

United Nations Study on Violence against Children

Response to questionnaire received from the
Government of the SLOVAK Republic

QUESTIONNAIRE

I. LEGAL FRAMEWORK

This part of the questionnaire aims to determine how your country's legal framework addresses violence against children, including prevention of violence, protection of children from violence, redress for victims of violence, penalties for perpetrators and reintegration and rehabilitation of victims.

International human rights instruments

1. Describe any developments with respect to violence against children which have resulted from your country's acceptance of international human rights instruments, including, for example, the Convention on the Rights of the Child and its optional protocols, the Palermo Protocol or regional human rights instruments. Provide information on cases concerning violence against children in which your country's courts or tribunals have referred to international or regional human rights standards

The Slovak Republic is a party to the UN Convention on the Rights of the Child of 1989 which subscribes to the ideas of the Geneva Declaration of the Rights of the Child of 1924 and the Declaration of the Rights of the Child proclaimed by the United Nations in 1959, as well as the provisions of other international legal instruments. The latter document ratified by the Slovak Republic in 1993 emphasises that children, due to their vulnerability, are "entitled to special care and assistance". In case of children who are victims of conflicts, abuse, neglect, ill-treatment or exploitation, the state has an obligation to guarantee them the necessary care with a view to their rehabilitation and social reintegration.

Legal provisions on violence against children

2. Describe how forms of violence against children are addressed in your country's constitution, legislation and subsidiary legislation, and, where appropriate, customary law.

The Constitution of the Slovak Republic and the Charter of Fundamental Rights and Freedoms address the violence against children only in a general manner. They recognise fundamental human rights and freedoms of every person within the Slovak Republic on equal footing.

Article 41 of the Constitution provides that marriage, parenthood, and family enjoy protection under the law and guarantees special protection to children and juveniles. Children born in legal matrimony and those born out of wedlock have equal rights. Care for children and their upbringing is the privilege of parents and, conversely, children have the right to parental upbringing and care. The rights of parents can be curtailed and minor children can be separated from their parents against their parents' will only by a court decision based on law. In the Slovak legal system, violence against children is addressed also in the Criminal Code (140/1961 Coll.) and, in a marginal manner, in the Family Act (94/1963 Coll.) and other legal acts.

3. Provide details of any specific legislative provisions on:
- Prevention of all forms of physical, sexual and mental violence, injury or abuse, neglect or negligent treatment, and sexual abuse;
 - Protection of children from all forms of violence;
 - Redress, including compensation, for child victims of violence;
 - Penalties for perpetrators of violence against children;

 - Reintegration and rehabilitation of child victims of violence.

Act No. 195/1998 Coll. on Social Assistance as amended

Social prevention (Section 5) is professional activity aimed at preventing and precluding the occurrence, aggravation and recurrence of problems in the mental, physical or social development of people.

Social prevention is carried out, in particular, in relation to minor children

- whose education is seriously deficient or seriously impaired,
- who are maltreated, sexually abused or if there are reasonable grounds to believe they are maltreated or sexually abused, etc.

Social and legal protection (Section 13) secures the right of a child to life, positive development, right to parental care and life in a family, right to identity, freedom of thought, freedom of conscience and religion, employment, and also includes the protection of children from any physical or mental violence, neglect, abuse or exploitation.

Crisis centres (Section 31) are preventive first-contact social services establishments, set up to provide care to minor children who are at serious risk of health, life and proper education, and which also serve as specialised facilities conducting therapeutic, educational, remedial and preventive programmes for children and young people, which should precede the placement in an institutional educational facility or the adoption of an educational measure.

Crisis centres may provide, in particular, care to minor children:

- whose education is seriously deficient or seriously impaired,
- who are maltreated, sexually abused or used for commercial purposes, etc.

Act No. 279/1993 on School Establishments as amended

The problem of preventing social pathology phenomena and psychological assistance to children – victims of violence and child aggressors – is addressed by means of professional assistance and psychological, psychotherapeutic and special pedagogy assistance in educational facilities: **special educational establishments and counselling centres** and, in particular, **educational prevention facilities** (educational and psychological prevention centres and diagnostic centres).

Foster education facilities (re-education homes for children and re-education homes for juveniles) – The mission of these facilities is to educate children with social and moral disorders who show serious shortcomings in their social adaptability, personality features and character and their education cannot be managed by other institutions.

School legislation applies also to state and non-state, private and church schools and educational establishments.

4. Indicate whether any specific legislative provisions address all forms of violence including physical, sexual and psychological violence, injury or abuse, neglect or negligent treatment and sexual exploitation against children which take place in:
 - The family/ home;
 - Schools and pre-school care and education (both formal and non-formal, state and private);
 - Military schools;
 - Institutions including care, residential, health and mental health;
 - The context of law and public order enforcement including in detention facilities or prisons;
 - The neighbourhood, street and the community, including in rural areas;
 - The workplace (informal and formal);
 - Sports and sporting facilities

Act No. 140/1961 Coll. Criminal Code as amended

Section 205 et seq. in Chapter V of the Criminal Code on “Criminal offences grossly interfering with public peace” lays down the criminal offences of “Endangering morality”, “Production of child pornography”, “Dissemination of child pornography”, and “Possession of child pornography“. Chapter VI entitled “Criminal offences against family and youth” covers such criminal offences as “Abandonment of a child”, “Non-compliance with the maintenance obligation”, “Abusing a close person or person in one’s care”, “Abduction”, “Trafficking in children”, “Endangering moral education of juveniles”, “Illegal employment of children”, “Serving alcoholic beverages to juveniles”, “Administering anabolic drugs to juveniles“. Chapter VIII, Title 2 – “Criminal offences against freedom and human dignity” – addresses sexual violence against children, in particular in its Section 242 on “Sexual abuse”, according to which a perpetrator engaging in sexual intercourse with a person under fifteen years of age or sexually abusing such a person in a different manner is punishable by imprisonment of 1 to 8 years.

Act No. 569/2003 Coll. on State Administration in the School System and School Self-government and on amending and supplementing certain other laws provides for educational measures that may be applied in the school system. Section 30 (2) of the Act states: “A pupil who breaks school rules can receive an admonishment or a reprimand from his class teacher, professional training instructor, head of the vocational training centre, or a reprimand from the headmaster, or can be expelled conditionally or unconditionally from school.“

In its ***Pedagogical and Organisational Instructions for Schools and Educational Establishments and State School Authorities*** (i.e. binding instructions for the sector), the Ministry of Education of the Slovak Republic recommends that proper attention be devoted to preventive activities with a view to preventing the occurrence of social pathology phenomena.

If there are reasons to believe that a child is exposed to physical or psychological abuse, bullying, and endangerment of its moral development, the school headmaster is obliged to immediately raise the problem with the management of the school. If legal guardians of children fail to respect the measures imposed by the school, the headmaster is obliged to report this fact to the competent social affairs department, to the relevant physician – paediatrician and to the competent police department.

5. Indicate if corporal punishment of children, in any setting, including in the family, is explicitly prohibited in your legal system. Provide details of any legal defences available to those who administer corporal punishment to children, including in the family. Provide information on penalties applicable to those who administer corporal punishment to children, including in the family.

The Slovak national legislation does not explicitly prohibit corporeal punishment of children and does not specifically address the violence against children in the family. A number of countries have already passed a law prohibiting the use of corporeal punishment and the Slovak Republic will follow suit.

At present, the offender causing bodily harm to a child can be prosecuted under Criminal Code’s sections on “Bodily harm” (Section 221 et seq.) and “Abusing a close person or person entrusted in one’s care“ (Section 215).

6. Provide information on whether the penal code permits corporal punishment and/or capital punishment as a sentence for crimes committed by under 18 year olds.

The Constitution of the Slovak Republic prohibits capital punishment. Consequently, capital punishment cannot be imposed on persons under 18 years of age, either. Sentencing for none of the criminal offences laid down in the Criminal Code involves corporeal punishment.

The Code has a special part specifically devoted to the punishment of juveniles. Persons under 18 years of age do not receive exceptional sentences – i.e. life imprisonment or imprisonment of between 15 and 25 years. The juveniles who commit a criminal offence which, under general and special parts of the Criminal Code, is punishable by exceptional sentence and is considered to be exceptionally dangerous for the society because of the particularly heinous manner in which it was committed, or particularly serious consequences that are difficult to remedy, may receive an imprisonment sentence of between 5 and 10 years.

7. Provide details on whether bullying/hazing and sexual harassment are explicitly addressed by legislation.

At present, the problems related to bullying are not addressed by law. The society has entrusted the task of addressing undesirable consequences of the bullying of children by their older schoolmates to the teaching staff and parents. Consultancy regarding the problems of bullying and their prevention is also provided by trained specialists in educational and psychological prevention centres.

8. Provide information on the way in which harmful or violent traditional practices, including but not limited to female genital mutilation, child marriage or honour crimes are addressed in your country.

Practices like female circumcision are not part of Slovakia's traditions and customs and, consequently, this issue is not addressed in the national legislation. Nevertheless, the Slovak Republic supports its prohibition by means of the Convention because of strong negative impact of such practice on subsequent sexual life and health condition of the child. Male circumcision is allowed on religious and health grounds.

The Slovak legislation prohibits child marriages. In exceptional cases, marriage can be concluded by persons who attain 16 years of age provided this is not in conflict with the social purpose of matrimony, subject to a court consent with marriage granted on relevant grounds. In all other cases, the capacity to marry is acquired at the age of 18.

With the Roma issue gaining prominence in Slovakia, it has recently been found that marriages of girls under 16 are a relatively frequent occurrence in Roma communities. These are the so-called "arranged weddings", agreed between fathers of Roma families. As this is a relatively "fresh" finding, it has not yet been reflected in the Criminal Code.

9. Provide information on the applicability of specific provisions to address all forms of violence against children to non-citizens and stateless children, including asylum seekers and displaced children. If specific provisions do not apply to such children, provide details of protection offered to them.

The Criminal Code stipulates that an offence committed within the Slovak Republic is prosecuted irrespective of the person of the offender (except for exemptions under criminal law).

A criminal offence is considered to have been committed within the Slovak Republic,

- a) if the offence was committed in the territory of the country even if the violation or endangerment of an interest protected under the Code occurred or was to occur partly or entirely outside of the country, or
- b) if the offence damaged or endangered an interest protected under the Code in the territory of the country, or if such was to be the consequence of the offence, albeit partial, although the

offence was committed in another country.

The Code also applies to offences committed abroad by citizens of the Slovak Republic or by stateless persons with permanent residence in the Slovak Republic, or by foreign nationals with permanent residence in the Slovak Republic.

Moreover, the Criminal Code applies to such offences as subversion of the Republic (Section 92), terror (Section 93s and 93a), terrorism (Section 94), disruptive activities (Section 95 a 96), sabotage (Section 97), espionage (Section 105), money falsification or counterfeiting (Section 140), use of false or counterfeit money (Section 141), production or possession of counterfeiting equipment (Section 142), assaulting a public authority according to Section 153, assaulting a public official according to Section 155, setting up, masterminding or supporting a criminal group or a terrorist group according to Section 185a para. 2, unlawful production or possession of narcotic drugs, psychotropic substances, poisons or precursors and trafficking in them (Section 186 a 187), unlawful production or possession of nuclear materials and high-risk chemical substances (Section 187a and 188), genocide (Section 259), crimes against humanity (Section 259b), use of banned military means and use of prohibited means of combat (Section 262), war atrocity (Section 263), persecution of the population (Section 263a), pilfering in a military operations arena (Section 264), misuse of internationally recognised and state emblems (Section 265), and criminal offence of disturbing peace according to Section 1 of Act No. 165/1950 Coll. on Safeguarding Peace, even if such criminal offence was committed abroad by a foreign national or a stateless person who has no permanent residency in the Slovak Republic.

10. Provide information on any difference in the definition of violence and the applicable legal framework according to:
 - The sex or sexual orientation of the victim and/or of the perpetrator;
 - The age of the victim and /or of the perpetrator;
 - The relationship between the victim and the perpetrator, including, but not limited to infanticide, sexual violence in marriage, incest and sexual abuse within the family, and physical chastisement.

The legislation in force makes a gender distinction when it distinguishes between “rape” committed by any person who forces, through violence or the threat of imminent violence, *a woman* to sexual intercourse, or any person abusing a woman’s helplessness for committing such act (only women can be victims of these acts). Criminal offence of “sexual violence” is committed by any person who forces, through violence or threat of imminent violence, *another person* to perform oral sex, anal sex or other sexual practices, or abuses another person’s helplessness for committing such act (anybody can be a victim).

Regarding victim’s age – the offender shall receive a stricter sentence if he/commits sexual violence against a person under fifteen years of age.

Victim’s age is also taken into account in the offence of “sexual abuse” which, according to the Criminal Code, is committed by any person who engages in sexual intercourse with a person under fifteen years of age or who commits a different type of sexual abuse against such person.

Concerning the age of the offender – juvenile offenders are subject to special provisions on prosecuting juveniles. (See question 6)

11. Provide information on any recent comprehensive review of the legal framework to address violence against children.
12. Provide information on any studies and surveys which have been undertaken to assess the impact of legal measures to address violence against children.

Courts tasked with addressing violence against children

13. Identify those parts of the court structure in your country tasked with addressing violence against children. Indicate if your family or juvenile courts have specific responsibility for this issue.

There are no juvenile courts in Slovakia at present.

Minimum age for sexual activity

14. Provide information on any legislatively defined minimum age required for valid consent to sexual activity. Is this age different for girls and boys? Is this age different in respect of heterosexual and homosexual activities?

Sexual intercourse is allowed for persons at the age of 15 years and older irrespective of their gender and type of sexual practices. Any person engaging in sexual intercourse with a person under fifteen years of age, or sexually abusing such a person in a different manner, is punishable by imprisonment of between one and eight years.

15. Provide information on the minimum age of marriage for women and men.

Full capacity to marry is reached at the age of 18. Minors are not permitted to enter into marriage. Exceptionally, if this is in agreement with the social purpose of matrimony and if there are relevant grounds, a court may grant consent with marriage of a minor over sixteen years of age. Without such consent, the marriage is not valid.

Sexual exploitation of children

16. Provide information on legislation and other measures to prevent the commercial sexual exploitation of children, including through prostitution and other unlawful sexual activities. Provide details on means to ensure that child victims of such exploitation are not criminalized. Provide information on legislation or other measures to prohibit all forms of sale or trafficking in children, including by their parents.

The Criminal Code protects children from prostitution and unlawful sexual practices through its provisions concerning the criminal offence of “Endangerment of moral education of youth”. This criminal offence is committed by any person who, even through negligence, exposes a person under eighteen years of age to the threat of depravity by enabling such person to lead idle and depraved life, or enticing to such life (Section 217). Similar provisions apply to the criminal offence of “Unlawful employment of children” (Section 217a) or “Trafficking in children” (Section 216b).

Pornography and harmful information

17. Provide information on legislation and other measures to prohibit the production, possession and dissemination of child pornography. In particular, please provide information on any controls on pornography produced and/or disseminated via the internet.

Section 205b of the Criminal Code stipulates that the offence of the “Production of children pornography” is committed by any person who abuses a child with the aim of producing child pornography or makes such abuse possible, or who otherwise participates in such production. The offender shall be punishable by a sentence of imprisonment of between 2 and 8 years. In

case of children under 12 years of age, or if the criminal offence was committed using violence, threat of violence or threat of a different serious harm, taking advantage of the distress or dependence of another person, or was committed against several children, the offender shall be punishable by a sentence of imprisonment of between 5 and 10 years. This provision also applies if the offence endangers physical and moral development of the child, or if the offender derives considerable benefit from the offence for himself or another person. Other punishable offences are the “Dissemination of child pornography” (Section 205c) and “Possession of child pornography” (Section 205d).

18. Provide information on any legislation or guidelines to protect children from injurious information and material transmitted through the media, Internet, videos, electronic games, etc.

Reporting obligations relating to violence against children

19. Provide information on legislation, regulations or administrative directives requiring reporting of all forms of violence against and abuse of children in all settings to appropriate bodies. If reporting legislation, regulations or administrative directives exist, please indicate whether all citizens are required to report, or whether the obligation falls on certain professional groups only. Provide details of any sanctions for non-reporting.

In its **Pedagogical and Organisational Instructions for Schools and School Establishments and for State School Authorities** (i.e. binding instructions for the sector), the Ministry of Education stated with regard to the 2003/2004 school year that: If there are reasonable grounds to believe that a child is exposed to physical or psychological maltreatment, bullying, endangerment of its moral development, the school headmaster is obliged to immediately raise the problem with the management of the school. If the legal guardians of children fail to respect the measures imposed by the school, the headmaster is obliged to report this fact to the competent social affairs department, to the relevant physician – paediatrician and to the competent police department.

Complaints procedures

20. Provide information on any complaints procedures relating to all forms of violence against children perpetrated in:

- The family/ home;
- Schools and pre-school care and education (both formal and non-formal, state and private);
- Military schools;
- Institutions, state and private, including care, residential, health and mental health;
- The context of law and public order enforcement including in detention facilities or prisons;
- The neighbourhood, street and the community, including in rural areas;
- The workplace (informal and formal);
- Sports and sporting facilities

Complaints concerning the process of education, lodged by parents and/or legal guardians, are dealt with by the headmaster of the school and/or educational establishment or by the State School Inspection Service.

Act No. 564/2001 Coll. on the Public Defender of Rights introduced the ombudsman institution in Slovakia. None of the complaints received by the ombudsman office to date was

filed by a child. No complaint concerned physical or psychological form of violence against children.

In general, a victim or any other person may report facts indicating the commission of a criminal offence to a prosecutor, an investigator or to a police authority.

21. Indicate whether children or persons acting on their behalf can access these procedures. Indicate whether legal aid is available to facilitate submission of complaints, and the circumstances in which legal aid will be available.

The ombudsman acts either on a complaint or on his own motion. A complaint may be brought to the ombudsman by any person, i.e. including a child, who considers his fundamental rights and freedoms to have been violated by an act, decision or inactivity of a public administration authority, which acted in conflict with the legal system or with the principles of a democratic state governed by the rule of law. The ombudsman may be approached not only with a complaint concerning the violation of one's own fundamental rights or freedoms, but also those of any other person, i.e. including a child.

Any person may file information about the facts which indicate the commission of a criminal offence.

22. Describe steps which have been taken to raise awareness of possibilities to submit complaints about violence against children.

Among important activities of the Slovak Ministry of Education are those aimed at enhancing legal and civic awareness and at promoting human and children's rights. In the process of instruction at the level of elementary and secondary schools, issues related to ethics, human rights, building legal and civic consciousness and ethical standards are addressed through the subjects of civics, society, ethics and religious education.

23. Provide information on any special procedural or evidentiary rules which may apply in proceedings with respect to violence against children.

24. Provide information on the usual outcome of complaints of violence against children (e.g. compensation, punishment of perpetrators, perpetrator rehabilitation, family therapy).

In the school sector, psychological care and crisis intervention and/or family psychotherapy are provided by psychologists from specialised educational (educational and psychological prevention centres, diagnosing centres) and counselling facilities (pedagogical and psychological counselling centres).

25. Provide information on the usual outcome of legal proceedings in which children and juveniles are found guilty of perpetrating violence (e.g. imprisonment, corporal punishment, community service, perpetrator rehabilitation, family therapy).

In cases involving juveniles, courts may impose only sentences of imprisonment, forfeiture of a thing, expulsion or, in case of gainfully employed juveniles, pecuniary sentences; the sentence of prohibition to undertake professional activity can only be pronounced in case of a juvenile if this does not interfere with the juvenile's vocational training, while the length of this sentence cannot exceed five years. Obviously, the most frequent punishment is conditional imprisonment. Protective education can be ordered for sentenced juveniles.

No corporeal punishment exists in the penal system of the Slovak Republic. Community service is not yet part of the system, but will be introduced with the envisaged amendment to the Criminal Code. This type of sentence and its educational impact on juvenile offenders has met with considerable success in the neighbouring countries.

II. INSTITUTIONAL FRAMEWORK AND RESOURCES TO ADDRESS VIOLENCE AGAINST CHILDREN

The aim of this section is to establish if your country has an institution coordinating multi-sectoral activities concerning violence against children, which include prevention, protection, redress, reintegration and rehabilitation.

26. Are there any Governmental authorities, structures and mechanisms, including at federal, state/provincial, municipal and local level which are currently responsible for addressing violence against children?

If YES, identify these authorities, structures and mechanisms and describe how coordination is ensured.

Organisational structure of the Office of the Government of the Slovak Republic includes a Section on Human Rights and Minorities which has coordinated the ***Action Plan on the Prevention of All Forms of Discrimination, Racism, Xenophobia, Anti-Semitism and other Expressions of Intolerance*** since 2000.

Sections and departments on human rights issues, including the issue of violence against children, were also established at various other ministries. The Ministry of Labour, Social Affairs and Family of the Slovak Republic has a Social Inclusion Section and a Department for Family and Children. The Committee on the Rights of the Child is a collective advisory body to the Minister of Labour, Social Affairs and Family concerning questions related to the protection of rights and legally protected interests of children and observance of the rights of children in Slovakia. The Committee promotes adoption of concerted procedures by central state administrative authorities, local state administration authorities and NGOs engaged in the protection of the rights of children and their exercise, and proposes relevant measures connected with the protection of children's rights to the Minister. Various other organisations attached to the Ministry of Labour, Social Affairs and Family, such as the Centre for International Legal Protection of Children and Youth, and the International Centre for Family Studies, are also active in this area. Labour, social affairs and family offices also have the statutory obligation to address violence against children.

An inter-ministerial working group was set up on the initiative of the UNHCR. It brings together representatives of sectors concerned (the Migration Office of the Slovak Republic, the Border and Alien Police Office, the Ministry of Health, the Ministry of Education, the UNHCR, the IOM and the Slovak Humanitarian Council). With the setting up of a functioning system of care for unaccompanied minors, all parties concerned make an effort at promoting measures that are in the best interest of the child and at preventing abuse of these children by child smugglers and traffickers.

27. Is there a lead Government authority tasked with responsibility for addressing violence against children?

If YES, provide details.

The agenda of the Ministry of Labour, Social Affairs and Family includes the protection of the rights of children. The Committee on the Rights of Children at the Ministry of Labour, Social Affairs and Family has a cross-sectional character, but it acts only as an advisory body to the Minister without having any competences and without connections to other sectors involved (education, interior, justice, self-governing regions, local government). There is an absence of an authority dealing with the rights of children and their protection against violence at the Slovak Government level that would coordinate activities of all the ministries concerned (the Ministry of Labour, Social Affairs and Family, the Ministry of Education, the Ministry of Health, the Ministry of Interior, the Ministry of Justice, local government and professional institutions and NGOs) and that would be responsible for the development and implementation of the strategy of prevention and elimination of violence against children.

28. Are specific financial and/or human resources allocated by your country to address violence generally?

If YES, indicate the extent of these allocations.

29. Does your country allocate specific financial and/or human resources to activities to address violence against children?

If YES, provide details.

Through its Decree No. 37/2004-II/1 on Granting Subsidies under the Competence of the Ministry of Labour, Social Affairs and Family, the Ministry has created necessary conditions for providing financial support for projects related to general children's personality development and other activities of the society aimed at addressing violence against children.

Several specific preventive and educational projects as well as various nation-wide projects and programmes had and have been implemented in the education sector in agreement with the tasks assigned to the sector in Government documents. Moreover, the Government provides funding for 9 educational and psychological prevention centres and 5 diagnosing centres.

30. Do international or bilateral donors provide resources to your country for activities to address violence against children?

If YES, indicate the extent of these resources and the way in which they are used.

Educational projects carried out by non-governmental organisations in the area of children's protection were funded, e.g., by the British Council (project on the Prevention and Elimination of Ill-treatment and Neglect of Children – three-year training for specialists, etc.)

31. Does your country provide any assistance to other countries' efforts to respond to the problem of violence against children?

If YES, provide details.

32. If your country has a national human rights institution, such as a human rights commission or ombudsman, or a child-specific human rights institution, does it have any role or competence in the area of violence against children, including receiving complaints?

If YES, provide details.

A public defender of rights (ombudsman) is active in the Slovak Republic in the area of the protection of rights and freedoms. The public defender of rights is a constitutional officer whose status and activities are laid down in the Constitution of the Slovak Republic, Article 151a. The ombudsman's institution is set out in detail in Act No. 564/2001 Coll. on the Public Defender of Rights as amended. Members of the ombudsman's staff include lawyers assigned to deal with the issues involving violation of fundamental rights and freedoms of children that fall within the competence of the public defender of rights.

33. Are there any particular parliamentary structures (for example special committees) to address violence against children?

If YES, provide details.

In February 2004, the Committee on Social Affairs and Housing approved the creation of a Permanent Commission on the Issues of Family Violence and Protection of the Rights of Children and Juveniles. Its objective is to initiate and lay down legislative and institutional foundations for adopting systemic and coordinated solutions to the above mentioned problems – through an Integrated Children's Protection System.

34. Have there been any recent parliamentary initiatives to address violence against children?

If YES, please give details.

The legislative outline of a draft *law on social protection, social prevention and foster education* – the objective of the new legislation is to create legal foundations for the consistent protection of the rights and interests of minor children, for providing adequate, intensive and systematic assistance and support to children and families through introducing legal provisions concerning relationships not yet provided for under the law and through complementing the existing legislation. The draft law on social and legal protection of children and social prevention will enter the legislative process in July, and the law is expected to enter into effect in January 2005.

III. ROLE OF CIVIL SOCIETY IN ADDRESSING VIOLENCE AGAINST CHILDREN

The aim of this section is to elicit information on civil society activities relating to violence against children.

35. Describe significant civil society initiatives addressing violence against children in your country, including the types of institutions involved (such as academic institutions, professional associations, women's associations, student associations, community-based groups, faith-based groups, child and youth-led groups, trade unions, employer's organizations, national non-governmental organizations, international non-governmental organizations) and the major activities engaged in (including advocacy, awareness raising, research, prevention, rehabilitation and treatment of children harmed by violence, provision of services, provision of resources).

The *Child Protection Centre* civic association carried out research in 1998 on "*Abused child as a social problem*" with the aim of identifying legislative and institutional problems connected with cases of child abuse and neglect ("CAN" hereinafter).

Since 2000, the Children Protection Centre and the non-profit *National Centre for Equality between Women and Men* conducted a three-year training project on "*Prevention and*

elimination of family violence“ focusing on CAN. Its objective was to train specialists from all over Slovakia for working in a multidisciplinary cooperation system.

Both organisations initiated the establishment of a commission on children protection within the National Council of the Slovak Republic in February 2004. At its last meeting in May 2004 the commission adopted a proposal for an Integrated Child Protection System developed by the Children Protection Centre (the proposal is currently in the comments procedure). The proposal envisages the creation of a Government Authority for the Protection of the Rights of Children and Youth that should coordinate activities of various ministries, local government bodies and professional organisations concerned. By a resolution of the commission, this mechanism should be incorporated into the law on social and legal protection of children whose draft is being currently prepared by the Ministry of Labour, Social Affairs and Family.

Since its creation in 1990, the *Children’s Fund of the Slovak Republic* has permanently monitored the situation in the area of children’s rights; each year, it organises a conference on the *“Child at Risk”*. On 1 August 2001 it launched a nation-wide campaign against using corporeal punishment of children under the motto *“To beat people is bad ... children are people too!”*. In October 2002 it launched a humanitarian project entitled *“I am here with you”* with the objective of creating conditions that would enable parents to stay in the hospital with their sick child which, as the research suggests, helps the treatment and improves the recovery of the small patient.

The Košice-based *Crisis Centre Fenestra* has provided comprehensive services to the victims of violence against women since 1999, and it pursues the objective of contributing to changing the situation of abused women and children by running a crisis centre, providing training to other professions and through its activities aimed at legislative changes. In 2003-2004 the Centre carried out a project on *“Giving support to abused children during criminal investigation”*.

The *Society of Friends of Children from Children Homes – Smile as a Gift* – is the oldest and largest voluntary organisation supporting abandoned and orphaned children in Slovakia and offering social prevention and social counselling; in 2001 it was granted accreditation from the Slovak Ministry of Education for carrying out educational activities under the PRIDE training programme. On 20 and 21 March 2003 “The Smile as a Gift” organised, in partnership with the Trnava University and the World Bank – the latter also provided financial support – a conference on *“Family Rehabilitation and the Future of the Transformation of Children Homes”*. Specialists from universities, children homes, state administration and local government authorities and NGOs gathered in connection with the drafting of a new law on social and legal protection of children and on social prevention. They adopted a *Declaration for the better life of children from children homes*, in which they summarised their most important demands, and which they submitted to the Ministry of Labour, Social Affairs and Family, Ministry of Education and to the parliamentary social affairs committee.

The *Return* civic association promotes projects supporting the return of children to families, steps aimed at rehabilitating the relationships between parents and children, and various forms of support for foster and professional families. The association organised two editions of journalists’ competition *“It feels best to be with mommy and daddy”*, aimed at finding potential foster parents ready to give home to an abandoned child, and at enhancing public awareness concerning the real needs of children living without their parents.

The *Children of Slovakia Foundation* is the largest and the most important national grant-giving organisation focusing exclusively on supporting children and juveniles. The organisation is active in Slovakia since 1995. It initiated and supported several studies and

research projects concerning the situation and prospects of children and youth, the most recent of them being a study published in 2003 on the **“Needs, conditions and prospects of children and youth in Slovakia”**, which also includes an independent chapter on **“Family violence committed against children”**. Since 1999 the Foundation has been conducting a successful fund-raising campaign Children’s Hour. Its yields are used, *inter alia*, for supporting the activities of centres for abused children, for returning abandoned children to families, for protecting children from drug abuse, for supporting maltreated, neglected and abused children, street children, children suffering from various forms of addiction, or children living outside of their own families.

Victim Support since 1997 the trained staff of this organisation provides information, protection, compensation and professional services to victims and witnesses in criminal cases before, during and after criminal proceedings.

A **Children’s Crisis Centre “The Little Heart” (Srdiečko)** was created within the Banská Bystrica-based **“Signal of Distress”** civic association in 1997. It provides refuge to ill-treated and abused children not only from the region, but from all over Slovakia. The Centre provides counselling services to mothers.

The **“Helping Children in Crisis”** civic association in Žilina organised a cycle of specialised seminars on **“Working with CAN victims in children’s crises centres”** in the framework of the PHARE ACCESS programme with the support of the Delegation of the European Commission in the Slovak Republic.

The **League for Mental Health in Slovakia** operates the **Nezábudka (Forget-me-not) Helpline**, a psychological counselling centre and centres for children’s mental health, social and legal advisory centre and a drug counselling centre.

The **Mind and Emotion (Rozum a cit) Foundation** supports foster and professional substitute families, representing the only chance for many abandoned children of finding a family of their own. Its objective is to motivate as many people as possible into foster parenting.

“The Gypsy Castle” (Cigánsky hrad) civil association – in cooperation with municipal office, the association has set out to deal with the disconcerting fact that up to 120 Roma children of Veľká Ida are addicted to narcotic substances. They obtained 25 thousand crowns from the Drug Control Fund of the Slovak Republic for hiring employ a qualified psychologist whose services are sought not only by drug addicts but also those who are not concerned by this problem. The meetings are held at the elementary school building or at the town council office.

The **“We Want a Chance for the Unwanted!” (Chceme šancu pre nechcených!)** initiative was launched in the spring of 2004 with the objective of saving lives of unwanted newborn children by setting up public incubators in children’s hospitals in the framework of the **“Nest of Rescue” (Hniezdo záchrany)** project.

Greenpeace Slovensko – is very active in the area of monitoring the sale of dangerous toys. Already in 2002 they pointed out to the case of the sale of dangerous toys for children from 0 to 3 years with an increased content of toxic phthalates.

The **“Every Fifth Woman” campaign** – a list of organisations, crisis helplines, counselling centres and possibilities of housing for abused women, children and victims of domestic violence was drawn up in the framework of the nation-wide campaign **The Fifth Woman**, available at <http://www.piatazena.sk/linky.htm>, and on the website www.stopnasiliu.sk. The

website also includes an overview of the use of current legislation in helping victims of violence committed against women and domestic violence, as well as several studies.

36. Describe the support provided by your Government for these activities and the efforts made to coordinate civil society and government initiatives.

See the answer to question 29

37. Describe the role played by the media in addressing violence against children.

At this time, the media do not play an active role in addressing violence against children. They take part in press conferences organised on this topic, bring information about specific cases of abused children, etc..

IV. CHILDREN AS ACTORS IN ADDRESSING VIOLENCE

This section is designed to extract information on children's activities to address violence.

38. Provide information on the involvement and consultation of children in designing activities, and in implementation and monitoring of programmes and policies to address violence against them. Provide details, including ages and other details of the children involved.

Training courses were held in 2002 for selected groups of children from children homes (on 23–24 September 2002 and 26–27 September 2002) aimed at enhancing their legal consciousness, moral education, value system and responsibility for one's life.

The Ministry of Labour, Social Affairs and Family issued a publication for boys and girls on "***Sexual abuse is violence***" (*Sexuálne zneužívanie je násilie*). The publication was distributed to children homes, crisis centres, former district and regional authorities, pedagogical and psychological counselling centres and elementary schools.

Many schools run their own helplines, established students' councils and students' parliaments, and the problems in question are discussed at class meetings and in the framework of ethical (religious) education classes.

39. Describe the involvement, if any, of children in designing special procedural or evidentiary rules applying in court proceedings with respect to hearings concerning violence against children. Provide details, including ages and other details of the children involved.
40. Describe the amount and type of resources made available to support children's participation in activities to address violence against children.

V. POLICIES AND PROGRAMMES TO ADDRESS VIOLENCE AGAINST CHILDREN

A comprehensive policy for dealing with violence against children is one that addresses multiple forms of violence against children, that works across the different settings in which violence occurs, and which includes components for prevention, protection, victim medical, psychological, legal and social assistance, victim rehabilitation and reintegration, and perpetrator interventions. Such policy is distinguished from specific programmes that

address selected sub-types of violence against children or its effects in specific populations and settings.

41. Does your Government have a comprehensive policy concerning violence against children?

If YES, provide details and describe any gender-specific provisions included in the policy.

The *National Action Plan for Children* is an important document through which the society has expressed its commitment to implementing and protecting the rights of children. The objective of the National Action Plan for Children is to define basic prerequisites for and to specify concrete tasks with a view to building and developing an integral and effective system for the protection of the rights and interests of children and for assessing the progress achieved.

At this time, there is no comprehensive programme in Slovakia devoted exclusively to the protection of children against violence.

42. Does your Government deliver, or provide direct support for delivery by other agencies, of specific programmes aimed at preventing and responding to violence against children?

If YES, please provide available summary reports, or URLs, of these programmes, and indicate, using the table below, which settings and types of violence are addressed by these programmes:

	Physical	Sexual	Psychological	Neglect	HTPs	Other:
Family/Home						
Schools						
Institutions						
Neighbourhood/ Community						
Workplace						
Law enforcement						
Other						

The Ministry of Labour, Social Affairs and Family provides financial support to non-governmental organisations that carry out activities falling within the Ministry's scope of competence from allocations earmarked for subsidies to civic associations received under the 2003 state budget law, and from the funds allocated under Act No. 194/1990 Coll. on Lotteries and Other Similar Games.

Subsidies are provided, inter alia, to those civic associations that carry out special programmes aimed at preventing and addressing violence against children.

43. Does your Government monitor the impact of these policies and programmes directed towards violence against children?

If YES, describe the monitoring systems and provide a URL or other reference where the system and outcomes are described in greater details.

The Ministry of Labour, Social Affairs and Family keeps track only of local projects it has subsidised. An overview of subsidised projects is presented on the Ministry's website.

Ministers and chairs of other central state administrative authorities in Slovakia secure the implementation of the *National Action Plan for Children* and report on its fulfilment to the

Minister of Labour, Social Affairs and Family. The Minister will draw up a Report on Implementation of the Plan and Its Update for 2005 – 2007 and submit it to the Government not later than by 31 December 2004.

44. Does your Government participate in any internationally coordinated activities concerning violence against children?

If YES, provide details.

VI. DATA COLLECTION, ANALYSIS AND RESEARCH

This section aims to provide an overview of information systems and information about violence against children that may be used to inform, plan and monitor policy, legal and programmatic interventions concerning violence against children.

45. Over the past five years, has there been any victimization, epidemiological or other population-based surveys of any forms of violence against children in your country?

If YES, provide details or references, or attach.

In the school sector, the Institute for Information and Prognoses in Education carries out a research project on ***“Social pathology problems of youth in the Slovak Republic”***. This representative sociological survey is conducted regularly in three-year intervals since 1996 and includes, *inter alia*, issues related to bullying and manifestations of violence.

The Children Protection Centre conducted a research in 1998 on ***“Abused child as a social problem”***.

The International Centre for Family Studies carried out a monitoring study and a nation-wide research in 2001 and 2002 on domestic violence and violence against women, which also provided certain information on violence against children; this information was, however, obtained in an indirect manner.

The Ministry of Labour, Social Affairs and Family also provides annual data concerning violence against children.

46. Have there been any small-scale or representative interview studies with parents and children on violent victimisation of children?

If YES, please give details.

47. Over the past five years, has your Government conducted or commissioned any scientific research projects on the problem of violence against children?

If YES, indicate the subject of this research and where the findings of these projects may be consulted in more detail.

48. Have studies or surveys been undertaken into the impact of legal measures to address violence against children?

If YES, provide details or references, or attach.

49. Does your Government have a system for formal inquiries into all child deaths in which it is known or suspected that violence may have played any part?

Provide details.

50. Are regular (e.g. annual) reports published describing the statistical profile of the known or suspected violent deaths investigated by the system?

If YES, what proportion of all homicide deaths are under the age 18?

.....%

51. If reports on the national profile of known and suspected violent deaths are published by your Government, indicate how the data is broken down for the purpose of reporting (check all that apply):

Sex	
Age	
Ethnicity	
Manner of death (homicide, suicide, undetermined)	
External causes of death (firearm, strangulation, etc.)	
Geographical location of incident (address)	
Scene of occurrence (home, school, etc.)	
Time and date of incident	
Victim-perpetrator relationship	
Other:	

52. Provide the total number of reported cases of violence against children in 2000, 2001, 2002 and 2003.

	2000	2001	2002	2003
Number of children -boys			264	417
Number of children -girls			419	530

53. Provide the total number of convictions and reported cases for the various categories of crimes of violence recorded against children in 2000, 2001, 2002 and 2003.

2002	physical abuse	psychological abuse	sexual abuse	bullying	sexual abuse and exploitation for commercial purposes
Number of children - boys	128	80	27	29	0
Number of children - girls	102	120	165	7	31

2003	physical abuse	psychological abuse	sexual abuse	bullying	sexual abuse and exploitation for commercial purposes

Number of children - boys	191	172	17	41	14
Number of children - girls	151	179	172	13	34

VII. AWARENESS, ADVOCACY AND TRAINING

This section is aimed at gathering information on any awareness-raising, advocacy and training activities relating to violence against children which may have been conducted by your Government.

54. Over the last five years has your Government conducted or commissioned any campaigns for raising awareness of and preventing violence against children?

If YES, please describe any recent campaigns, including the settings and types of violence that were the subjects of the campaigns and the target audience (general public, caregivers, teachers, etc.).

55. How were the campaign messages and information disseminated (check all that apply)?

Print media	
Radio	
Television	
Theatre	
Schools	
Others	

56. Over the last five years has your Government conducted or commissioned any campaigns for raising awareness of and preventing violence against children?

If YES, indicate which of the following areas were addressed by the last such training programmes and which provider groups received training (check all that apply).

	Prevention	Protection	Redress	Rehabilitation	Penalties
Medical Professionals (including paediatricians, nurses, psychiatrists and dentists)					
Public health practitioners					
Social workers and Psychologists					
Teachers and other educators					
Court officials (including judges)					
Police					
Prison officers					
Juvenile offenders personnel					
Institution personnel					
Parents/guardians					
Other (please specify)					

Please provide details.

Various activities have been organised in the area of education with a view to identifying and providing assistance (legal, social, therapeutic) to (minor) victims of domestic violence. Training seminars were held with the help of experts from Scotland and England for workers

of social affairs departments, crises centres, police officers, employees of education and health sectors, and the staff of counselling and therapeutic services.