



OPEN SOCIETY INSTITUTE
NETWORK WOMEN'S PROGRAM
VAW MONITORING PROGRAM

V I O L E N C E
A G A I N S T
W O M E N

DOES THE GOVERNMENT CARE
IN
S L O V A K I A ?

Country Monitoring Reports
and Fact Sheets

from
Central and Eastern Europe,
the Commonwealth of
Independent States,
and Mongolia

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Preface

“...states have an obligation to exercise due diligence to prevent, investigate and punish acts of violence, whether those acts are perpetrated by the state or private persons, and provide protection to victims...”

(Recommendation No. R (2002) 5 of the Committee of Ministers of the Council of Europe to member states on the protection of women against violence)

Violence against women is a global epidemic, constituting the serious violation of women’s human rights and fundamental freedoms. Combating this phenomenon has been one of the main priority areas of the Network Women’s Program (NWP) of the Open Society Institute since its establishment in 1998.

NWP’s main activities in this field included initiating, managing and supporting several international projects,¹ by acquiring and transferring knowledge throughout the regions where OSI has traditionally worked.² The activities of NWP in the field of violence against women were transformed into a separate program, the Violence against Women (VAW) Monitoring Program, which operated until the end of 2006.

A main focus of the Program was introducing and managing the Stop Violence Against Women (STOPVAW) website,³ and establishing the National Violence against Women (VAW) Monitor Network. The website was developed by Minnesota Advocates for Human Rights in 2003, with the support of NWP and UNIFEM. Subsequently, in May 2004 NWP initiated the National VAW Monitor Program by

¹ Such as the “16 Days” Campaigns against Gender Violence, and the Coordinated Community Response to Violence against Women (Duluth Program). The “16 Days” Campaigns Against Gender Violence program supported NGOs in 19 countries of the Soros foundations network to organize national public awareness campaigns on violence against women. NWP and the OSI Network Media Program provided grants, along with training workshops, in order to build the capacity of women’s NGOs and media experts, and to improve the quality of the media campaigns. Grants were offered exclusively for cross-country cooperation in 2003.

In introducing the Duluth Model, an innovative community-coordinated strategy, NWP organized several training workshops for national teams from 16 countries as well as special training for police officers and other law enforcement professionals, and supported the adaptation of the model for several years.

² These are the countries of Central and Eastern Europe and the former Soviet Union.

³ See: www.stopvaw.org.

establishing a network of NGOs from 24 countries. Non-governmental organizations in the fields of violence against women and gender equality take on the role of National VAW Monitors and facilitate the continued development and maintenance of the English and national-language Country Pages of the STOPVAW website.

The responsibilities of the National Monitors include the monitoring of government compliance with international obligations and the distribution of information to the international community about the successes and failures of their governments in combating violence against women. The website and the Network are active forums for information sharing, knowledge transfer, and advocacy work.

At the end of 2005 a new, comprehensive Survey to Monitor Violence against Women was initiated by NWP, inviting the National VAW Monitors and other experts to map the situation on violence against women in their respective countries, with special regard to state responses. The survey methodology prepared for the Monitors and experts to follow built upon the Council of Europe Committee of Ministers' Recommendation No. R (2002) 5 on the protection of women against violence. The goal was to collect concise and comparative information from those who are in the field, as a basis for further analysis and update. Another aim was to contribute to the Council of Europe Campaign to Combat Violence against Women, including Domestic Violence.

By following the words and spirit of the Recommendation of the Council of Europe, the examined fields include, among others:

- responsible government bodies and their mandates regarding violence against women;
- action plans and their implementation;
- state budgets to combat violence against women, including support for NGOs;
- laws, regulations, and codes of conduct;
- services and assistance to victims (shelters, hotlines, crisis centers, legal aid, etc.);
- training and education at all levels;
- role of the media;
- awareness-raising activities; and
- research and statistics.

As a result of the monitoring survey, Country Fact Sheets and Country Monitoring Reports were prepared. These Fact Sheets and Country Reports issue a non-

governmental assessment of the countries' situation in the above fields, and formulate clear recommendations to the governments.⁴

Data collection for the monitoring survey was closed on December 1, 2006. Updated information on further developments in the efforts to combat violence against women in the countries concerned is available on the STOPVAW website.

We hope that both the Fact Sheets and Country Reports will be useful advocacy tools at the national and international levels, and that, by generating legal and policy changes, they will urge the states to fully meet their international commitments to combat violence against women.

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⁴ The reports are available online at www.soros.org/women and www.stopvaw.org/Country_Pages.

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1. STATE MECHANISMS OF COMBATING VIOLENCE AGAINST WOMEN

1.1 National institutions or government bodies responsible for policy coordination and implementation

In Slovakia, no special executive body has real responsibility and competence with regard to equal opportunities for women. In 1996, the government established the Coordinating Committee for Women's Issues as its advisory, coordinating and initiative body. In 2001, this body lost its multi-agency character when Government Resolution No. 213 transformed it into an expert advisory body of the Ministry of Labor, Social Affairs and Family. In 2003, the activities of the committee ended.

In 1999, the Equal Opportunities and Antidiscrimination Unit was set up within the Ministry of Labor, Social Affairs and Family. In 2005, the ministry underwent a considerable organizational change and the agenda of the Equal Opportunities and Antidiscrimination Unit was reduced to the agenda of the Family and Gender Policy Unit. At the present time, this body is the only institutionalized mechanism of gender equality and family policy in Slovakia. This unit does not have decision-making powers. In the field of combating violence against women, it should ensure that the activities defined in the *National Action Plan for the Prevention and Elimination of Violence against Women* (NAP) – which is the responsibility of the Ministry of Labor, Social Affairs and Family – are carried out. Evaluation reports on the fulfillment of NAP are to be submitted regularly.⁵

The Expert Group on the Prevention and Elimination of Violence against Women and in Families at the Government Council for Prevention of Crime was set up in 1999; its activities, however, were later ceased and renewed again last year. The Expert Group is responsible for the coordination of NAP activities. This body is also responsible for:

- preparing materials for the Government Council for Prevention of Crime sessions;
- preparing materials for the government sessions;
- dealing with tasks related to cooperation between the Slovak Republic and other countries;
- coordinating of activities aimed at implementation, monitoring and evaluation of the NAP;

⁵ See at www.snsplp.sk/rs/snsplp_rs.nsf/06ed12eba76268efc1256b1300596643/b2883ddd0fd0b7a3c1257077003f02ff?OpenDocument.

- monitoring of methodologies and defining indicators upon which progress in the area of combating violence against women is to be measured;
- defining standards with which to ensure adequate services to survivors of domestic violence in cooperation with service providers; and
- promoting anti-trafficking efforts.

The expert group has had two sessions so far and the evaluation report on its activities is still unavailable. No funding has been allocated for the activities of the group. Representatives of the following institutions/organizations are the members of the expert group:

JUDr. Viera Kusendová – Head of Expert Group, Ministry of Labor, Social Affairs and Family;

JUDr. Barbara Illková, PhD. – Office of the Vice Prime Minister of the Slovak Republic for European Issues, Human Rights and Minorities, Government Office;

JUDr. Martina Tabačíková – Vice Chairperson of the Criminal Legislation Unit, Ministry of Justice;

Anna Muríňová – Human Rights Unit, Ministry of Foreign Affairs;

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PhDr. Eva Sopková – ProFamilia Humenné Civil Association, Statutory Representative;

JUDr. Zuzana Magurová – Institute of State and Law at the Slovak Academy of Science; and

MUDr. Jana Olearniková – Women's Interest Association FENESTRA, Statutory Representative.

Most members of the expert group have no practical experience combating violence against women.⁶

In 2005, the Ministry of Interior appointed a special task force and a national coordinator to combat trafficking in Slovakia.

1.2 National action plans and other policy documents

In August 2005, the Slovak Government passed Resolution No. 635 of 2005 on a *National Action Plan for the Prevention and Elimination of Violence against Women for 2005–2008* (NAP). The report on NAP activities is due on May 31, 2008. The

⁶ See at www.minv.sk/prevenia/index.php?idx=pages/expert_skup/nasilie.

National Action Plan emphasizes understanding violence against women as gender-based violence and lists particular provisions to be taken in the following areas:

- criminal and civil justice;
- providing help and assistance;
- prevention; and
- research.

There are four basic operational aims defined for the NAP:

- to make effective use of existing legislation and to amend existing legislation to ensure appropriate protection of survivors of domestic violence, as well as appropriate punishment for perpetrators;
- to ensure fast and efficient help to all women exposed to violence or the threat of violence, taking into consideration any specific needs arising from their situation;
- to prevent violence and any situation that can lead to violence or tolerance of violence; and
- to create an adequate knowledge database on various aspects of violence against women.

The above operational aims are to be achieved via the following twenty-seven activities:

1. Prepare a comparative study on legal protection of women victims of violence in Slovakia and in selected EU member states. Based on the outcomes of the study, to propose legal changes in the Slovak legal system.
Deadline: May 31, 2006.
2. Design monitoring reports on practices of legal bodies involved in criminal proceedings, as well as evaluation reports on the use of current legislation with the view to make legal help for women victims of violence more efficient.
Deadline: May 31, 2006.
3. Design a methodology of investigation to protect women victims of violence from repeated trauma and victimization.
Deadline: May 31, 2006.
4. Renew the activities of the Expert Group on Prevention and Elimination of Violence Against Women and in Families at the Government Council for Prevention of Crime.
Deadline: October 31, 2005.
5. Within the subsidizing policy of the Ministry of Labour, Social Affairs and Family for 2006, ensure that financial support of institutions carrying out the different activities taking into consideration diversified needs of women

victims of violence will be emphasised.

Deadline: May 31, 2006.

6. Design specific activities based on EU standards, taking into consideration the diversified needs of women exposed to violence or the threat of violence, in the area of social services.
Deadline: May 31, 2006.
7. Design a methodology for providing help and education to justice, police, health care and social work professionals for their work with women victims of violence.
Deadline: May 31, 2006.
8. Coordinate a common approach for all professions involved in providing help and protection to women victims of violence by encouraging cooperation at the local level.
Deadline: running, check every year by May 31.
9. Include the setting up of a specialised network of counseling crisis telephone help lines into ESF programs, as a justified requirement.
Deadline: May 31, 2008.
10. Incorporate explicitly knowledge about violence against women into the job description of employees of institutions providing psychological counseling for women victims of violence.
Deadline: May 31, 2006.
11. Educate the general public about how to recognize violence against women in its early stages, as well as on how to help (with particular focus on specific risk groups of women) via helping professions.
Deadline: running, check annually by May 31.
12. Include the issue of violence against women in the system of lifetime education and training of all professions concerned.
Deadline: May 31, 2008.
13. Ensure special training on the issue for professions concerned, particularly training for trainers facilitated by experts cooperating with NGOs within various projects and programs.
Deadline: running, check annually by May 31.
14. Ensure special programs for persons convicted of committing crimes related to violence against women.
Deadline: May 31, 2008.
15. Support activities of NGOs operating in the area of elimination of violence against women and to create conditions for widening the scope of such activities via, for example, grant programs.
Deadline: running, check annually by May 31.

16. Stress the issue of violence against women in carrying out the National Action Plan for Human Rights Education.
Deadline: running, check annually by May 31.
17. Pay attention to the issue of violence against women when designing pedagogical documents related to relevant school subjects at both primary and secondary schools within human rights education.
Deadline: May 31, 2008.
18. Conduct training for media employees and media monitoring employees on violence against women.
Deadline: running, check annually by May 31.
19. Set up work groups with different government councils to motivate public media to provide information on violence against women in the sense of providing professional knowledge on the issue.
Deadline: May 31, 2006.
20. Carry out education and training activities to raise legal awareness of the issue of harassment at work and similar legal relations.
Deadline: running, check annually by May 31.
21. Educate women in specifically threatened and disadvantaged groups about violence against women and how to seek help.
Deadline: running, check annually by May 31.
22. Make information on help for women victims of violence accessible via a special website.
Deadline: December 31, 2005.
23. Make the current system of designing statistics more efficient (including administration of the individual ministries) in the area of violence against women.
Deadline: May 31, 2006.
24. Expand the system of collective data processing by statistic outputs and to ensure they are regularly published in order to ensure a higher quality of information on violence against women.
Deadline: May 31, 2008.
25. Carry out research and surveys on violence against women (including specifically disadvantaged groups of women) and set that as a requirement within specialised research institutions of the individual ministries.
Deadline: running, check annually by May 31.
26. Provide funding for the participation of the Slovak Republic in EU programs supporting research in the area of violence against women.
Deadline: May 31, 2008.

27. Carry out monitoring reports on the implementation of policies and activities aimed at the elimination of violence against women based on the set of common EU indicators in order to map the situation in Slovak Republic. Deadline: May 31, 2008.

The government has not allocated any funds in order to meet the objectives of the *National Action Plan*.

On 11th January 2006, the government passed the *National Action Plan on Combating Trafficking in Human Beings for 2006–2007*, which is the basic document for combating trafficking in human beings for the purposes of sexual exploitation. The Ministry of the Interior is the body responsible for the coordination of the activities defined in the *NAP on Combating Trafficking in Human Beings (THB)*. The ministry has allocated 1,900,000 Slovakian crowns (50,000 euros) for the purposes of the above action plan. Reports on the progress made in carrying out the NAP on trafficking activities are not available so far.

For the purposes of the *NAP on Combating Trafficking in Human Beings*, Slovakia has adopted the definition stated in the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.⁷

The tasks defined under the *NAP on THB* are the following:

Organization and coordination

1. Create a mechanism for the management and co-ordination of activities in the field of trafficking in human beings.

Responsible body: Ministry of Interior.

Deadline: March 31, 2006.

2. Define tasks, ways and forms of coordination among the police, state administration bodies and NGOs in the area of prevention of THB and assistance for victims of THB.

Responsible bodies: Ministry of Interior; Ministry of Labor, Social Affairs and Family; Ministry of Education; Ministry of Health Care; Ministry of Foreign Affairs; IOM.

Deadline: July 31, 2006.

⁷ “Trafficking in persons shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.”

3. Prepare agreements among the police, state administration bodies and NGOs, and to define their individual tasks in the area of prevention of THB and assistance to victims of THB should such need arise from measure No. 2 above.

Responsible bodies: Ministry of Interior; Ministry of Labor, Social Affairs and Family; Ministry of Education; Ministry of Health Care; Ministry of Foreign Affairs; IOM.

Deadline: August 31, 2006.

4. Evaluate the performance of NAP tasks and include this evaluation in the periodic reports and to propose further measures to increase the efficiency of combating THB.

Responsible body: Ministry of Interior.

Deadline: March 31, 2007.

Data collection and research

5. Design a system of systematic and co-ordinated statistical data collection on trafficking in human beings carried out by one institution.

Responsible bodies: Ministry of Interior; Ministry of Labor, Social Affairs and Family; Ministry of Justice, General Prosecutor's Office; Ministry of Foreign Affairs; Statistical Office.

Deadline: June 30, 2006.

6. Support relevant research on trafficking in human beings, development trends and defining strategic measures.

Responsible bodies: Ministry of Interior; Ministry of Labor, Social Affairs and Family; Ministry of Education; General Prosecutor's Office; Ministry of Justice; Statistical Office; NGOs.

Deadline: running.

Prevention, Information and Education

7. Include prevention of THB among priorities of the Crime Prevention Strategy, which is to be updated in 2006.

Responsible body: Government Council for Crime Prevention.

Deadline: running.

8. Launch information campaigns focused on the issue of THB.

Responsible bodies: Ministry of Interior, Ministry of Culture.

Deadline: running.

9. Propose a structure of systematic education of employees of municipalities, state administration, agencies involved in criminal prosecution, and courts of justice on communication and opportunities in the area of assistance to victims of THB.

Responsible bodies: Ministry of Interior; Ministry of Labor, Social Affairs and Family; Ministry of Education; General Prosecutor's Office; Ministry of Justice; Ministry of

Foreign Affairs; Ministry of Health Care; NGOs; IOM.
Deadline: October 31, 2006.

10. Ensure the systematic education of employees of municipalities, state administration, agencies involved in criminal prosecution, and courts of justice on communication and opportunities in the area of assistance to victims of THB.
Responsible bodies: Ministry of Interior; Ministry of Labor, Social Affairs and Family; Ministry of Education; General Prosecutor's Office; Ministry of Justice; Ministry of Foreign Affairs; Ministry of Health Care; NGOs; IOM.
Deadline: running from January 1, 2007.

11. Include information about THB in high school curricula.
Responsible body: Ministry of Education.
Deadline: September 1, 2007.

12. Design a methodology booklet for agencies involved in criminal prosecution, including main criteria and procedures used in investigating crimes related to THB.
Responsible bodies: Ministry of Interior, Ministry of Justice, General Prosecutor's Office.
Deadline: June 30, 2007.

Legislation

13. Ensure approximation of the Slovak legislation to the EU legislation related to THB.
Responsible bodies: Ministry of Interior; Ministry of Labor, Social Affairs and Family; Ministry of Education; General Prosecutor's Office; Ministry of Justice; Ministry of Foreign Affairs.
Deadline: December 31, 2006.

14. Take measures to implement the Council of Europe Convention on Combating Trafficking in Human Beings.
Responsible body: Ministry of Interior.
Deadline: June 30, 2006.

15. Implement the 2004/81/EC Directive and pass regulations that enable trafficked persons to stay legally in the territory of the Slovak Republic.
Responsible body: Ministry of Interior.
Deadline: July 31, 2006.

16. Prepare an analysis of the issue of prostitution and to propose possible solutions.
Responsible bodies: Ministry of Interior; Ministry of Justice; General Prosecutor's Office; Ministry of Labor, Social Affairs and Family.
Deadline: December 31, 2006.

Assistance to victims and cooperation

17. Design a model of repatriation and assistance to victims of THB, as well as a model of cooperation of all relevant institutions.

Responsible bodies: Ministry of Interior, IOM.

Deadline: July 31, 2006.

18. Design a way of funding the above model over the long term.

Responsible bodies: Ministry of Interior; Ministry of Finance; Ministry of Foreign Affairs; Ministry of Labor, Social Affairs and Family.

Deadline: July 31, 2006.

19. Develop and support international cooperation in order to exchange information and more efficiently search for victims and perpetrators of THB crimes.

Responsible bodies: Ministry of Interior; Ministry of Justice; General Prosecutor's Office; Ministry of Foreign Affairs.

Deadline: running.

1.3 State monitoring of existing legislation and policies

The State does not systematically review existing legislation and policies concerning violence against women.

1.4 State budget earmarked for combating violence against women

The Ministry of the Interior of the Slovak Republic allocated 1,900,000 Slovakian crowns (50,000 euros) from its budget in 2006 for the purposes of the *National Action Plan for Combating Trafficking in Human Beings for 2006–2007*. However, no funds have been specifically allocated for combating violence against women, neither by the government nor by the National Police Headquarters, the Prosecutor's Office, the court system, the National Social, Family and Child Protection Services or the health care system.

There is no annual amount set aside for the support of NGOs from the state or state authorities. NGOs are occasionally funded from general subsidies of individual ministries' budgets. Even this support for NGOs working in the area of combating violence against women is not systematic.

1.5 State financing system to compensate victims

Neither civil nor criminal law has specific provisions relating to monetary and non-monetary compensation for damages in cases of violence against women. General

provisions on compensation for damages in the Civil Code can be used for claiming compensation. Non-monetary compensation for damages is a very problematic issue as it is not clear, within the legal system, which particular provisions should apply to such compensation. The existing provisions of the Civil Code have been applied, especially in cases where violations of the right to protection of a person's dignity or reputation have been breached. There is also a strong need to adjust non-monetary compensation for damages.

1.6 Recommendations of the UN CEDAW Committee to the state and their implementation

With regard to the 1998 Periodic Country Report sent to the UN CEDAW Committee, the Committee raised the following concerns:

The Committee requests in the next report detailed information on the status and function of the Coordinating Committee for the Problems of Women, its programs and their impact, with a special focus on the use of temporary measures and their effect. The Committee also recommends that the government secure sufficient funds to enable the Coordinating Committee for the Problems of Women to guarantee the full implementation of the national plan of action. The CEDAW Committee further recommends that the government reconsider the name of the Coordinating Committee for the Problems of Women in order to reflect the view that "women's problems" as they are currently understood in Slovakia are in fact challenges faced by the whole of society and require a change to the current theoretical framework of dealing with them.

According to the CEDAW Committee, the Slovak Republic has not allocated sufficient funds for the Expert Group activities to ensure the full implementation of the *National Action Plan for the Prevention and Elimination of Violence against Women*.

The Committee expressed alarm at the high rates of domestic violence against women, including murder in the home. It is also concerned that charges cannot be brought against an abuser by the police independent of the victim and that securing a conviction often requires the corroboration of independent witnesses. Furthermore, there are no emergency or protective shelters available to victims of domestic violence. The Committee recommended that the Government of Slovakia implement procedures designed to permit prosecution of violence against women independent of victim testimony and omitting the requirement that the complainant's evidence be corroborated; establish crisis center hotlines and victim support centers equipped with medical, psychological and emotional support; and, in order to raise public awareness, disseminate information through the media, on this issue.

The Slovak Republic has introduced several legal provisions in the Penal Code enabling charges to be brought against abusers by the police or other persons independent of the victim. However, there is still a requirement that the complainant's evidence be corroborated.⁸ As for emergency or protective shelters, there is not a sufficient number of shelters for victims of violence against women in Slovakia. The government has not made an effort to establish support centers for violence against women victims in accordance with EU recommended standards.⁹

The CEDAW Committee's concerns related to the 2006 Periodic Country Report have not been issued yet.

2. LAWS FOR THE PROTECTION OF WOMEN FROM ALL FORMS OF VIOLENCE

2.1 Laws addressing violence against women or its different forms. Restraining or protection orders

There is no specific law or legal regulation on violence against women in the Slovak system of law. Provisions related to violence against women are included in various legal regulations, such as the Penal Code, the Code of Criminal Procedure, the Civil Code, and the Code of Civil Procedure.

According to Section 146 of the Civil Code, the court can restrict one spouse's enjoyment of property in joint ownership, or even deny such right to him/her completely, if the spouses' living together has become unbearable due to psychological or physical violence of one spouse against his/her husband/wife or other closely related person who lives together with them.

According to Section 86 of the Code of Civil Procedure, the court can issue a barring order temporarily banning the person suspected of having committed violence against a closely related person, or a dependent person in his/her custody, from entering the flat/house where they live. Violations of the above provisions constitute a criminal offence.

A police officer can only inform the victim about the existence of the above possibilities and can either refer the victim to organizations providing assistance to victims of violence that will help the victim write the application, or refer the victim directly to

⁸ See Section 2.1 below.

⁹ See Section 5.1 below.

the court. The police can provide help in enforcing the above possibilities only after they have been granted to the victim, by an effective and enforceable court decision.

A police officer can arrest a person suspected of committing a criminal offence even if charges have not been brought against them. A prior consent of the prosecutor is necessary for such an arrest. Without the prosecutor's consent, a person can be arrested only if the matter is urgent and the consent cannot be obtained in advance – especially if the person has been caught committing the crime or is escaping. The police officer who arrests a person under the above circumstances is obliged to immediately inform the prosecutor about the arrest and put it on record. The police officer then delivers a copy of the arrest record together with the police hearing record to the prosecutor, who can then issue an order on custody. The police officer or the prosecutor are required to deliver the arrested person to the court within 48 hours, otherwise the person has to be released. If the prosecutor does not order custody of the person arrested, he/she is required to deliver the person to the judge for pretrial together with all material and evidence previously obtained. The pretrial judge is obliged to conduct the hearing of the arrested person within 48 hours from the time he/she has been delivered to the court, or within 72 hours in case of exceptionally serious crimes, or else, rule his/her release from custody.¹⁰

2.2 Applicable provisions in criminal law

2.2.1 Criminal offences

Two of the most important legal provisions related to violence against women are Section 208 of the Penal Code on “Violence against closely related and dependent persons” and Section 246 of the Penal Code on “Trafficking in human beings.” Other related provisions included in the Penal Code are Section 199 on “Rape,” Section 200 on “Sexual violence,” Section 189 on “Blackmail,” and Section 359 on “Violence against individuals or a group of people.”

Section 208 on “Violence against a closely related or dependent person” (unofficial translation)

1. A person who commits the crime of violence against a closely related person or a dependent person thus causing them physical or psychological suffering especially by:
 - a) beating, kicking, punching, causing injuries and burns of various kind, humiliation and disdain, ongoing stalking, threatening, inducing fear

¹⁰ Domestic Violence – Police Methodology in Cases of Domestic Violence, Presidium of the Police Forces of the Slovak Republic, 2006.

or stress, violent isolation, emotional blackmail or other forms of behavior threatening their physical or psychological health, or their safety;

- b) unjustified deprivation of food, rest, or sleep, deprivation of essential personal care, clothing, hygiene, health care, shelter or education;
- c) forcing beggary or activities demanding excessive physical or psychological strain with regards to their age or health, or an activity causing damage to their health;
- d) exposure to substances causing damage to their health; or
- e) unjustified restriction of access to the possessions they are entitled to use

shall be sentenced to imprisonment of two to eight years or punished by injunction against his/her activities.

- 2. The perpetrator shall be sentenced to imprisonment of three to ten years, if he/she
 - f) by committing the crime in paragraph 1, violates a separate duty arising from the nature of his/her occupation, job, status or position, or a duty he/she undertook to perform;
 - g) commits this crime although he/she has been sentenced for committing the same crime in the last two years, or has been released from prison after serving time for having committed such crime;
 - h) commits this crime against several persons; or
 - i) continues to commit this crime for a longer time.
- 3. The perpetrator shall be sentenced to imprisonment of five to twelve years if he/she
 - j) commits the crime in paragraph 1 in a particularly cruel way; or
 - k) by committing this crime, causes serious bodily harm.
- 4. The perpetrator shall be sentenced to imprisonment of ten to fifteen years if he/she, by committing the crime in paragraph 1, causes serious bodily harm to several persons or causes death.
- 5. The perpetrator shall be sentenced to imprisonment of twelve to fifteen years or to a special imprisonment time if he/she intentionally causes death by committing the crime in paragraph 1.

Section 246 on “Trafficking in human beings” (unofficial translation, main provisions of the Section)

- (1) For a person who, using fraud; lies; restriction of personal liberty; violence; threat of violence; threat of harm; accepting or offering financial reward or other advantages to obtain the consent of a person, on whom another person depends; or by abuse of his/her status, powers, or vulnerability of other vulnerable position entices, recruits, transports or receives another person from abroad or abroad for purposes of sexual exploitation or other forms of sexual abuse including pornography, forced labor, slavery or other practice similar to slavery; or the removal of organs, tissues or cells; the applicable sentence is deprivation of liberty for not less than four years and not exceeding ten years.
- (2) The same sentence is applicable for a person who entices, recruits, transports or receives another person under 18 from abroad or abroad for purposes of sexual exploitation or other forms of sexual abuse including pornography, forced labor, slavery or other practice similar to slavery; or removal of body organs, tissue or cells.
- (3) For the perpetrator who commits the crime in paragraphs 1 or 2 above
 - a) and gains profit from it for him/herself or another person;
 - b) against a protected person;
 - c) out of a particular motive; or
 - d) in a particularly serious formthe applicable sentence is deprivation of liberty for not less than seven years and not exceeding 12 years.
- (4) For the perpetrator who commits the crime in paragraphs 1 or 2 above
 - a) and gains profit from it for him/herself or another person;
 - b) and causes serious bodily harm or death of another person, or other particularly serious consequence; or
 - c) as a member of a dangerous groupthe applicable sentence is deprivation of liberty for not less than 12 years and not exceeding 20 years.
- (5) For the perpetrator who commits the crime in paragraphs 1 or 2 above
 - a) and gains considerable profit from it for him/herself or another person; or
 - b) causes serious bodily harm or death of several personsthe applicable sentence is deprivation of liberty for 20 years and not exceeding 25 years, or a life sentence.

Other criminal acts related to violence against women include the following (unofficial translations):

Section 145 on “Murder”

- (1) For a person who intentionally murders another person, the applicable sentence is deprivation of liberty for not less than 15 years and not exceeding 20 years.
- (2) A perpetrator of a murder shall be sentenced to 20 years of deprivation of liberty, or life sentence if he/she commits the crime in paragraph 1 above:
 - a) against two persons;
 - b) in a particularly serious way;
 - c) against a protected person;
 - d) out of a particular motive; or
 - e) with the intention of material gain.
- (3) The perpetrator of murder shall be sentenced to 25 years of deprivation of liberty or life sentence if he/she commits the crime in paragraph 1 above:
 - a) and has been sentenced for intentional murder before;
 - b) as a member of a dangerous group; or
 - c) in a situation of crisis.

Sections 147 on “Manslaughter”

- (1) For a person who, with the intention to cause serious bodily harm, causes the death of another person, the applicable sentence is deprivation of liberty for not less than seven years and not exceeding 10 years.
- (2) The perpetrator shall be sentenced to deprivation of liberty for not less than nine years and not exceeding 12 years, if he/she commits the crime in paragraph 1 above:
 - a) against a protected person; or
 - b) out of a particular motive.
- (3) The perpetrator shall be sentenced to deprivation of liberty for not less than 12 years and not exceeding 15 years, if he/she commits the crime in paragraph 1 above:
 - a) in a particularly serious way;
 - b) as a member of a dangerous group; or
 - c) in a situation of crisis.

Sections 155 and 156 on “Bodily harm”

- 155 (1) For a person who intentionally causes serious bodily harm to another person, the applicable sentence is deprivation of liberty for not less than four years and not exceeding 10 years.

- (2) The perpetrator shall be sentenced to deprivation of liberty for not less than five years and not exceeding 12 years, if he/she commits the crime in paragraph 1 above:
 - a) in a particularly serious way;
 - b) against a protected person; or
 - c) out of a particular motive.
 - (3) The perpetrator shall be sentenced to deprivation of liberty for not less than ten years and not exceeding 15 years, if he/she commits the crime in paragraph 1 above:
 - a) as a member of a dangerous group; or
 - b) in a situation of crisis.
- 156 (1) For a person who intentionally causes a bodily harm to another person, the applicable sentence is deprivation of liberty for not less than six months and not exceeding two years.
- (2) The perpetrator shall be sentenced to deprivation of liberty for not less than one year and not exceeding three years if he/she commits the crime in paragraph 1 above:
 - a) against a protected person; or
 - b) out of a particular motive.
 - (3) The perpetrator shall be sentenced to deprivation of liberty for not less than two years, and not exceeding five years, if he/she commits the crime in paragraph 1 above:
 - a) in a particularly serious way; or
 - b) in a situation of crisis.

Section 199 on "Rape"

- (1) For a person who, using threat of immediate violence, forces a woman to engage in sexual intercourse, or a person, who in order to do so, abuses a woman's vulnerable situation, the applicable sentence is deprivation of liberty for not less than five years and not exceeding ten years.
- (2) For a person who commits the crime in paragraph 1 above
 - a) in a particularly serious way;
 - b) against a protected person;
 - c) out of a particular motive; or
 - d) against a woman serving sentence in prison or serving the sentence of deprivation of libertythe applicable sentence is deprivation of liberty for not less than seven years and not exceeding 15 years.
- (3) For a person who commits the crime in paragraph 1 and causes serious bodily harm to another person by committing it, the applicable sentence is deprivation of liberty for not less than 15 years and not exceeding 20 years.

- (4) For a person who commits the crime in paragraph 1
 - a) and thus causes death of another person; or
 - b) in a situation of crisisthe applicable sentence is deprivation of liberty for not less than 20 years and not exceeding 25 years.

Section 200 on "Sexual violence"

- (1) For a person who, using violence or threat of violence, forces another person to oral sex, anal sex or other sexual activities, or, who, in order to commit such crime, abuses another person's vulnerability, the applicable sentence is deprivation of liberty for not less than 5 years and not exceeding 10 years.
- (2) For a person who commits the crime in paragraph 1
 - a) in a particularly serious way;
 - b) against a protected person;
 - c) out of a particular motive; or
 - d) against a person serving sentence in prison or serving the sentence of deprivation of libertythe applicable sentence is deprivation of liberty for not less than seven years and not exceeding 15 years.
- (3) For a person who commits the crime in paragraph 1 and thus causes serious bodily harm to another person the applicable sentence is deprivation of liberty for not less than 15 years and not exceeding 20 years.
- (4) For a person who commits the crime in paragraph 1
 - a) and thus causes death of another person; or
 - b) in the situation of crisisthe applicable sentence is deprivation of liberty for not less than 20 years and not exceeding 25 years.

Section 360 on "Dangerous threats"

- (1) For a person who uses threats of death, serious bodily harm or other serious harm against another person in such way, which causes reasonable fear of such acts, the applicable sentence is deprivation of liberty for not less than one year.
- (2) For a person who commits the crime in paragraph 1
 - a) in a particularly serious way;
 - b) against a protected person;
 - c) out of a particular motive; or
 - d) in order to deprive another person of his/her fundamental rights and freedom, or made the access to them difficult; or
 - e) in public

the applicable sentence is deprivation of liberty for not less than six months and not exceeding three years.

2.2.2 Criminal procedures and prosecution

According to the Code of Criminal Procedure,¹¹ there are several alternative forms of criminal proceedings enabling a quick procedure: “conditional stay” of criminal proceedings, reconciliation, agreement on guilt and punishment, and shorter procedure upon a court decision.

Conditional stay of criminal proceedings can be used in cases of minor criminal offences with a maximum term of imprisonment not exceeding five years if the accused clearly states he/she has committed the crime he/she is accused of, and there is no reason to believe he/she has done it under pressure or unwillingly, *and* has compensated the damage done by the criminal offence he/she committed or has concluded a contract on its compensation. The term of such suspension of proceedings can be between six months and two years.

Reconciliation can be used in cases of minor criminal offences with a maximum term of imprisonment not exceeding five years if both the injured party and the accused agree on it and the accused clearly states he/she has committed the crime he/she is accused of, and there is no reason to believe he/she has done so under pressure or unwillingly and has compensated the damage done by the criminal offence or has concluded a contract on its compensation. Also, the accused is obliged to deposit a sum of money to the account of the court for a particular addressee for a public interest purpose. Reconciliation cannot be used if the crime committed caused the death of a person; if the criminal offence prosecuted constitutes corruption, or in the case of criminal proceedings against a public official.

A criminal order can be issued by a single judge in cases where there is sufficient evidence to prove that the criminal offence merits such an order. The criminal order can impose imprisonment not exceeding three years, an injunction against a person’s activities not exceeding the period of eight years, fines, etc.

According to Section 2(3) of the Code of Criminal Procedure, the prosecutor is obliged to prosecute all criminal offences of which he/she has knowledge. Criminal proceedings agencies and courts of justice act upon their legal duty. In cases defined under Section 211, criminal proceedings can begin only upon the consent of the injured party. Criminal offences related to violence against women do not fall under provisions of Section 211.

¹¹ See Code of Criminal Procedure at www.era.int/domains/corpus-juris/public_pdf/slovakia_criminal.pdf.

Due to the principle of officiality of criminal proceedings, it is not decisive if the offence in question has been committed against women or children.

Circumstances which are or could be related to violence against women are neither mitigating, nor aggravating. However, in the Penal Code, there are circumstances defined for the criminal offences listed above that could result in a longer term of imprisonment for the perpetrator, if such circumstances are features of the crime committed. The following circumstances are important in relation to violence against women: if serious misconduct is the aggravating circumstance justifying a longer term of imprisonment: it usually means committing a crime using a gun; committing a crime against more than one person for a longer period of time; committing a crime in a cruel and abusive way; using violence or threats of immediate violence or other serious harm; and taking advantage of the persons' status of material need, lack of experience, dependency or subordination.

2.2.3 Special provisions in the defense of children

If the injured party is a minor, his/her rights are exercised by a legal guardian as defined by the Code of Criminal Procedure. Also, an organization that helps victims of crime can be authorised to represent the minor's rights. If the legal guardian for the injured party is not able to exercise the minor's rights and there is a threat of delay, the presiding judge, or, in the pretrial, the judge, is obliged to appoint a social curator. In the case of a criminal offence against a closely related or dependent person who is a minor, a state institution or a representative of an organization that helps victims of crime is usually appointed as the minor's guardian.¹²

Apart from the defense of children as victims of criminal offences, Act No. 305 of 2005 on Social and Legal Protection of Children regulates the defense of children generally. This act defines the social and legal protection of children in order to prevent crisis situations in families that deepen and repeat mental, physical and social development disorders of minors, and to ensure the protection of the rights of children and their legally protected interests. The act defines social and legal protection of children as a set of measures with a view to ensuring:

- a) protection of a child necessary for his/her well-being and respecting his/her best interest in accordance with international conventions;
- b) upbringing and general development of a child in his/her natural family environment; or
- c) an alternative environment for a child who cannot be raised in his/her own family.

¹² Section 45 of the Code of Criminal Procedure.

2.3 Applicable provisions in civil and family law for cases of violence against women

Act No. 36 of 2005 on the Family defines the scope of parental rights and duties and provides a general framework for child protection. There are no specific provisions in either civil or family law regarding violence against women. The presence of domestic violence is taken into consideration in cases where there is joint rent of a flat, joint ownership of a house, or other joint household. The perpetrator's right to live in such a flat or house can be restricted or denied. A barring order effecting such a restriction or denial can be issued by the court within seven days. The barring order is actionable immediately. It is considered a crime if a person does not respect the barring orders.

As for child protection, there are no special provisions related to the denial or restriction of child care if violence, including physical violence, has been committed only against the mother, even in cases where the child has witnessed violence against his/her mother. Even if children are victims of violence themselves, there is no uniform practice that would consider this fact a justification for denying the perpetrator custody, or contact with the children.

2.4 Victim protection and protection of witnesses

There are no special provisions on victim protection and protection of witnesses in relation to violence against women in the legal system. However, the following general provisions can be used for the above purposes.

According to Section 48 and Section 139 of the Code of Criminal Procedure, the injured party, as well as a witness in a criminal investigation, if he/she feels threatened, has the right to ask to be informed if the accused is released from custody or jail sentence.

According to Section 136 of the Code of Criminal Procedure, a witness in a criminal investigation has the right to refuse to give his/her personal data and place of residence.

In relation to trafficking in human beings, when committed by an organized group, provisions of Act No. 256 of 1998 on Witness Protection can be applied. This act defines conditions of, and procedures for, providing protection and help to: a witness in jeopardy; a protected witness; and persons close to them whose lives and health are, with regard to their testimony or provision of evidence, threatened by persons committing criminal offences punishable by a severe sentence, in accordance with the Criminal Code, or criminal offences stated in Section 62(1) of the Criminal Code if committed by an organized, criminal or terrorist group.

According to the definitions of the law, “a witness in jeopardy is a person who has testified in criminal proceedings as a witness and his/her testimony or other facts he/she stated provides for evidence against the perpetrator of, or about especially serious criminal offences, and there is a well-grounded concern that his/her life or health will be threatened with regard to the testimony or provision of personal data. In the case of a witness in jeopardy, the appropriate police force unit, in accordance with this law (hereafter ‘the police unit’), must receive a written motion on the participation of the witness in the witness protection program (hereafter ‘motion on protection’), as well as a written motion on the execution of immediate measures (hereafter ‘motion on immediate measures’) if needed. A person close to the threatened witness whose name is entered in the motion on protection or motion on immediate measures¹³ is also considered a witness in jeopardy.”

According to the definition, “a protected witness is a person included in the witness protection program¹⁴ (hereafter ‘protection program’). The person close to the protected witness included in the protection program is also considered a protected witness.”

There are no specific provisions to avoid secondary victimization of an adult person during a hearing. However, there are such provisions for children (see below).

Section 127 and relevant provisions of the Code of Criminal Procedure define special procedures for hearings of persons under fifteen years. If a person under fifteen years is interviewed as a witness in a criminal investigation regarding matters which could have a negative impact on the minor’s mental or moral development, the police hearing or interview must be conducted in a particularly considerate way so that it does not need to be repeated in further proceedings. A pedagogue, or other person experienced in educating youth, or an expert should be present at the hearing to ensure the correctness of the hearing, taking into consideration the subject of the hearing and the level of mental development of the person interviewed. If it is beneficial for the hearing, the legal guardian may be present at the hearing, too. In further proceedings, a witness under fifteen years of age shall be interviewed again only if necessary and in pretrial, and only with the prosecutor’s consent. At the court hearing, the record of the police hearing can be used as evidence.

¹³ Immediate Measures are a set of actions and measures taken by the police unit to provide protection and help to the witness in jeopardy due to a threat of immediate danger to him/her during criminal proceedings.

¹⁴ The Witness Protection Program is a set of actions and measures taken by the police unit in cooperation with state authorities, municipalities, legal entities and natural persons to provide protection and help to the protected witness due to a threat of danger during criminal proceedings and as long as the reasons for protection and help exist.

If a person under fifteen years is interviewed as the witness in a criminal investigation of a criminal offence constituting violence against a closely related or dependent person, and it is clear from the investigation that the hearing could have a negative impact on the person's mental or moral development, the hearing is conducted using audio and visual technical equipment to ensure the witness under fifteen years is not interviewed about the same matter again, unless exceptional circumstances occur.¹⁵

Generally, in cases of sexual violence against children tried by the court, even the main sessions of the court are open to the public, according to the current provisions. However, it is possible to exclude the public from the court trial in certain situations if a threat to morality, safety, or an important protected interest of the injured party requires doing so. Nevertheless, passing of the court's judgment is always open to the public, even in cases of sexual violence against children.¹⁶

There are no special provisions of data protection law in cases of violence against women.

There are no special provisions in the law to protect professionals and service providers dealing with violence against women cases in Slovakia.

2.5 Legal assistance and representation for the victims of violence against women

Not all survivors of violence against women have access to free legal aid in Slovakia. Only survivors of violence against women who meet the definition of a person in material need can ask for free legal aid provided by Legal Aid Centers, which were established by the Ministry of Justice of the Slovak Republic in 2005. However, these centers do not provide legal aid in criminal cases and, considering the fact that there are only three such centers in Slovakia, they are not accessible to most survivors in material need.

Some NGOs provide legal aid to survivors of violence against women; for example, the NGO "Help for Victims of Violence" operates a network of legal counseling centers that are usually open two days a week for four hours a day. Some other NGOs also provide legal aid for violence against women victims free of charge; however, because this type of service is financially very demanding, it is not provided to all clients (it is mostly necessary in criminal cases, or cases tried by the Constitutional Court).

¹⁵ Section 135 of the Code of Criminal Procedure.

¹⁶ Section 249 of the Code of Criminal Procedure.

2.6 Providing information for victims about their rights, obligations, and the services available

According to Section 49(1) of the Code of Criminal Procedure, the injured party shall be provided information about his or her rights, obligations and about organizations providing services to victims. Some of the rights of the injured party in the criminal proceedings are as follows:

- to express whether he/she agrees with the criminal proceedings in cases defined under the Code of Criminal Procedure;
- to propose the performance of evidence, provision of evidence and to comment on evidence performed;
- to have access to and be able to read the file and propose additions to the criminal investigation;
- to file for compensation of damages caused by crime committed against him/her;
- to be present at the trial and at open appeal trial;
- to be informed in case the accused is released from custody or jail sentence; and
- to file for remedial instruments.

2.7 Mainstreaming women's safety in laws and regulations of the national, regional, and urban planning

N/A

3. PROFESSIONAL GUIDELINES, PROTOCOLS, AND INTER-AGENCY COOPERATION

3.1 Professional guidelines and operational protocols for dealing with cases of violence against women

No profession has special laws, compulsory codes or guidelines dealing with violence against women. There is a methodology for police officers, issued by the Presidium of Police Forces in 2006, on how to respond when an incident of domestic violence is reported. Nevertheless, the contents of the methodology are rather general, and its use is not mandatory.

3.2 Legal regulations of inter-agency cooperation

A legal requirement for coordinated, multi-agency work is not a part of the legal system. The cooperation so far (mostly bilateral) has been conducted on a regional and local level and has usually been initiated by NGOs. Thus, the completion of NGO funded projects ended any such cooperation due to a lack of funds or lack of interest on the part of the state institution involved.

3.3 Medium- and long-term coordinated action plans for the different professions

There are no medium- or long-term coordinated action plans for the different professions in the field of violence against women.

3.4 Involvement of NGOs and other agencies in drafting laws and shaping policies

There is no systematic mechanism to involve NGOs working in the field of violence against women in the drafting, design, implementation and evaluation of laws and policies in Slovakia. NGOs still must be proactive and demand to be involved. Only rarely are they asked by a state institution to become involved. The Expert Group on the Prevention and Elimination of Violence against Women and in Families at the Government Council for Prevention of Crime should be the forum for active cooperation between NGOs working in the area of violence against women and state institutions. The expert group involves representatives from many different fields and institutions, as well as NGOs. However, its activities so far have encompassed formal meetings rather than active cooperation with NGOs.

3.5 Leading NGOs working in the field of violence against women in the country

There are several NGOs dealing with violence against women from different perspectives. In the area of primary prevention and education these are:

- *Aspekt*¹⁷
Aspekt is a project-funded feminist education and publishing NGO founded in 1993. It has published a series of books on gender issues, violence against women and gender sensitive education, as well as fiction and poetry by a

¹⁷ See: www.aspekt.sk.

number of women authors. Additionally, this NGO has conducted extensive awareness-raising activities on gender issues and education activities for teachers and schools. *Aspekt* is a project-funded NGO. Relevant experts in the area of gender issues and gender sensitive education include Jana Cvikova and Jana Juranova. The organization is a member of the One-In-Five Women Initiative, the Slovak Women's Lobby, the Regional Heinrich Böll Stiftung Program for Women, and other initiatives.

- *EsFem*¹⁸

EsFem is a project-funded NGO founded in 1999 and dealing with the following issues:

- gender socialization (mainly) in the institutionalized education environment, and within that especially the elimination of gender stereotypes,¹⁹ and gender analysis through the monitoring of textbooks and pedagogical materials;
- analysis of legislation from a gender equality standpoint;
- violence against women;
- sexual education and ethical education; and
- gender-sensitive education.

Relevant experts:

- gender-sensitive education: Monika Bosá (monika@esfem.sk);
- human rights: Adriana Mesochoritsová (adriana@esfem.sk); and
- research: Jarmila Filadelfiová (jarka@esfem.sk).

Esfem is a member of the One-in-Five Women Initiative and the Slovak Women's Lobby.

There are a number of NGOs that provide services to victims of violence against women. Three of the most established NGOs in this field that also are active in women's human rights advocacy are listed below:

- *Fenestra*²⁰

Fenestra is a project-funded NGO established in 1999. Member of the One-In-Five Women Initiative, the Slovak Women's Lobby and it is the Slovak Focal Point for the WAVE²¹ network, and it acts as the National Violence

¹⁸ See: www.esfem.sk.

¹⁹ In accordance with the CEDAW Convention published in the Slovakian Collection of Laws (*Corpus Juris*) under Act No. 62 of 1987, particularly Art. 5 and Art. 10.

²⁰ See: www.fenestra.sk.

²¹ Women Against Violence Europe, see: www.wave-network.org.

against Women Monitor for Slovakia for the StopVAW website. Its main fields of activity are:

- operating a crisis center providing services to women and children victims of violence;
- education and training for various professionals on violence against women, seminars and workshops on violence against women; and
- advocacy and awareness raising activities on violence against women, campaigns, and lobbying.

Relevant experts: Jana Olearnikova, Dusana Karlovska, Karin Galovicsova.

- *ProFamilia*²²

ProFamilia is a mostly state-funded NGO (from the Prešov self-governing regional budget), founded in 1994. It is a member of the One-In-Five Women Initiative and the Slovak Women's Lobby. Its main activities are:

- providing services to victims of violence (women and children);
- operating a shelter for victims of violence; and
- awareness-raising, lobbying and enforcement of legislation, campaigns.

Relevant expert: Eva Sopkova.

- *Aliancia zien Slovenska (Slovak Women's Alliance)*²³

This organization is a project-funded NGO, founded in 1994. It is a member of the One-In-Five Women Initiative and the Slovak Women's Lobby. Its main areas of operation are:

- providing services to victims of violence against women;
- monitoring of implementation of international documents, writing shadow reports;
- awareness raising, campaigns;
- training for professionals; and
- trafficking in women (recently).

Relevant expert: Katarina Farkasova.

- *Avelana*

It is the first NGO working with immigrant women, particularly with immigrant women from Ukraine which was founded in 2003.

²² See at www.profamilia.sk.

²³ See at www.alianciazien.sk.

4. SPECIAL UNITS IN THE LAW ENFORCEMENT OFFICES

Most law enforcement agencies dealing with cases of violence against women do not have special units, except for the Office for Combating Organized Crime operating under the Police Forces. This office has an Anti-Trafficking, Sexual Abuse and Victim Protection Unit investigating cases of trafficking in human beings, pimping, production of child pornography and other related crimes committed in an organized form and having features of international crime. The unit has ten employees with university degrees, of which four are women. There is no mandatory training on violence against women, but the unit staff takes part in trainings organized mainly by NGOs in Slovakia or abroad.²⁴

5. AVAILABLE SERVICES

5.1 Shelters

There are two special shelters for victims of violence in Slovakia. These shelters provide social counseling, social assistance, legal counseling, psychological counseling, psychotherapy (at one of the shelters), and medical aid. One of the shelters is ready to provide immediate help.

Altogether, there are thirty-eight places available in the shelters, and there are currently twenty-one women on the waiting lists. Slovakia has approximately five million inhabitants. The services of the two shelters are available in the Nitra region (western Slovakia) and central Slovakia. Neither of the shelters is free of charge (one shelter charges 18, other 24.5 percent of minimum wages per month). One of the shelters will not place drug addicted women or immigrant women. One of the shelters places children free of charge.

Altogether, there are thirty-nine employees in the two shelters (thirteen women and ten men) working with clients. It is not clear what type of training is available to employees of the shelter; one of the shelters sent its staff to a 100-hour training on violence against women, which is based on the training manual of the international network WAVE, and is conducted by the NGO Fenestra. One of the shelters is operated by an NGO, and in 75 percent it is funded from project funds, in 25 percent from individual sponsors or corporate donors. The second shelter is operated by the state

²⁴ Source: Slovak National STOPVAW Monitor (Fenestra) survey of state institutions, 2006.

(municipality), and is financed in 80 percent from municipality funds, and 20 percent project funds.

One of the shelters has a confidential address and keeps confidential its clients' personal data. Both shelters have special conditions for children, such as organizing camps for children and working with mothers and children together. Both shelters have reports available for the public. However, the reports do not state any special findings or recommendations.

There are other facilities where victims of violence against women can seek shelter and assistance; however, these facilities are not specifically designed for this target group and can accommodate other target groups (homeless persons, lonely parents, children, men, etc.). The proportion of women victims of violence against women who are clients in these facilities is approximately 21 to 47 percent. These facilities also have a number of restrictions on placement (age, substance abuse, number of children, health condition, ethnic group, pregnancy and other). Of the total funding for these facilities, 90.6 percent is provided by the state, 5.1 percent comes from projects, and 4.3 percent comes from other resources.

5.2 Hotlines

There are eleven hotlines in Slovakia providing services for violence against women victims. Five of these hotlines also provide services for other target groups, and six provide services specifically for violence against women victims.

All six violence against women hotlines provide services in cases of domestic violence. Three hotlines provide services to victims of rape and two hotlines provide services to victims of trafficking in women. Five of the hotlines are national, and one is regional. None of the hotlines are free of charge. Four of the hotlines are available 24 hours a day. All six hotlines are operated by NGOs; three are funded by the municipality, and three are project-funded.

There are twenty-three employees altogether; fifteen of them are paid, and the rest are volunteers. The employees of all six hotlines have been trained in telephone crisis intervention and on violence against women. Four of the hotlines have regular reports on their activities; however, only two of them make their reports available to the public.

5.3 Crisis intervention centers

There are fifteen crisis centers providing services to victims of violence against women in Slovakia. Of these fifteen crisis centers, eight also provide services to other target

groups, one has been temporarily closed down and one refused to provide information for this report.

Of the remaining five crisis centers providing services specifically to victims of violence against women, all five provide services to victims of domestic violence, and three provide services to victims of trafficking in women, sexual abuse and rape.

Three of the crisis centers are in eastern Slovakia, two in western Slovakia and one in central Slovakia. All five crisis centers are free of charge; and are able to provide their services immediately. Services provided by the above five crisis centers include:

- social counseling and social assistance – all five crisis centers;
- legal counseling – all five crisis centers;
- legal aid – four crisis centers;
- lawyer – three crisis centers;
- psychological counseling – all five crisis centers;
- support groups – three crisis centers;
- psychotherapy – one crisis center; and
- medical aid – one crisis center.

Three crisis centers also provide services to immigrant women. Four of the five crisis centers are operated by NGOs, and one is operated by the municipality.

Funding of the crisis centers is as follows: 38.8 percent of state/municipality; 49.4 percent of project funds; 9.8 percent of individual/corporate sponsors; and 2.0 percent from other resources.

There are forty-seven employees in the five crisis centers, of which twenty-two are paid employees. All five crisis centers' staff have been trained; employees of three centers have been specifically trained on violence against women.

All five crisis centers have reports on their activities; three of the crisis centers' reports are available to public. The reports do not provide findings or recommendations.

Four crisis centers have special programs for children, such as individual and group therapy, preparation for police and court hearings, working on the mother-child relationship, clubs and wellness stays for children.²⁵

²⁵ Source: Slovak National STOPVAW Monitor (Fenestra) *Monitoring of shelters, crisis centers and hotlines for victims of violence against women in Slovakia*, 2006.

5.4 Intervention programs for the perpetrators

There is an NGO based in Western Slovakia, Centrum Nádej,²⁶ providing programs for perpetrators. Participation in the program is voluntary and has a form of psychological counseling and coaching.

5.5 Other victim support services

No information is available in any other form of services or possibilities for the support of victims in Slovakia.

6. EDUCATION AND TRAINING

6.1 The prevalence of violence against women, prejudices, and stereotyped sex roles in school curricula and the availability of sex education programs

Although the *National Action Plan for the Prevention and Elimination of Violence against Women* prescribes that the issue of violence against women is to be taken into account when designing human rights education curricula for both primary and secondary schools, there are no special topics about violence against women in elementary and secondary school curricula apart from activities carried out by NGOs.

NGOs conduct occasional activities related to gender equality training. The NGOs EsFem and Aspekt, active in the field of primary prevention of gender based violence, have both carried out several comprehensive programs for teachers and students on elimination of gender stereotypes, within which violence against women is one of the program areas covered. EsFem, for instance, conducted two-day seminars for teachers three times a year between 2001 and 2005 and also prepared methodologies for schools on the elimination of gender stereotypes. At the present time, the two NGOs cooperate with individual schools on a long-term basis and also conduct occasional educational activities upon demand.

There are no sex education programmes in Slovakia as part of the school curricula in elementary and secondary schools. There are occasional activities of NGOs and state psychological counseling centres in the field of sex education.

²⁶ See: www.centrumnadej.sk.

6.2 Mandatory and other training programs for future professionals

The *National Action Plan for the Prevention and Elimination of Violence against Women* also prescribes that the issue of violence against women is to be incorporated into the curricula of lifetime education and special training programs of all professions concerned. However, there are no specialized, mandatory training programs on violence against women, specific forms of violence against women, or myths about violence against women for future police officers apart from occasional lectures by NGO experts at police academies. No such training exists for future prosecutors either. Similarly, there are no mandatory programs for the future judges, health care professionals or teachers.

Junior lawyers take part in seminars organized by the Justice Academy, in which they discuss violence against women within the criminal law agenda, and NGOs occasionally give lectures at law universities. There are no mandatory programs on violence against women for future social workers either. Most high schools and universities having social work courses include domestic violence in their curricula. However, the content and extent of such education differs at individual schools. Other forms of violence against women are either minimally addressed or not addressed at all. NGOs also organize lectures and seminars for social work students, occasionally. They also offer internships in their organizations if the NGO operates a facility for survivors of violence against women.

6.3 Mandatory and other training programs for practicing professionals

There are mandatory instructional and methodological staff meetings (a few hours, usually) for practicing police officers. However, these meetings are not specifically focused on violence against women. They are more specifically focused on violent crimes or on domestic violence against women, children and elderly people. The seminars do not take place regularly; they are organized for different Regional Police Forces Directorates at different times.

There are no specialized mandatory training programs on violence against women for practicing prosecutors, its specific forms, common myths and prejudices about it, gender stereotypes and gender-based discrimination.

There are no mandatory training programs for practicing judges, health care professionals, social, child and family protection staff, or teachers, either. The Justice Academy organizes occasional seminars on violence against women for courts.

NGOs organize occasional lectures and seminars for the police, which they fund from private or foundation resources. The only pilot training project for the police was carried out by the NGO Fenestra in 2003–2004. Through this project, twenty-eight

first contact police officers have been trained in the Košice region. Each training session took sixteen hours, and the trainings were primarily related to violence against women in families; its causes and consequences, dynamics, myths, consequences of violence for survivors, good practice examples for police officers, and opportunities to deal with domestic violence in a Slovak context.

Workshops and seminars are occasionally organized by NGOs for social, child and family protection staff. The most comprehensive training for social workers has been continuously realized by Fenestra since 2001. It is a 72-hour training and covers the following areas: the causes and consequences of violence against women, patterns and dynamics of violence against women, common myths, impact of violence on the survivors, strategies used by batterers, international treaties related to violence against women, violence against women in the Slovak system of law, challenges for social workers when dealing with violence against women, and good practice examples and international standards for facilities for survivors of violence against women. More than 100 social workers have completed the training so far, of which 10 percent were employees of state welfare agencies.

There are no other training programs for the Prosecutor's Offices or health care professionals.

6.4 Gender equality issues in higher education curricula and human rights programs

In 2001, the Center for Gender Studies was set up at the Faculty of Arts at Comenius University in Bratislava operating in the area of research and education. It was the first gender studies program in Slovakia and it offers a voluntary, elective course for students of all the Comenius University programs.

In recent years, educational activities focusing on gender issues have been set up at other departments of Comenius University (political, social and economic science departments) and also at other universities in Slovakia (in Prešov, Banská Bystrica and Nitra). However, these are only lecture-based courses within a wider program. There is no separate gender studies department at any of the Slovak universities.

The gender perspective is not part of the human rights education programs for police, health care, social, child and family protection services, or teachers. Seminars on human rights protection are organized for the prosecutor's offices and the courts; these

seminars do include gender equality issues, but mainly provide a criminal law perspective.²⁷

7. THE ROLE OF THE MEDIA

7.1 Media law provisions concerning violence against women and the portrayal of women

As principles of gender equality are not included in legal norms related to the media, this report can only list particular provisions related to fundamental rights and violence.

Act No. 195 of 2000 Coll. on Broadcasting and Transmission and Act No. 308 of 2000 on Telecommunications as amended bans violations of human dignity and directly bans the depiction of violence in Part 5 Section 19:

- “(1) The way a program service and all its segments process information and its contents cannot interfere with human dignity, fundamental rights and freedoms of others.
- (2) A program service and all its segments are forbidden to:
 - a) promote violence and use open or implicit incitement to hatred on the basis of sex, race, color of skin, language, religion, political or other beliefs, nationality and ethnic origin; and
 - d) depict situations of real life violence without justification, in which the real process of dying is depicted in an inadequate form, or in which persons are exposed to physical or psychological suffering in such a way that it can be considered interference with human dignity.”

It also applies in cases where the persons concerned agree to participate in such a depiction.

According to Section 3(4) of Act No. 147 of 2001 on Advertising and Amendments to Some Other Acts, advertising shall not:

- “[...] c) contain anything that disrespects human dignity or offends a person’s patriotic feelings or religious beliefs. It shall also not contain any form of discrimination based on sex, race and social background,

²⁷ Source: Slovak National Monitor (ZZŽ Fenestra) monitor of state institutions. The above information was provided to ZZŽ Fenestra by the state institutions upon Act on Free Access to Information, 2006.

d) promote violence, vandalism or vulgarity or encourage unlawful activities or express approval of such activities.”

Section 9(1) of Act No. 81 of 1966 on Periodicals and Other Mass Media requires the following:

“Periodicals publishers must ensure that the periodicals do not contain

a) information promoting war and descriptions of cruel and inhumane acts, which diminish, pardon or approve of them. [...]”

The body mentioned in Section 5(2) is entitled to impose a fine of two million Slovakian crowns²⁸ for violation of the obligation defined in paragraph 1. The fine can be imposed within 15 days from the occurrence of the facts justifying it.²⁹

7.2 Guidelines and codes of conduct for media professionals

Code of Ethics for Journalists

The Slovak Syndicate of Journalists adopted the Code of Ethics for Journalists in 1990. This Code defines professional and ethical margins for journalists. However, it does not contain any specific provisions related to principles of zero tolerance and gender equality.

News Service and Journalism Charter of Slovak Television (STV)

The STV Charter is among the most broadly defined ethic codes in Slovakia and sets forth the principles of public service television in the field of news service and journalism. The following basic principles are defined in the Charter: truthfulness, consistency, impartiality, balance, correctness, currentness and professionalism. The Charter also explicitly defines ethical principles for portrayal of women in STV programs in Part V, Article 16, entitled Women:

- 1) The contents and form of news service and journalism outputs shall not make women feel discriminated against or superior and it shall not give them reason to complain.
- 2) References about participation of women in social life may not be missing in STV broadcasts. However, there may not be any emphasis on their being female. Participation of women should be apparent in the choice of topics covered.

²⁸ Approximately 60,000 euros.

²⁹ Adriana Mesochoritsová (2005) “Media and violence against women,” In Zora Bútorová and Jarmila Filadelfiová (eds.) *Violence against Women as a Public Policy Issue* (Bratislava: Institute for Public Issues).

- 3) Various activities, in which the participation of women is vital, may not be portrayed as male only events. The work of women shall not be trivialized.
- 4) There shall be no reference that legitimizes a submissive status of women in STV television broadcasts.

Even though not all words have been chosen appropriately with regard to the issue, it is still one of the few efforts to include women's issues into company mechanisms of ethics. The Charter is mandatory for all employees of STV, all its external correspondents and independent producers; all are obliged to become familiar and comply with its provisions. The fact that there are effective sanctioning mechanisms is one of the positive aspects of the Charter: "Violation of the News Service and Journalism Charter of STV is considered a gross violation of discipline and contractual relations and will result in legal consequences."

Slovak Radio Statute of Program Employees and Co-workers

The highest criterion of the Statute is "respect for human dignity based on respect for all forms of existence." The Statute contains exactly the same specifications regarding the portrayal of women on Slovak Radio as the STV News Service and Journalism Charter. Because this self-regulatory norm was created and passed by the Slovak Radio Council in compliance with the Slovak Radio Act, it has the status of an executive and obligatory norm.

Advertising Practice Code

The main principles of this Code generally related to violence against women are the following:

- Advertising may not contain such statements and visual presentations which would seriously violate general norms of decency and morality. Presentation of a human body in particular must be portrayed with full awareness of its impact on all kinds of consumers. Violation of the Code is judged with regards to the whole context, relation of advertising to the product, the chosen target group and the media used.
- Advertising may not contain any elements violating human dignity.
- Advertising may not use feelings of fear or evoke such feelings, or promote a product as appropriate for the elimination of fear without proper justification.
- Advertising may not employ prejudice and superstition.
- Advertising may not contain anything that might encourage violent acts or promote such acts.
- Advertising may not promote exaggerated images of sexuality via portraying sexual stimuli, submissiveness, nudity or partial nudity in an inappropriate

way and may not present a product as appropriate for the elimination of sexual inhibitions without justification.

Members of the council undertake to accept the Code and not to produce, publish or otherwise support advertising contradicting its provisions. Complaints and requests for investigation of a particular advertisement can be filed by any natural person or legal entity (except for a member of the Arbitration Committee). If the Arbitration Committee decides that an advertisement is not in compliance with the Code, the aforementioned bodies immediately will take all steps to prevent further dissemination of the advertisement. One of the serious disadvantages of the Code is that it does not contain any procedures or strategies to promote gender equality and zero tolerance of violence against women that would define the ethical considerations of product advertising. Such measures are greatly needed considering that advertising is one of the most problematic media areas contributing to strengthening of gender stereotypes.³⁰

7.3 Media watch organizations monitoring violence against women, sexism, and stereotyped portrayal of women

There is no media watch organization in Slovakia.

7.4 Training programs for media professionals on violence against women

There is no training for media professionals on violence against women.

7.5 Media activity in raising the awareness of the general public of violence against women

During two national campaigns, the media provided free media time for campaign spots on three national television stations resulting in a total of 200 broadcasts of the spot, as well as on four national and ten regional radio stations resulting in a total of 190 radio broadcasts of the spot, equivalent to a total cost of 10 million Slovakian crowns (approx. 250,000 euros).

Individual state owned and private media (both print and electronic) occasionally ask experts in the area of violence against women to comment on current events or to give an interview. Nevertheless, it can be generally said that the media is still not using its potential for raising the awareness of the general public on the causes and consequences of violence against women.

³⁰ *Ibid.*

7.6 Analyses on violence against women in the media

In Slovakia, monitoring of violence against women and how it is presented in the media has not been processed in a complex way thus far. There are only partial monitorings conducted by NGOs or archived information waiting to be processed. One of the most comprehensive monitorings of the media was conducted by Fenestra in 1999–2000. The monitoring was financed by a foundation, and its objective was to find out if, and to what extent, the print media outputs on cases of violence against women and children are biased by myths, what form the journalists prefer when writing about this issue, differences in presenting the individual cases among various print media, and the priority the print media give to presentation of violence against women, for example, where in the newspaper/magazine it appears.

The most important findings of the monitoring were as follows:

- Everything related to the lives of women is published in certain sections of the newspapers/magazines.
- Each topic considered exclusively related to women is presented as marginal or “light,” or the topic is found in sections for “reader’s counseling” (advice provided by a psychologist or other professional).
- Articles on women are not on cover pages or first main pages among important news of the day.
- News stories and courtroom reports considerably victimize women, because they are offensive to women experiencing violence.
- Courtroom reports on sessions when perpetrators are sentenced for murdering their wives or for rape lack factual information and there is no commentary on this on the part of journalists.
- All articles and news stories encourage gender stereotypes, victimize girls and women, and do not create room for discussion about gender stereotypes and their impact on the lives of individuals.
- Individual cases of violence against women are not put into the context in which they belong, and thus do not encourage gradual change in the attitude of the general public towards decreasing the level of tolerance of violence against women.
- All newspaper or magazine sections encourage the perception of women and girls as objects and focus primarily on cosmetic products and fashion.
- Legal advice appears in print media only occasionally and only in sections where a legal professional answers the queries of female readers.

- There is no section on labor and legal information in relation to the employment of women or human rights information on women's human rights aimed at prevention and awareness-raising.
- News stories, stories and articles on violence against women are biased by traditional myths about women and marriage.

The most frequently presented myths include:

- women of minorities are abused more often;
- religious belief is key to the prevention of and protection from violence;
- batterers are not able to handle their lives and their environment;
- alcohol abuse causes violent behavior;
- batterers have psychopathic personalities;
- a battered woman can leave the batterer anytime;
- battered women deserve to be battered;
- domestic violence is not a common phenomenon; only a small number of families are affected;
- cases of violence against women are really minor incidents and do not cause serious injuries;
- cases of violence against women occur due to momentary loss of self-control;
- women are responsible for men's violence because they provoke it;
- violence is a matter of temperament, therefore the woman should not go beyond the man's ability to control himself;
- there are situations in marriage where the man has a good reason for hitting his wife;
- violence occurs only in problematic families;
- women use the claim of violence to gain a flat or other advantage when getting a divorce;
- women themselves choose partners who later abuse them; and
- men are violent because they cannot express their emotions in another way.

The NGO Fenestra regularly revises the findings of monitoring carried out in 1999–2000. In the last two years, there have been several articles referring to the issue of violence against women in an unbiased way which are the first examples of a sensitive and responsible approach by the media to violence against women. Most media still prefer stories of survivors of violence against women. However, such stories are presented out of appropriate context, and thus suggest they are individual and isolated experiences. Although the media has undoubtedly played a crucial role in starting a

public discourse on violence against women, the fact is that most of them have made little progress towards a more sensitive, responsible and professional approach to violence against women taking into consideration the gender perspective.³¹

8. AWARENESS RAISING

8.1 Campaigns on violence against women

The “One-in-Five Women” campaign has been the most important campaign initiative in Slovakia so far. It was the first national media campaign prepared by seven NGOs operating in the area of women’s human rights (Pro Familia, Možnosť voľby, Fenestra, EsFem, Aspekt, Altera, Aliancia žien Slovenska) at the turn of 2001–2002, and again at the turn of 2002–2003. This campaign was the first to publicly address the phenomenon of violence against women as a gender-based issue caused by the imbalance of power between women and men in society. It has contributed considerably to raising general public awareness about the causes and extent of violence against women, as well as possible solutions to the issue. Another significant impact of this campaign has been a strengthening of the negotiating position of NGOs in the policymaking processes, which has helped to enforce legal provisions in favor of victims of violence against women. The campaign was funded both years by international foundations and other private resources.

Two years of the “One-in-Five-Women” campaign

The “One-in-Five Women” campaign at the turn of 2001–2002 was divided into two phases. The first phase was focused on PR and publicity: activities included press conferences, lectures for the general public, seminars, discussions, media inputs, setting up a free infoline and website,³² as well as research activities, a human rights march, the publishing of two books (*One-in-Five Women* and *I’ll Turn Your Life Into Hell*), a theatre performance and political negotiations.

The second phase was focused on the media, and included the launching of television and radio campaign programs and a print version of the campaign in national and regional media. One of the most important advantages of this campaign was that it had the dimension of a national campaign. The number of recipients reached in total 2.5 million people (1.9 million recipients of the TV spots, 300,000 recipients of radio spots and 300,000 recipients of print versions of the campaign). The campaign experts – women’s rights activists – took part in a number of television and radio broadcasts

³¹ *Ibid.*

³² See at www.piatazena.sk.

and published various articles (more than 100 media outputs in total) on the issue of violence against women in the framework of international human rights documents. Therefore, the first year of the campaign helped significantly to break the taboo around the issue of violence against women, and to address it as a gender issue, as well as to challenge the myths commonly related to violence against women.

The second year of the campaign was launched at the turn of 2002–2003. Its aim was to disseminate more information on violence against women to both the professional and the general public and to generate public pressure on state institutions to create suitable conditions for assistance to women experiencing violence. The main objective of the campaign was to point out the legal aspects of violence against women. The message of the campaign was: violence against women is not a “tradition,” it is a crime and a problem for which the whole society should take responsibility. The second year of the campaign clearly showed that the attitudes of the media and both the professional and the general public were changing. It was also the beginning of successful cooperation among some NGOs and journalists, and the issue of violence against women became a frequent topic of reports on crime in Slovakia. The media was particularly interested in new legislation. Violence against women has become one of the main topics when discussing women’s human rights, and many women’s NGOs showed interest in the issue. Also, violence against women has become one of the main women’s human rights violations discussed at events and conferences on women.

Even though the campaign’s extent was considerable in the two succeeding years, the individual NGOs involved in the campaign continue their activities. They continue the public discourse on violence against women and try to influence public opinion toward efficient system based solutions. The One-in-Five Women Initiative has remained the umbrella organization of feminist NGOs in Slovakia. All member organizations of the initiative continue disseminating information to the public via both electronic and print media outputs.

Apart from the “One-in-Five Women” campaign, NGOs organize smaller, regional campaigns primarily focused on violence against women in intimate relationships (domestic violence). Local communities are usually the beneficiaries of such campaigns. The “Silent Witnesses” event is a good example of a local campaign activity and has been carried out in Slovakia three times since 2004. The local campaigns are usually also funded from private resources.

8.2 Conferences and other awareness raising, information, and prevention programs

The only nationwide awareness raising activity was the One-in-Five Women campaign. There have been no nationwide prevention programs on violence against women in

Slovakia. However, there have been a number of regional conferences and workshops on violence against women and gender issues in recent years.

As for a nationwide event, a workshop was held in 2005 related to the publishing of the Institute for Public Issues research entitled “Violence against Women as a Public Policy Issue.” The workshop was organized under the auspices of the then First Lady, Ms. Silvia Gasparovicova, and the Chairman of the Government Council for Human Rights, Ethnic Minorities and Status of Women, Mr. Laszlo Nagy. The workshop was organized by the Institute for Public Issues and funded by Philip Morris Slovakia. More than 100 professionals working in the area of prevention and elimination of violence against women took part in the workshop, which was aimed at promoting cooperation among state, non-state and other actors in the area of violence against women.

8.3 Information materials for the victims about their rights and the services they can seek help

In Slovakia, there are no brochures or information packages for violence against women victims distributed at the national level. Most NGOs publish information leaflets for victims on a regional level; the leaflets are funded by foundations and companies (mostly international corporations). Some Regional Police Directorates have also issued leaflets for victims of domestic violence or trafficking in human beings; however, distribution of such leaflets is limited.

9. RESEARCH AND SURVEYS ON VIOLENCE AGAINST WOMEN

9.1 Research programs and surveys

The first research study on the attitudes and experiences of women and citizens of Slovakia was carried out by the Bratislava International Centre for Family Studies in 2002. Slovakia was one of the last countries to have such research carried out. However, it was not funded by the state, but by UNDP, the Open Society Foundation and Friedrich Ebert Foundation–Slovakia. The research consisted of two separate parts: representative research on attitudes to and experiences with violence against women of adult citizens, and representative research on attitudes to and experiences with violence against women of adult women aged 18 to 65 years. The research utilized interviews based on standardized questionnaires. The main findings are listed below:

Violence against women in intimate relationships

Acts of physical aggression by current partner (in percent, N=571)	At least once	Repeatedly	Not at all
Slaps, punches...	22.4	14.8	77.6
Pushing, shoving, dragging by hair...	18.9	13.8	81.1
Battering without serious health consequences	14.2	10.0	85.8
Threatening to kill or harm health	8.8	7.4	91.2
Strangling	5.8	4.2	94.2
Battering with serious health consequences	5.1	2.5	94.9
Threatening with a weapon (knife, gun or pistol...)	4.0	1.9	96.0
Acts of physical aggression by former partner (in percent, N=433)	At least once	Repeatedly	Not at all
Slaps, punches...	44.4	34.7	55.6
Pushing, shoving, dragging by hair...	36.6	30.1	63.4
Battering without serious health consequences	32.6	26.6	67.4
Threatening to kill or harm health	25.0	19.9	75.0
Strangling	13.7	9.3	86.3
Battering with serious health consequences	14.6	7.7	85.4
Threatening with a weapon (knife, gun/pistol)	11.1	6.5	88.9

Acts of sexual violence from current partner (in percent, N=571)	At least once	Repeatedly	Not at all
Coercion to have sexual intercourse (against someone's will, unwanted sexual practices)	17.6	14.1	82.4
Rape	3.5	2.8	96.5
Acts of sexual violence from former partner (in percent, N= 433)	At least once	Repeatedly	Not at all
Coercion to have sexual intercourse (against someone's will, unwanted sexual practices)	36.1	29.4	63.9
Rape	10.0	7.0	90.0

Acts of psychological violence from current partner (in percent, N=571)	At least once	Repeatedly	Not at all
Indecent, undignified behavior towards the female partner	36.4	29.9	63.6
Vulgar insults	31.8	26.5	68.2
Incessant criticizing (she does not do anything properly, she is a burden)	29.9	24.1	70.1
Humiliating the woman before family members, acquaintances, etc.	29.3	24.0	70.7
Incessant bans, orders (what clothes or make-up to put on, how to do things)	20.1	17.0	79.9
Acts of psychological violence from former partner (in percent, N=433)	At least once	Repeatedly	Not at all
Indecent, undignified behavior towards the female partner	60.4	53.7	39.6
Vulgar insults	53.4	47.6	46.6
Incessant criticizing (she does not do anything properly, she is a burden)	48.6	43.7	51.4
Humiliating the woman before family members, acquaintances, etc.	46.2	42.3	53.8
Incessant bans, orders (what clothes or make-up to put on, how to do things)	40.5	34.2	59.5

Acts of economic violence from current partner (in percent, N=571)	At least once	Repeatedly	Not at all
Restricting finances (wanting very detailed records to be kept, wanting to be begged for each crown)	21.8	18.6	78.2
Not sharing the household expenses or the feeding of children (not providing finances, just consuming)	20.4	17.2	79.6
Damaging, selling the things in the flat	9.1	7.3	90.9
Denying or restricting food	4.4	3.3	95.6

Acts of economic violence from former partner (in percent, N=433)	At least once	Repeatedly	Not at all
Restricting finances (wanting very detailed records to be kept, wanting to be begged for each crown)	36.5	33.0	63.5
Not sharing the household expenses or the feeding of children (not providing finances, just consuming)	40.1	38.2	59.9
Damaging, selling the things in the flat	21.9	18.2	78.1
Denying or restricting food	9.7	7.4	90.3

Acts of social violence from current partner (in percent, N=571)	At least once	Repeatedly	Not at all
Incessant control (over what she is doing, where she is going, who she is going with)	29.2	24.4	70.8
Restricting meetings (friends, members of the family)	26.6	20.8	73.4
Ban on talking to other men	20.9	16.7	79.1
Restricting and banning going to work	7.7	5.8	92.3
Acts of social violence acts from former partner (in percent, N=433)	At least once	Repeatedly	Not at all
Incessant control (over what she is doing, where she is going, who she is going with)	55.9	49.2	44.1
Restricting meetings (friends, members of the family)	49.8	44.7	50.2
Ban on talking to other men	41.7	36.8	58.3
Restricting and banning going to work	17.9	15.8	82.1

Violence by strangers (not partners)

- Up to 74.4 percent of adult women in Slovakia have had a personal experience with harassment or violence by a man who was not a partner.
- 30.9 percent of women have had experience with an exhibitionist.
- 20.7 percent of women have had experience with obscene correspondence or telephone calls.

- Almost 42 percent of women in Slovakia have experienced inappropriate comments about their bodies or sexual lives.
- Almost 45 percent of women have had to face sexual proposals from other men who were not their partners.
- 38.1 percent of women have experienced forcing to go out with a man who was not their partner.
- 52.6 percent of women have experienced sexual comments from other men.
- 38.9 percent of women have experienced sexual violence by a man who has never been their partner.
- 36.4 percent of women have experienced sexual harassment in the form of undesired physical contact (touching, pressing against their bodies, undesired intimacy or kissing).
- 18 percent of women have experienced an attempt to force them to engage in sexual intercourse accompanied by threats, pushing them in a corner and other similar practices.
- Three percent of women confessed during the study that they have been raped by a man who was not their partner.
- 19.1 percent of women have experienced physical violence from a man who was not their partner.
- In the lives of 11.6 percent women, threats to their lives have occurred from a man who was not their partner.
- 15 percent have experienced physical assault from a man who was not their partner.
- Of the total violence against women outside marriage/intimate relationship, 39.2 percent has been committed by strangers and 60.8 percent by men who women knew (colleagues, neighbors, friends, acquaintances, family).

Experiences of women in the street

- 81.9 percent of women in Slovakia feel very frightened when going home alone and 81.3 percent feel frightened when waiting at bus/tram stops alone when it is dark.
- 46.4 percent of adult women in Slovakia have had a negative experience of being followed by a stranger in the street (who made the woman feel frightened).
- 62.7 percent of adult women have experienced some form of harassment or violence from a stranger.

Experiences of women in the workplace

- 26.5 percent of adult women in Slovakia have experienced bullying at work from a man who was their superior or a colleague.
- 15.4 percent of adult women have experienced sexual harassment from their male boss or colleague.
- 7.1 percent have experienced an attempt by their male boss or colleague to have sex with them.
- More than 10 percent of women have experienced their male boss or colleague forcing them to go out with them.
- 29.8 percent of adult women have experienced some form of harassment or violence from a male colleague, 13.7 percent from their male boss, 5.6 percent from a male client.³³

The second important research on violence against women, “Violence against Women as a Public Policy Issue,” was carried out by the Institute for Public Issues in 2005 and was funded by Philip Morris Slovakia. The research focused on statistical evidence of violence against women and its use in research; violence against women in the context of public policy in relation to international obligations of the Slovak Republic; Slovak legislation on violence against women; violence against women from the perspective of education; and the role of NGOs in addressing violence against women. Its main findings are:

- Twenty-five percent of adult women experience violence from their intimate partner, while 11 percent of them experience extreme forms of violence.
- Violence against women in an intimate partnership is mostly of a long term nature.
- Violence against women in intimate relationships mostly occurs in marriages (85 percent).
- Criminal statistics show there are approx. 4,000 criminal cases of violence against women reported a year.
- 88 percent of Slovak citizens consider violence against women a serious problem.
- 80 percent of respondents think violence against women should be dealt with by public institutions and 20 percent of respondents think it is a private family issue.

Other findings of the study are:

³³ B. Bodnárová and J. Filadelfiová (2002) *Domestic Violence and Violence against Women in Slovakia* (Bratislava: Bratislava International Center for Family Studies).

- Slovakia still has a considerable lack of support and protection networks for victims of violence against women, thus it is crucial to provide enough shelters and counseling centers for violence against women victims, and it is also important to amend existing provisions on social assistance.
- Traditional gender stereotypes about women and men foster tolerance of violence against women in society. The Slovak Republic has ratified international documents dealing with gender education at schools and has undertaken to eliminate stereotypical presentations of women and men in education. It is necessary to revise the existing curricula, textbooks and teaching approaches so they do not encourage such stereotypes.
- The media has immense potential to raise public awareness and to promote zero tolerance of violence against women among people. However, international documents and examples of good practice clearly show that the media in Slovakia do not use this potential fully.

According to the study, the state faces the following challenges:

- International experience shows that elimination of violence against women requires multiple strategies. Slovakia still needs better and more accurate statistical data on violence against women, specific violence against women legislation and mechanisms for its enforcement, as well as funding for important activities and for research and documentation of causes and consequences of violence against women.
- Implementation of education and prevention programs focused on increasing the responsibility of relevant state bodies and raising awareness of women's human rights is crucial.³⁴

9.2 Violence against women on the agenda of research centers dealing with equality issues

There are several research centres that deal with equality issues. The Institute for Public Issues is a think tank funded mostly from foundation resources; there are state funded science institutes, such as the Slovak Academy of Science, the Faculty of Arts at Comenius University in Bratislava or the International Center for Family Studies; and state administration offices such as the Slovak National Human Rights Center.

³⁴ Z. Bútorová and J. Filadelfiová (2005) *Violence against Women – Problem of All of Us* (www.changenet.sk).

Some of them, like the Institute for Public Issues, or the International Center for Family Studies, include violence against women issues in their research.³⁵

10. STATISTICS AND DATA COLLECTION ON VIOLENCE AGAINST WOMEN

10.1 Official statistics, data collection, and specific indicators on violence against women

The state has not participated in funding or in developing the existing survey indicators. In Slovakia, there are no special statistics on crimes related to violence against women. However, the Annual Statistical Report on the Prosecutor's Office Activities contains data on violent crimes related to violence against women. The Annual Statistical Report can be found on the General Prosecutor's Office website.³⁶ (For key numbers, see below.)

Health care institutions, social, family and child protection services, migration offices and the National Statistical Office do not collect data specifically related to violence against women.

In Slovakia, there have been ongoing inaccuracies in defining acts of violence against women. The police and the Prosecutor's Offices inaccurately classify criminal offences related to violence against women; victims and perpetrators are not monitored as to their mutual family relationship and the place of the crime. Statistics from other relevant institutions (health care, counseling, courts, etc.) virtually ignore the issue of violence against women in their data collection and many have not developed recording mechanisms. Therefore, there are many "blind spots" in terms of statistical data on violence against women, and even when data can be retrieved, it is not continually renewed.

The following data are related to crimes of violence against closely related and dependent persons (Section 208 of the Penal Code); rape (Section 241); blackmail (Section 235); deprivation of personal freedom (Section 232); and trafficking in human beings (Section 246). The data is related to cases in which adult women, immigrant women and women over sixty years of age are the injured party.

³⁵ Z. Bútorová and J. Filadelfiová (2006) *Women and Women's NGOs in Slovakia* (Bratislava: Institute for Public Issues, www.ivo.sk/buxus/generate_page.php?page_id=4651).

³⁶ See: www.genpro.gov.sk.

	Section 208	Section 241	Section 235	Section 232	Section 231	Section 246
No. of criminal proceedings started	557	201	330	4	139	21
No. of cases where charges were brought against perpetrators	504	151	261	1	96	19
No. of criminal proceedings completed by:	580	200	377	6	148	23
– forwarding the case for court prosecution	378	102	216	1	73	5
– out of which followed procedures according to Section 159 of the Code of Criminal Procedure ³⁷	5	1	8	0	3	0

The above data on criminal proceedings initiated and charges brought against perpetrators for chosen criminal offences were collected in 2004. However, the data does not provide information on the completion of all proceedings. The data on completed criminal proceedings are related to the number of all criminal proceedings against perpetrators for the year given above, but they do not include information on when the criminal proceedings started. Another shortcoming of the above statistics is that charges for several criminal offences listed above could have been brought against one perpetrator, so the total number of prosecuted persons could be lower than the data for individual criminal offences show.

In Slovakia, the different professions do not provide regular national reports on cases of violence against women except for the aforementioned Statistics Annual Report on the Prosecutor's Office Activities which contains data on violent crimes related to violence against women. In compliance with Act No. 211 of 2000 on Free Access to Information, all statistical data collected in the Slovak Republic are accessible to the public upon request.

There is no genetic data bank on cases of sexual violence in Slovakia.

³⁷ Section 159 of the Code of Criminal Procedure rules about suspension or cessation of investigation based on lack of suspicion of a crime, on inadmissibility, irrelevance, or lack of facts as set forth in Articles 11, 172, and 160.

10.2 NGO statistics on violence against women

No regular statistics are collected by NGOs.

11. CASE LAW ON VIOLENCE AGAINST WOMEN

11.1 Cases on violence against women before the national and international bodies dealing with human rights issues

There have been five complaints filed with the Constitutional Court for excessive delay. In each case the delay was experienced by women (Fenestra clients) who were caused damage due not only to the reluctance by general courts to act, but also due to the violation of their right to have their case handled in an appropriate time frame, which caused serious consequences in other legal matters.

One of the cases was a divorce that lasted four years, even though it had been proved that the client's husband had physically abused her. Children of the client were psychiatrically treated due to this, and the client's husband, despite her having moved away from him, repeatedly assaulted the client. In spite of all this, the court did not pass a decision and demanded further sessions, which the husband failed to attend without any consequences. After the judgment of the Constitutional Court that the client's rights had been violated, the court handed down the judgment within two months. The client was granted financial compensation for the damages caused by the delay.

Another case of delayed court proceedings was a case in which the client demanded that she be relieved of her obligation to provide housing for her ex-husband. The court was reluctant to act, and there were no consequences for the opponent for obstructing the court proceedings. After the Constitutional Court issued a judgment in favor of the client, the matter was settled by the court in a few months.

Another client filed a complaint with the Constitutional Court about a delay in a case of affiliation proceedings, which took more than five years. After the Constitutional Court issued a judgment in favor of the client, the court acted to close the matter and pass the judgment. The client, and her children, were granted financial compensation for the damages caused by the delay.

The Constitutional Court passed a very controversial judgment in the case of a woman who complained about delays. The court proceedings for her divorce took eight years. The opponent, who disrespected court orders for the necessary proceedings, was the primary cause of this delay. He never suffered any consequences for doing so. The Constitutional Court dismissed the complaint, ruling that the court was not

responsible for the delay, if the opponent caused it. The case is before the European Court of Human Rights (ECHR) now. The ECHR judgment has not been handed down yet.

Other complaints filed with the Constitutional Court have dealt with basic problems in the application and interpretation of the law relating to respecting the fundamental rights of clients.

Yet another case that could be of significant importance in the future is the case of a client whose son may have been a victim of sexual abuse by his father, the client's husband. Criminal charges were brought against the client's husband, which were later dismissed by the court on the grounds that the actions of the accused did not have the intensity constituting the criminal offence of sexual abuse. As a complaint filed with the Constitutional Court was not an effective remedial instrument, the complaint is now before the ECHR. The judgment has not been handed down yet.

A woman whose husband had been found guilty of committing violent criminal offences against her filed a complaint with the Constitutional Court. However, due to the convict's serious mental illness, the court ruled that he receive protective institutionalized psychiatric treatment. Nevertheless, the court did not rule that protective treatment should start immediately after passing its judgment in the matter. Thus, the client's husband assaulted her in her house within a few days. The client's complaint alleged that the court's failure to act violated her right to personal immunity and personal safety. The Constitutional Court, however, dismissed the complaint on the grounds that it was not the court that violated the client's above rights, but her convicted husband, and therefore her complaint was not justified. The case is before the ECHR at the moment.

In another case, a woman who was a victim of attempted rape was repeatedly (four times) exposed to hearings and confrontations with the perpetrator in the course of the criminal investigation. The Constitutional Court dismissed the client's complaint on the grounds that hearing of the injured party is a legal procedure in criminal investigations, and the injured party's right to defend themselves is ensured by it. The case is currently before the ECHR. Results case can have a significant impact on the situation of victims of violent crimes in the criminal investigation, particularly from the point of view of repeated hearings.

A similar pattern can be seen in the case of a woman who, during court proceedings reviewing custody of her child, was ordered to undergo an examination by a psychiatry expert appointed by the court because she had been previously treated by a psychiatrist for an eating disorder. The court chose this measure without trying a less invasive way of performing evidence, i.e., testimony from the client's psychiatrist. The Constitutional Court dismissed the complaint on the grounds saying it was in the

competence of the court to decide the manner of presenting evidence. The complaint is now before the ECHR, and the proceedings have not been finished yet.

Another interesting case has been the case of a client and her three dependent children. In 2002 the woman demanded that a barring order be issued to prohibit her husband from entering the apartment she lived in with her children. The client's husband had been charged with the criminal offence of violence against a closely related or dependent person and sexual abuse. The client demanded the barring order before the amendment of the relevant provision in the Code of Civil Procedure came into effect. However, also the then valid provision enabled the court to issue an order barring a court proceeding participant from doing some things. Both the district and regional courts dismissed the client's complaint on the grounds that the legal provisions in effect did not enable issuing such an order. The Constitutional Court, however, handed down a ruling in favor of the client, saying that the previously effective provision did enable issuing such an order.

Another controversial case is that of a woman whose husband shot their two dependent children and consequently himself, after having threatened to do so. The woman had reported the threats to the police, who failed to act. The Constitutional Court dismissed the complaint on the grounds that if it had been the police who failed to act, the client should file for compensation for damages against the particular natural persons who failed to act on behalf of the police. Also, because the criminal proceedings against the police officers in question had not been completed when the complaint was filed with the Constitutional Court, the Court ruled the complaint was premature. After the police officers had been found innocent by the ruling of the district court, the client filed the complaint with the Constitutional Court again. However, the complaint was dismissed again on the grounds that there had not been any failure on the part of the police officers and therefore there were no grounds for demanding compensation for damages. The complaint is now before the ECHR.

11.2 Published court decisions, case studies, and analyses of case law

The Constitutional Court has published its decisions on several violence against women cases. There are no case studies or case law analysis in the field yet. The NGO Fenestra is planning a project on case studies analysis in the near future.

12. RECOMMENDATIONS TO THE GOVERNMENT

- Establish a governmental coordination body that exclusively deals with violence against women and is granted an adequate budget and sufficient authority to carry out its work;
- Carry out all tasks defined in the *National Action Plan for the Prevention and Elimination of Violence against Women* and allocate a sufficient budget for those tasks;
- Evaluate the progress of *National Action Plan* priorities annually and publish the results of this evaluation;
- Allocate sufficient funding by the government, individual ministries and municipalities to support comprehensive and systematic measures for combating violence against women;
- Use the expertise of and cooperate with NGOs working in the field of violence against women;
- Create measures for an effective implementation of existing legislation, create adequate mechanisms for monitoring this implementation, and carry out this monitoring regularly;
- Eliminate legislative obstacles preventing efficient protection, support and help to victims of violence against women by incorporating services specifically for victims of violence against women into the Act on Social Services, in compliance with the EU standards, with a view to enabling the establishment, operation and funding of these services;
- Ensure that all professions involved in the protection, support and help for victims of violence against women have clear and comprehensive directives for their work;
- Create special units consisting of persons specially trained in the field of violence against women at all levels of institutions providing protection, support and help for victims of violence against women;
- Introduce gender-sensitive education into curricula of all types and levels of schooling, particularly elementary and high schools;
- Introduce mandatory training courses into the curricula of graduate and post-graduate education of all professions (social workers, law enforcement professionals, health care providers, teachers, psychologists, police forces and media professionals) providing protection, support and help to victims of violence against women;

- Develop survey indicators for collecting gender-disaggregated statistical data concerning violence against women by the police, courts, prosecutor's offices, social and child protection services, and health care institutions;
- Make these statistical data publicly available and carry out further surveys on the different aspects of violence against women by independent experts; and
- Ensure that NGOs serving victims of violence against women are granted state funding.

ANNEXES

Annex A. List of laws and regulations screened

- Act No. 300 of 2005 on the Penal Code, effective as of January 1, 2006
- Act No. 301 of 2005 on the Code of Criminal Procedure, effective as of January 1, 2006
- Act No. 40 of 1964 Coll., the Civil Code
- Act No. 99 of 1963 Coll., the Civil Procedure Code
- Act No. 256 of 1998 on Witness Protection
- Act No. 586 of 2003 on Legal Professions
- Act No. 382 of 2004 on Court Experts, Translators and Interpreters
- Act No. 305 of 2005 on Social and Legal Protection of Children
- Act No. 36 of 2005 on the Family
- Act No. 195 of 2000 Coll. on Broadcasting and Transmission
- Act No. 308 of 2000 on Telecommunications
- Act No. 147 of 2001 on Advertising and Amendments to Some Other Acts
- Act No. 211 of 2000 on Free Access to Information

Government Resolution No. 635 of 2005 on *National Action Plan for the Prevention and Elimination of Violence against Women for 2005–2008* (NAP)

Code of Ethics for Journalists, 1990

News Service and Journalism Charter of Slovak Television (STV)

Presidium of the Police Forces of the Slovak Republic: Domestic Violence – Police Methodology in Cases of Domestic Violence, 2006

Slovak Radio Statute of Program Employees and Co-workers

Annex B. List of documents and books consulted

National Action Plan on Combating Trafficking in Human Beings for 2006–2007 (NAP on THB).

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