

TEMPLATE POLICY PAGE

Category:	Sexual Crime
Country:	Slovakia
Year:	/

Policy page:	<p>In Slovakia, there is no individual specific action plan to prevent and eliminate sexual crime. This issue is partially contained in other action plans and programs:</p> <p>National Action Plan for the Prevention and Elimination of Violence against Women for years 2014 – 2019 http://www.gender.gov.sk/wp-content/uploads/2012/06/NAP_nasilie_print.pdf</p> <p>Action Plan for Gender Equality for years 2014 – 2019 http://www.gender.gov.sk/wp-content/uploads/2014/11/Akcny-plan-RR_final.pdf</p> <p>National Action Plan for Children for years 2013 – 2017 http://www.employment.gov.sk/files/slovensky/ministerstvo/poradne-organy/ludske-prava-narodnostne-mensiny-rodovu-rovnost-sr/vybor-deti-mladez/narodny-akcny-plan-pre-deti-na-roky-2013-2017.pdf</p> <p>The plan sets out the tasks for all ministries in the Slovak Republic to support the Convention on the Rights of the Child, as well as other tasks for the protection of children's rights.</p> <p>National Strategy for the protection of children from violence http://www.employment.gov.sk/files/ministerstvo/konzultacne-organy/rada-vlady-sr-ludske-prava-narodnostne-mensiny-rodovu-rovnost/navrh-narodnej-strategie-ochranu-deti-pred-nasilim.pdf</p> <p>National program of care of children and adolescents in the Slovak Republic for years 2008 – 2015 http://www.uvzsr.sk/docs/info/podpora/03_vlastnymat.pdf</p> <p>This program sets out the tasks related to the Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography signed in 2001 and ratified in 2004, published in the Legal Code no. 424/2004 Coll. This program, inter alia, recognizes the importance of implementing the provisions of the Declaration and Action Programme of Action against Commercial Sexual Exploitation of Children adopted at the Congress in Stockholm.</p>
Relevant legislation:	<p>Amended applicable Criminal Code (Law no. 300/2005 Coll. as amended), effective from August 2013, introduced new elements of the crime of sexual abuse that affects so called “grooming” - a proposal of adult, made by means of information and communication technologies, to meet a child who has not reached the age at which it is likely to give consent to sexual intercourse, for the purpose of its sexual exploitation (§ 201a of the Criminal Code) or abuse of a child who has not reached the age of being able to consent to sexual activity, which for sexual purposes will witness sexual activities or sexual abuse, even without participating directly on it (§ 201b Criminal Code).</p>

§ 199 Rape

(1) Anyone who pressures, by force or through immediate threat of violence, a woman to have sexual intercourse, or who abuses the powerlessness of such woman in order to commit such act, shall be sentenced to imprisonment of five to ten years.

(2) A perpetrator shall be sentenced to imprisonment of seven to fifteen years, if he commits the act referred to in paragraph 1

- a) in a serious manner,
- b) on a protected person,
- c) for reason of a special motive, or
- d) on a woman in the execution of arrest or in the execution of imprisonment.

(3) A perpetrator shall be sentenced to imprisonment of fifteen to twenty years, if he commits the act referred to in paragraph 1 and causes grievous bodily harm.

(4) A perpetrator shall be sentenced to imprisonment of twenty to twenty five years, if he commits the act referred to in paragraph 1

- a) and causes death, or
- b) under a crisis situation.

§ 200 Sexual violence

(1) Anyone who pressures, by force or through immediate threat of violence, another person to carry out oral intercourse, anal intercourse or other sexual practices, or anyone who abuses the powerlessness of such other person in order to commit such act, shall be sentenced to imprisonment of five to ten years.

(2) A perpetrator shall be sentenced to imprisonment of seven to fifteen years, if he commits the act referred to in paragraph 1

- a) in a serious manner,
- b) on a protected person,
- c) for reason of a special motive, or
- d) on a person in the execution of arrest or in the execution of imprisonment.

(3) A perpetrator shall be sentenced to imprisonment of fifteen to twenty years, if he commits the act referred to in paragraph 1 and causes grievous bodily harm.

(4) A perpetrator shall be sentenced to imprisonment of twenty to twenty five years, if he commits the act referred to in paragraph 1

- a) and causes death, or
- b) under a crisis situation.

§ 201 Sexual abuse

(1) Any person who performs sexual intercourse with a person under fifteen years of age, or who by other means sexually abuses such a person, shall be sentenced to three to ten years of imprisonment.

(2) A perpetrator shall be sentenced to seven to twelve years of imprisonment, if he commits the act referred to in paragraph 1

- a) in a serious manner,
- b) on a protected person, or
- c) for reason of a special motive.

(3) A perpetrator shall be sentenced to imprisonment of twelve to fifteen years, if he commits the act referred to in paragraph 1 and causes grievous bodily harm.

(4) A perpetrator shall be sentenced to imprisonment of fifteen to twenty years, if he commits the act referred to in paragraph 1

- a) and causes death, or
- b) under a crisis situation.

§ 201a

Who through electronic communication service makes a suggestion to personal meeting to a child younger than fifteen years of age, with intention to commit on it a crime of sexual abuse or a crime of production of child pornography, and in the same time he is not a child, shall be sentenced to imprisonment of six months to three years.

§ 201b

Who abuses a child under the age of fifteen with intention of inducing sexual satisfaction by child's participation in sexual activities or sexual abuse, even without such child's participation on sexual activities or sexual abuse, or who allows such an abuse, shall be sentenced up to two years of imprisonment.

§ 202

(1) Anyone who engages a child in extramarital sexual intercourse or who sexually abuses such child by other means,

- a) if such child is under his supervision or under his custody or if it concerns a dependent person,
- b) if it concerns child pornography, or
- c) abuses a recognized position arising from trust, authority or influence on the child, shall be sentenced to one to five years of imprisonment.

(2) A perpetrator shall be sentenced to two to eight years of imprisonment, if he commits the act referred to in paragraph 1 by using pressure.

§ 368 Production of child pornography

(1) Any person who exploits, elicits, offers or otherwise abuses a child for the production of child pornography or child pornographic performance, or enables such abuse of a child, or otherwise participates on such production, shall be sentenced to four to ten years of imprisonment.

(2) A perpetrator shall be sentenced to imprisonment of seven to twelve years if he commits the offence referred to in paragraph 1

- a) against a child under twelve years of age,
- b) in a serious manner, or
- c) in public.

(3) A perpetrator shall be sentenced to imprisonment of ten to fifteen years, if he commits the offense referred to in paragraph 1

- a) and causes grievous bodily harm or death, or
- b) and obtains substantial benefit.

(4) A perpetrator shall be sentenced to imprisonment of twelve to twenty years, if he commits the offense referred to in paragraph 1

- a) and causes grievous bodily harm to several persons or death to several persons,
- b) and obtains benefit of a large extent, or
- c) as a member of a dangerous group.

§ 369 Dissemination of child pornography

(1) Any person who reproduces, transports, procures, makes accessible or otherwise disseminates child pornography, shall be sentenced to imprisonment of one to five years.

(2) A perpetrator shall be sentenced to imprisonment of three to eight years, if he commits the offense referred to in paragraph 1

- a) in a serious manner, or
- b) in public.

(3) A perpetrator shall be sentenced to imprisonment of four to ten years, if he commits the offense referred to in paragraph 1 and obtains substantial benefit.

(4) A perpetrator shall be sentenced to imprisonment of seven to twelve years, if he commits the offense referred to in paragraph 1 and obtains benefit of a large extent.

§ 370 Possession of Child Pornography and participation in child pornographic performance

(1) Any person who is in possession of child pornography, or who acts with the intention to gain access to child pornography through electronic communication service, shall be sentenced to imprisonment of up to two years.

(2) Any person who intentionally participates in a child pornographic performance, shall be sentenced to imprisonment of up to two years

*** As this is not an official translation this legislation is unofficial**

Trends:

Selected sexual crimes – number of recorded and resolved crimes over the Period 2003 – 2014 (1.trimester)

	Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014 - 1.trimester
Rape § 199 Criminal Code	Occurrence	233	224	200	174	182	152	142	117	150	88	91	30
	Resolved	173	177	158	113	123	97	102	83	92	49	45	21
Sexual violence § 200 Criminal Code	Occurrence	86	92	85	109	111	100	88	76	84	56	68	12
	Resolved	68	74	64	76	75	69	65	51	56	38	41	8
Sexual abuse § 201-§ 202 Criminal Code	Occurrence	404	449	384	405	361	387	396	369	542	497	482	200
	Resolved	334	378	311	335	285	299	330	301	447	417	385	159
Child pornography § 368-§ 370 Criminal Code	Occurrence	13	3	11	10	25	55	44	36	156	79	60	8
	Resolved	7	2	7	4	15	21	19	24	46	42	28	4

Contacts:

National organisations:

Ministry of Interior of the Slovak Republic – Presidium of the Police Corps;
[http: www.minv.sk/?policia](http://www.minv.sk/?policia);

Ministry of Justice of the Slovak Republic: <http://www.justice.gov.sk>;

Ministry of Labour, Social Affairs and Family of the Slovak Republic:
<http://www.mpsvr.sk>, <http://www.gender.gov.sk>;

Slovak National Centre for Human Rights: [http:// www.snsnp.sk](http://www.snsnp.sk);

Centre for the International Legal Protection of Children and Youth: <http://www.cipc.sk>;

Office of Public Protector of Rights (ombudsman):

http://www.vop.gov.sk/ochrana_prav/legislativa/deklaracia/;

UNICEF: <http://www.unicef.sk/kontakt/>;

Aspekt: <http://www.aspekt.sk/>;

Možnosť voľby – Pro-choice : <http://www.moznostvolby.sk/>;

Brána do života - <http://www.branadozivota.sk/>;

Fenestra: <http://www.fenestra.sk/>;

Pro Familia: <http://www.profamilia.sk/>;

Dotyk Beckov: <http://www.dotyk.sk/>

Náruč - Pomoc deťom v kríze: <http://www.naruc.sk/>;

Pomoc ohrozeným deťom - Centrum Nádej: <http://www.centrumnadej.sk/>;

**Completed template to be sent to the EUCPN Secretariat at
eucpn@ibz.eu**