**Non – discrimination and equality with regard to the right to health and safet**y

**Questionnaire**

1. **Prevention of sex discrimination in the enjoyment of the right to health and safety**
2. ***Health***
3. **Does your country have regulations (in the Constitution, legislation or in other legal codes) that guarantee:**

*(Please specify in the space provided for this purpose "yes" or "no")*

( **Yes** ) the right to equal access for women and men to all forms of healthcare, at the highest available level, including access to alternative health provisions such as homeopathy, naturopathy, etc.

( **Yes** ) access to sexual and reproductive health services

( **Yes** ) women’s rights to make autonomous decisions regarding their sexual and reproductive lives

1. **Are medical services related to women’s sexual and reproductive life and/or violence against women covered by universal health coverage?**

**Yes**

**If yes, what kind of medical services are free of charge?**

Universal health coverage covers health care for all medical indications.

**Are women’s rights to health, including sexual and reproductive health, autonomy and health insurance, applied also to girls under 18?**

**Yes**

*If “yes”, please indicate the legislation regulating these and indicate enforcement mechanisms.*

* Act No 576/2004 Coll. of 22 September 2004 on healthcare, healthcare-related services and on the amendment and supplementing of certain acts;
* Act No 581/2004 of 21 October 2004 on health insurance companies and healthcare supervision, and amending and supplementing certain acts;
* Act No. 73/1986 Coll. on Artificial Interruption of Pregnancy.

Abortion is only covered by public health insurance when it is indicated for medical reasons.

1. **Are there any provisions which restrict women’s access to health services? In particular which:**

*(Please specify in the space provided for this purpose "yes" or "no")*

( **No**) require the consent of a male relative/husband for a married woman’s medical examination or treatment or access to contraceptives or abortion,

( **Yes** ) require parental consent in case of adolescents’ access to contraceptives or abortion;

( **Yes** ) allow medical practitioners to refuse provision of a legal medical service on grounds of conscientious objection

( ) prohibit certain medical services, or require that they be authorized by a physician, even where no medical procedure is required; in particular:

( **Yes** ) IUDs (intrauterine devices) or hormonal contraceptives

( **No** ) Emergency contraceptives, including the morning-after pill,

( **Yes** ) Sterilization on request (please also include information regarding whether non-therapeutically indicated sterilization is allowed for men);

( **No** ) Early abortion (in first trimester of pregnancy) at the pregnant woman’s request

( **Yes** ) Medically assisted reproduction (e.g., in vitro fertilization)

*If yes, please indicate the relevant legal regulations and indicate the sources.*

Act No 576/2004 Coll. of 22 September 2004 on healthcare, healthcare-related services and on the amendment and supplementing of certain acts

1. **Are any of the following acts criminalized?**

**Transmission of HIV or other venereal diseases by women only**

**No** – Transmission of HIV and other venereal diseases is a punishable act for both sexes according to articles 163-167 of the Criminal Code (these include endangering another with an infectious disease, endangering another with HIV, endangering another with a VD).

**Female genital mutilation**

**Yes** – Under article 123 and article 155-158 of the Criminal Code – severe bodily harm includes mutilation among possible criminal actions.

**Child marriage**

**No**

**Home births with and obstetrician or midwife**

**No**

**Abortion**

**No** – Abortion in general is not a criminal act. However, an illegal abortion is a criminal act under art. 150 of the Criminal Code. It includes cases of forced abortion and abortions performed in conditions and situations that are prohibited by law (for instance after 12 weeks of pregnancy).

**And who is criminally responsible? The woman, doctor, other person directly or indirectly related with the pregnancy/abortion**

Only the person who performed an illegal abortion is criminally responsible. According to article 153 of the Criminal Code a pregnant woman cannot be criminalized for an illegal abortion even if she directly requests it or induces someone to perform it. She shall also not be held accountable according to various provisions for complicity (such as instigation, assistance).

1. ***Safety***
2. **Does your country have regulations (constitution, legislation, other legal codes) that guarantee:**

**Special protection against gender based violence**

The Criminal Code offers special protection (art. 139 of the Criminal Code) to pregnant women and to “related persons” which includes family members. Performing acts of violence against these persons enables more severe punishment. Rape and other forms of sexual violence against women are prohibited under article 199 -200 of the Criminal Code.

**Equal access for women to criminal justice**

The Constitution guarantees equality in Art. 12. All persons are equal in dignity and rights.

Access to criminal justice is afforded to all. Discrimination based on sex is prohibited by the Constitution.

The Code of Criminal Procedure provides for equal access to criminal justice in its General Principles of Criminal Procedure (art. 2).

1. **Are the following acts criminalized?**

**Adultery - No**

**Prostitution – Yes/No**

**(If yes, who is criminally responsible: the sex worker, the procurer and/or the customer?)**

Prostitution as such is not a criminal act, however the procurement of prostitution is a criminal act under article 367 of the Criminal Code. As such only the procurer is criminally responsible.

**Sexual orientation and gender identity - No**

**Violations of modesty or indecent assault – Yes**

Under article 364 (Riotous Acts) performing a public sexual act or sexual exhibitionism is a criminal act.

1. **Are there any provisions in criminal law that treat women and men unequally with regard to:**

**Procedure for collecting evidence - No**

**Sentencing for the same offence, especially capital punishment, stoning, lashing, imprisonment, etc. – No**

Capital punishment is impermissible in the Slovak Republic and the specific types of punishment such as stoning or lashing, are unfamiliar in our cultural contexts.

**So called „honour crimes“ (are they tolerated in order for the perpetrator to avoid prosecution or to be less severely punished if the woman is killed?) - No**

1. **Diagnosing and counteracting possible sex discrimination in practice in the area of health and safety**
2. ***Health***
3. **Are there any obligations to provide health education in schools?**

**Yes.**

**If yes, does it cover:**

**Prevention of sexually transmitted diseases: Yes**

**Prevention of unwanted pregnancies: Yes**

**Promotion of a healthy lifestyle, including prevention of dietary disorders of teenage girls, including anorexia and bulimia: Yes**

**Psychological/psychiatric training on self-control of aggression, including sexual aggression: Yes, yet in a broader context of conflict resolution and education to tolerance**

The above mentioned topics are addressed in the scope of the following subjects, all taught at elementary and secondary level: Biology, Civic education, Ethics education, Religious education, Health and physical education, as well as other cross-cutting subjects such as the Marriage and parenthood education, Life and health protection.

Additionally, the State Pedagogical Institute created a material for the elective subject Health education and personal and social development, recommended to be introduced in the 5th and 6th grade.

1. **Are there any statistical data disaggregated by age and/or sex (collected over the last 5 years) regarding :**

*(Please specify in the space provided for this purpose "yes" or "no")*

( ***Yes*** ) malnutrition

( ***Yes*** ) maternal mortality

( ***Yes*** ) maternal morbidity, including obstetric fistula

( ***Yes***) adolescent childbearing

( ***Yes*** ) health consequences of physical, psychological, sexual and economical gender-based violence

( ***Yes*** ) incidence of HIV/AIDS and sexually transmitted deceases

( ***Yes*** ) drug abuse

( ***Yes*** ) alcohol addiction

( ***Yes*** ) legal abortions

( ***Yes*** ) death resulting from legal abortions

( ***Yes*** ) illegal abortions

( ***Yes*** ) death resulting from illegal abortions

( ***Yes*** ) use of contraceptives, including mechanical and hormonal (including emergency contraceptives)

( ***Yes*** ) sterilization on request

*If “yes”, please provide for data and sources.*

* Ministry of Health of the Slovak Republic monitors the health of the population via collecting and processing of health information. The monitoring and data collection is carried out in close cooperation with the National Health Information Centre. Further information can be also obtained in English on the website of the centre http://www.nczisk.sk.
* National health registries are adminitered by the National Health Information Center (NHIC).

1. **Are there any statistical data and/or estimations regarding the number of reported and/or unreported cases and convictions for :**

*(Please specify in the space provided for this purpose "yes" or "no")*

( ***Yes*** ) female genital mutilation

( ***Yes*** ) illegal voluntary abortion

( ***Yes***) forced abortions

( ***No*** ) forced sterilizations

( ***No*** ) malpractices in cosmetic medicine

( ***No*** ) obstetric violence

*If “yes”, please give further references.*

* Ministry of Health of the Slovak Republic monitors the health of the population via collecting and processing of health information. The monitoring and data collection is carried out in close cooperation with the National Health Information Centre. Further information can be also obtained in English on the website of the centre http://www.nczisk.sk.

1. **Is the gender perspective included in national health-related policies:**

Yes ( ) No ( **x** )

**In particular:** *(Please specify in the space provided for this purpose "yes" or "no")*

( ***No*** ) in planning the distribution of resources for health care

( ***No*** ) in medical research on general diseases, with proper and necessary adaptations to the different biological make-up of women and men

( ***No*** ) in geriatric service provision

( ***No*** ) in state custodial decisions to institutionalize children between 0-3 years old

* The Ministry of Health of the Slovak Republic addresses gender equality issues with respect to the National Action Plan for Gender Equality as well as in relation to the anti-discrimination legislation. It monitors the situation while ensuring that all internal regulations are consistent with the goals of gender equality and in full compliance with applicable legal standards. It also further processes relevant statistical data collected by other institutions and breaks them down by sex, it respects the principle of equal rights and opportunities for men and women and the principle of equal pay for equal work.

1. **Are there any national policies regarding women’s safety in public spaces?**

There have been special programmes (strategies) concerning the protection of women in public adopted in the area of crime prevention. In this regard, the National Action Plan for the Prevention and Elimination of Violence against Women for the years 2014-2019 serves as a guideline to implement and perform tasks resulting from the plan. The police force carried out various activities aimed at strengthening of crime prevention.

1. **Have there been any public opinion research polls on the fear of crime among women and men (over the last five years)?**

**Yes, a limited number.**

There has been limited research on the above mentioned issue. In 2013 a research study ‘The Women’s perceived safety and its comparison between mothers living with partner and without partner’[[1]](#footnote-1) addressed the issue from the perspective of woman’s partner status. **The analysis focused on women and specifically two groups – mothers living with partner and living without partner. The comparisons showed that in general mothers living with partner are less afraid than mothers living without partner. The analysis showed that the strongest predictor of perceived safety and fear of crime in women is the experience of personal victimization.**

1. **Are there any measures and programs undertaken in order to increase women’s safety e.g. in the public spaces, in public transportation, etc.?**

**No.**

The prevention-oriented activities emphasize the principles of safe behaviour in public as well as in the domestic environment, prevention of victimization and increasing legal awareness of the public. Relevant activities are conducted at sites accessible to the general public (i.e. shopping centres), through lectures and discussions in schools, educational institutions, institutions associating women (crisis centres, etc.) etc. Prevention activities are conducted in accordance with the fulfilment of the tasks of the Police Force in the area of prevention on its own initiative or on the basis of the requirements of specific subjects.

1. **Are there any statistics on crime amounting to violence against women in public space and/or domestic violence?**

The crime statistics include data on all crime acts committed regardless of gender of the victim, among them the violent crimes committed against women as well as crimes related to domestic violence. Information on the place where the criminal act was committed is among the collected data.

1. **Is the sex of the victim reflected in the police, prosecutors and court records?**

The sex of the victim is recorded in the statistical -register system of crime and the law enforcement authorities and courts indicate the sex of the victims in their documents as well.

***C.Health and Safety***

1. **Are there any data and/or results of research on the detrimental influence of the feeling of insecurity and unsafety on women’s mental health?**

**No.**

1. **Are there any specific health and safety protective measures for women, and/or with special provisions for mothers with young children in “closed“ institutions including in:**

**Prisons – Yes**

General provisions of the Act on Imprisonment apply to all, however art. 48 provides for special provisions for women in detention. A minimum living space of 4m2 is guaranteed, it cannot be decreased for pregnant women. Women are allowed daily showers. Disciplinary punishment of placement in a closed ward or disciplinary placement in solitary confinement cannot be imposed consecutively within less than 10 days. If the convicted woman committed a disciplinary offense in the performance of any of these disciplinary sanctions and another such punishment was imposed, the convicted woman may be subject to uninterrupted disciplinary punishment for no more than 14 days.

**Police detention cells – Yes**

General provisions of the Act on Detention apply to all, however art. 48 provides for special provisions for women in detention. A minimum living space of 4m2 is guaranteed, it cannot be decreased for pregnant women. Women are allowed daily showers. Pregnant women cannot be subject to various disciplinary punishments (such as bans on procurement of food and items for personal use, forfeiture of personal property, etc.).

Psychiatric hospitals

**Pre-deportation centres**

**Camps for displaced women with families** (if relevant)

Act No 404/2011 of 21 October 2011, on Residence of Aliens and Amendment and Supplementation of Certain Acts ("the Aliens Act") regulates some specific rules which are also relating to the detention of women as a specific category of third country nationals. This primarily concerns a person’s placement into facility - women have to be placed separately from men. At the same time, there is also an exception which constitutes that, the family shall be placed in the detention facility together.

Another specific category, relating to this Act, is represented by the vulnerable persons who are, inter alia, the pregnant women, single parents with dependent child, or, a person faced with torture, rape or other serious forms of psychical, physical or sexual violation. Those persons are provided special attention with regard to healthcare.

Women are accommodated in the Detention facility (Department) for foreigners in Sečovce (eastern Slovakia) whose premises are adjusted to their specific needs. The internal rules of the facility provide some further exemptions for the detained women: pregnant women - in addition to regular meals - receive additional food, which corresponds to their physical state (mainly dairy products). For mothers with children there is also available a playground in the facility, where they are allowed to stay during a designated time.

**Women’s shelters**

The women’s shelters or crisis centres facilitate the specific needs of women with children as they provide advice, assistance and care to children, adults and families who are in crisis. They provide accommodation generally up to 3-6 months, and mostly they are available 24 hours a day.

1. **Are there specific training programmes for medical and legal professionals on the issue of gender-based discrimination in the area of health and safety?**

The Judicial Academy established for further voluntary training of legal professionals such as judges, judicial clerks or judicial experts does not have a specific training in gender-based discrimination in the area of health and safety.

1. **Could you please indicate any legislative reform, policy or practice, that you consider “good practice” regarding health and safety for women in your country?**

**If yes, please indicate on which criteria your definition of “good practices” is based.**

* The introduction of computerization of health care - e-Health into practice is going to be an important part of an integrated model of health care provision in 2017. The first part of the electronic health services should be completed in September 2015. Afterwards, the National Health Portal, ePrescription and eMedication, electronic medical book and eAlokácie should follow.
* Ministry of Health of the Slovak Republic introduced a campaign called "Ask the doctor", which offers patients a helping hand in getting qualified information and valuable advice relating to health. It also includes information regarding patients' rights. The information can be found through the application published on the official website of the Ministry of Health.
* In the forthcoming period the Ministry of Health of the Slovak Republic set out to develop and subsequently adopt the **National Programme for Women, safe motherhood and reproductive health.**

1. HUSOVSKÁ, Daniela – KENTOŠ, Michal. The Women’s perceived safety and its comparison between mothers living with partner and without partner. Individual and Society, 2013, Vol. 16, No. 2. [↑](#footnote-ref-1)