’s largest political bloc, the European People’s Party–European Democrats (EPP-ED) on September 24. Ferber also called on the EPP-ED president to formally protest to Bratislava. European reaction has been swift and negative.

Speaking on September 24 at the European Parliament plenary session in Strasbourg, the Hungarian Socialist **Csaba Tabajdi** said that the Slovak Parliament, *“instead of apologizing for historic wrongs and seeking reconciliation, sanctifies an unacceptable doctrine. We Hungarians will not give a misguided, nationalistic response to this unwarranted act which is alien to the fundamental spirit of the European Union.. There is no alternative to Hungarian-Slovak reconciliation, either as it relates to the Slovak majority and Slovakia’s Hungarian community, or as to the relations between Hungary and Slovakia.”*

A leading Slovak intellectual, the political scientist **Miroslav Kusý**, stated his agreement on September 25: “I am unequivocally of the opinion that Slovakia should apologize for the wrongs it committed between 1945-48. Clearly, this development — the Slovak Parliament’s decision to declare the inviolability of the Benes Decrees — has produced a deterioration of good neighborly relations, which were not so good to begin with.”

On October 4, the Presidency of the Party of European Socialists (PES) decided to continue the suspension of its Slovak member, the ruling SMER party led by Prime Minister Robert Fico. SMER’s membership in the political union was suspended last October after repeated calls not to form a coalition with Jan Slota’s ultra-nationalist Slovak National Party (SNS). By October 10, 42 members of the Council of Europe have signed a resolution submission against rejecting the principle of collective guilt, and calling upon the appropriate committee of the Parliamentary Assembly to examine the validity of legal provisions based upon this principle.



Party of Hungarian Coalition, SMK-MKP, Slovakia

We Wish Reconciliation

Exactly 60 years ago 2,2 million citizens of German community and 70 thousand citizens of Hungarian community were deported from Czechoslovakia. In addition 60 thousand citizens from the Hungarian minority were deported to Czech part of the country to places left behind by the German minority. The Slovak Nationalist Party, which is a member of the current government of Slovakia, introduced a resolution into the Slovak parliament, which would strengthen the discriminative Beneš decrees towards the Hungarian and German minority on the basis of collective guilt.

The Party of Hungarian Coalition to this initiative has reacted with the following declaration:

Together, sincerely

**Basic Theses of Common Declaration
between the National Council of the Slovak Republic and the National Assembly of the
Hungarian Republic**

The members of the National Assembly of the Hungarian Republic and the National Council of the Slovak Republic – based on the conviction to build a new perspective for our common European future and to make a crucial step in this direction to relieve the relation of the Hungarian and Slovak nations, the Hungarian Republic and the Slovak Republic of a burden set on it during the last one and a half century – could accept a common declaration where they could

- emphasize that the Hungarian and Slovak nations lived in a common state for several centuries, while this coexistence had many positive features. We can build a common vision of the future with mutual understanding and support based on them.

- admit that besides generally conflict-free coexistence in the common history, there were also adverse factors that have burdened our relations up to now, or they seem like pending problems in eyes of part of our fellow citizens.

To solve them,

- the National Assembly of the Hungarian Republic has expressed its regret that the Hungarian government at the end of 19th and at the beginning of the 20th century was



performing such politics in the territory of the Hungarian Kingdom that violated the rights of the nationalities living in the territory of the state. It would also express its regret of the efforts that could be considered unjust by the Slovak side after the performance of the first Vienna Arbitration. The National Assembly of the Hungarian Republic would declare deplorable the fact that the Hungarian People's Army units as part of the Warsaw Pact entered the territory of the Slovak Republic in 1968 in the service of a wrong thing. The National Assembly of the Hungarian Republic would apologize for all these things to the citizens of the Slovak Republic.

- The National Council of the Slovak Republic would express its regret that after the establishment of the Czechoslovak Republic there happened also such events that violated rights of the citizens with the Hungarian nationality. The National Council of the Slovak Republic would express its regret that also in the period of 1945-48 there happened such events that caused that the citizens with the Hungarian nationality were forced to leave the territory of the state and some were involuntarily deported for forced work to Bohemia. Furthermore, it would express regret that the Slovak National Council then accepted also such decrees on the Act level which seriously violated the rights of the citizens with the Hungarian and German nationality on the collective guilt principle. Therefore, the National Council of the Slovak Republic would apologize to all the citizens of the Slovak Republic who consider them unjust and would declare that it will initiate establishment of a foundation to perform also a financial compensation. The National Council of the Slovak Republic would apologize for the above mentioned also to the affected citizens of the Hungarian Republic.
- The National Assembly of the Hungarian Republic and the National Council of the Slovak Republic would express their regret of all adverse impacts of the forced population exchange performed after the World War II.
- The National Assembly of the Hungarian Republic would declare that it would follow positive European examples in its nationality politics and it is ready to adapt the nationality act to the general positive development processes.
- The National Council of the Slovak Republic would declare that it would follow positive European examples in its nationality politics, would prepare its nationality act and is ready to adapt this act to the general positive development processes.

Bratislava – Budapest, 8 May 2007



Declaration

The political parties of the Hungarian National Assembly have always supported the development of good relations with neighbouring states on the basis of European norms of cooperation. Fruitful cooperation has been in the national interest of Hungary.

The political parties in the parliament believe that good neighbourly relations are in the interest of all nations living in Central and Eastern Europe. In the era of globalization good cooperation of the states of the region would contribute to the effectiveness of the enforcement of common interests.

The parties are welcoming all initiatives that enhance the possibility of undisturbed cooperation in our common future: as the initiative of the Party of Hungarian Coalition has been written with this intent our parties welcome the declaration on Hungarian – Slovak reconciliation.

The political parties would like to put emphasis on the importance of sincere intentions that need to stay behind every declaration on reconciliation. In this context we are dissatisfied with the reactions of the political parties comprising the Slovak government.

All the members and committees of the Hungarian National Assembly are ready to enter responsible dialogue with all partners, including Slovakia as well.

Budapest, 14. 09. 2007

Parliamentary Group of FIDESZ – Hungarian Civic Union

Parliamentary Group of Christian Democratic People's Party

Parliamentary Group of Hungarian Democratic Forum

Parliamentary Group of Hungarian Socialist Party

Parliamentary Group of Alliance of Free Democrats Hungarian Liberal Party

INTERNATIONAL
Herald Tribune

Slovak Jews protest efforts to glorify pre-WWII nationalist leader

The Associated Press

Wednesday, October 3, 2007

BRATISLAVA, Slovakia: Slovak Jewish communities rejected Wednesday what they called efforts by Slovak nationalists to glorify a controversial pre-World War II leader.

The Slovak parliament is debating a proposal by the nationalist Slovak National Party to honor Andrej Hlinka, a catholic priest and leader of the Slovak People's Party before the war, for his contribution to the creation of the independent Slovak state.

The vote is expected later this month.

But the Association of Slovakia's Jewish Communities condemned the "glorification" of Hlinka and the bill, which would declare him "the father of the nation" in a statement Wednesday.

"Andrej Hlinka rejected the democratic principles of Czechoslovakia and spoke with admiration about politicians such as Adolf Hitler and (Italy's fascist dictator) Benito Mussolini," the statement said.

"The Jewish community in Slovakia considers the name of Andrej Hlinka a symbol of Slovak fascism in the years of 1939-45," it said.

Slovakia was a Nazi puppet state during World War II. It sent over 70,000 of its Jews to Nazi concentration camps, where most of them perished.

Hlinka has been criticized for anti-Semitic and nationalistic views. During the 1930s he spoke in favor of broad Slovak autonomy within Czechoslovakia. He died on Aug 16, 1938, before the war began.

After the fall of the Austro-Hungarian empire in 1918, Slovakia became part of Czechoslovakia, which split peacefully into the Czech Republic and Slovakia in 1993.
