



**THE LAW AND FGM**

**SLOVAKIA**

**DECEMBER 2021**

# National Legal Framework

## Overview of National Legal Framework in Slovakia

### National legislation:

- x Specific law/provision criminalising FGM
- x Provides a definition of FGM
- ✓ Criminalises the performance of FGM
- ✓ Criminalises the procurement, arrangement and/or assistance of acts of FGM
- ✓ Obligation to report incidents of FGM to the authorities
- ✓ Criminalises the participation of medical professionals in acts of FGM
- ✓ Extraterritorial application regardless of double criminality

## Introduction

Slovakia is a country in central Europe with an estimated population of 5.46 million.<sup>1</sup> Slovakia is a unitary republic with a parliamentary democracy and has a civil-law legal system.<sup>2</sup>

### FGM Prevalence

There is no information available on the prevalence of female genital mutilation (FGM) in Slovakia, either for girls and women who have undergone FGM or those who are at risk of FGM.

It is known that very few women originating from FGM-practising countries are living in Slovakia. Between 2004 and 2010, 92 women originating from FGM-practising countries became residents of Slovakia. Information on whether they underwent or were at risk of FGM is not available.

FGM is supposed to be covered in the *Annual Report on Violence Against Women* in Slovakia, to estimate the number of women at risk. However, no statements regarding FGM were included in any of the official reports.<sup>3</sup>

## National Legal Framework

### General Law

There is no specific law, nor a specific provision criminalising FGM in Slovakia. However, general criminal law does implicitly apply to FGM.

FGM could fall under **Sections 123, 155 and 156 of the Criminal Code of the Slovak Republic (2005)** (the *Criminal Code*). The consequences of a specific instance of FGM would determine what classification of offence it falls under. **Sections 123(1), 123(2) and 123(4) of the Criminal Code** describe 'bodily harm' as an infliction of damage to the health of a person affecting their habitual way of life and resulting in work incapacity. The definition of 'severe bodily harm' includes bodily mutilation (**Section 123(3)(a)**), loss of or severe impairment of the function of a sensory organ (**Section 123(3)(d)**) or health impairment of a

longer duration (**Section 123(3)(i)**). **Section 123** could therefore apply, depending on the specific consequences of a case of FGM.

**Section 208(1)** prescribes that ill-treatment, including physical and mental suffering, of a close relative or a person dependent on the perpetrator is punishable by law.

**Section 208(1)(a)** prescribes that inflicting various types of wounds or any other improper conduct that could endanger a person's physical health falls under the definition of 'physical suffering'.

**Section 208(2)(a)** prescribes that inflicting severe bodily harm and the death of a victim are aggravating circumstances.

- **Sections 138(c), 138(d) and 138(g)** respectively prescribe that acting in a brutal and agonising manner, using violence or taking advantage of another person's dependency or helplessness fall under the definition of 'acting in a more serious manner' and are therefore considered to be aggravating circumstances under **Section 155(2)(a)**.
- Inflicting bodily harm on a child (**Section 139(1)(a)**) or a dependent person (**Section 139(1)(d)**) is considered an aggravating circumstance under **Section 155(2)(b)**. **Section 139(2)** prescribes that Section 139(1) does not apply as an aggravating circumstance if a crime is not committed.

### Definition of FGM

The law does not contain a definition of 'FGM', nor has 28 Too Many been able to find any government source defining it.

### Women and Girls of All Ages

The performance of FGM on women and girls of all ages has been criminalised in Slovakia. However, **Section 139(1)(a) of the Criminal Code** prescribes that inflicting bodily harm on a child is an aggravating circumstance, in accordance with **Section 155(2)(b)**.

### Procuring, Aiding and Abetting

Procuring, aiding and abetting FGM are criminalised in Slovakia through general criminal law.

Procuring FGM – when someone hires another person to perform FGM – would most likely fall under **Section 21(1)(a) or Section 21(1)(c) of the Criminal Code**, which criminalise organising an offence and hiring another person to commit an offence, respectively, and would qualify someone as an 'accomplice'.

Aiding FGM would fall under **Section 21(1)(d)**, which criminalises assisting another person in committing an offence by procuring means, removing obstacles, providing advice, strengthening determination or making a promise to assist the perpetrator post-FGM. This would also qualify someone as an 'accomplice'.

Abetting FGM – when someone instigates another person to perform FGM or assists him or her in it – would fall under **Sections 21(1)(b) and 21(1)(d)**, respectively, and would also qualify someone as an 'accomplice'.

**Section 21(2)** prescribes that an accomplice is liable for the same penalty as established for the perpetrator.

### Allowing the Use of Premises

Allowing the use of premises for the purpose of FGM is most likely criminalised in Slovakia through general criminal law. Allowing the use of premises could qualify as providing the means for the offence and would therefore be criminalised under **Section 21(1)(d) of the Criminal Code**.

### Providing or Possessing Tools

Providing (specific) tools for the purpose of FGM is most likely criminalised in Slovakia through general criminal law. Providing (specific) tools could qualify as providing the means for the offence and would therefore be criminalised under **Section 21(1)(d) of the Criminal Code**.

Possessing (specific) tools for the purpose of FGM is most likely criminalised in Slovakia under **Section 13(1) of the Criminal Code**. **Section 13(1)** describes preparing to commit an offence as being the wilful organisation of a criminal act; the procurement or adaptation of means or instruments for its commission; or associating, instigating, abetting, aiding or in any other way creating conditions for an offence. **Section 13(3)(a)** exempts a person from the punishment for preparation to commit an offence if the perpetrator wilfully stops performing the actions leading to the offence.

### Failure to Report FGM

Failing to report FGM has been criminalised in Slovakia. **The Code of Ethics of Health Care Professionals in Act No. 578/2004 on Health Care Providers, Health Professionals and Professional Associations** prescribes an obligation for medical professionals to disclose and report instances of abuse and cruel treatment, especially if there are minors involved.<sup>4</sup>

**Section 340(1) of the Criminal Code** prescribes that any person who fails to report a serious crime is punishable by law. If FGM qualifies as a 'serious crime', failure to report FGM would therefore be punishable by law.

**Act. No. 305/2005 on Social and Legal Protection of Children and Social Curatorship** prescribes an obligation for any person to report a violation of children's rights to the police or the prosecution office.

An exemption to criminal liability is established if the person who fails to report an offence is bound by professional secrecy laws (**Section 340(3)(a)**) or non-disclosure obligations (**Section 340(3)(b)**).

### Medicalised FGM

Medicalised FGM is criminalised in Slovakia under **Sections 123, 155 and 156 of the Criminal Code**.

There is no specific provision on medicalised FGM in the Criminal Code, nor one on malpractice by a licensed medical professional or medical quackery.

### Extraterritoriality

The **Criminal Code** extends application of Slovak criminal law to the commission of FGM abroad, regardless of double criminality in all cases.

**Section 4** prescribes that Slovak criminal law applies to acts that amount to offences under Slovak criminal law when committed outside of Slovakia by a Slovak national or a permanent resident of Slovakia.

**Section 5** prescribes that Slovak criminal law applies to acts amounting to serious offences under the Slovak Criminal Code when committed against a Slovak national, even if the place of its commission does not fall under any criminal jurisdiction.

## Penalties

There are penalties for committing FGM and crimes related to FGM in Slovakia, depending on which provision of the **Criminal Code** FGM can be prosecuted under in a specific instance.

- **Section 155(1)** prescribes a sentence of *up to ten years' imprisonment* for causing serious bodily harm.
- **Section 156(1)** prescribes a sentence of *up to two years' imprisonment* for causing bodily harm.
- In FGM cases it is likely that aggravating circumstances under **Sections 155 and 156** will apply.
- **Section 155(2)** prescribes a sentence of *up to twelve years' imprisonment* when the offence is committed in a more serious manner (**Section 155(2)(a)**) or against a protected person, which includes a minor (**Section 155(2)(b)**).
- **Section 156(2)(a)** prescribes a sentence of *up to three years' imprisonment* for an offence against a protected person, which includes a minor.
- **Section 156(3)(a)** prescribes a sentence of *up to five years' imprisonment* for committing an offence in a more serious manner.
- **Section 208(1)** prescribes a sentence of *up to eight years' imprisonment* for physical or mental ill-treatment of a related person or a dependant.
- **Section 208(2)** prescribes a sentence of *up to fifteen years' imprisonment* for physical and mental ill-treatment that is performed in a more serious manner (**Section 208(2)(d)**) or results in severe bodily harm or death (**Section 208(2)(a)**).

Thus, the maximum penalty for FGM in Slovakia is *fifteen years' imprisonment*.

**Section 21(2)** prescribes that aiders and abettors are liable for the penalties established for the perpetrator.

**Section 340(1)** prescribes a sentence of *up to three years' imprisonment* for any person failing to report a crime.

## Protection

### Protecting Uncut Girls and Women

Uncut girls can be protected through child protection laws in general civil law. **Article 27 of the Act. No. 305/2005 on Social and Legal Protection of Children and Social Curatorship** prescribes child protection in instances where the life, health or physical and mental development of a child is in danger. In these instances, the Office of Social and Legal Protection of Children and Social Curatorship, with the permission of the court, is allowed to suspend parental authority or remove the child from the family.<sup>5</sup>

There are no specific or general laws protecting uncut women, aside from general criminal law.

The Government of the Slovak Republic issued the **2014–2019 National Action Plan** aimed at preventing and eliminating violence against women. The Slovak Government also highlighted that FGM could be a challenge within migrant communities. However, no specific measures are set out to tackle FGM.<sup>6</sup>

## Implementation of The Law

### Court Cases

There are no Slovak court cases in relation to FGM known to 28 Too Many.

# Conclusions and Recommendations

## Conclusions

FGM is **not explicitly criminalised** in Slovakia through a specific law, provision or governmental declaration. However, Slovakia has ratified conventions condemning FGM (not the Istanbul Convention, however) and general criminal law does implicitly apply to FGM.

Consequently, the law does not contain a definition of 'FGM' and it is not clear whether all **types of FGM** would fall under general assault laws.

**Procuring, aiding and abetting** FGM would be criminalised through general laws on participation in offences.

The **failure to report** FGM is criminalised in Slovakia in instances where FGM would amount to a serious crime under Slovak law.

The Criminal Code extends **extraterritorial application** of Slovak criminal law to the performance of FGM abroad, regardless of double criminality, if the *perpetrator* has Slovak nationality or is a permanent resident of Slovakia, or if the *victim* has Slovak nationality.

## Recommendations

We urge Slovakia to ratify the Istanbul convention.

It would be useful for Slovakia to order an inquiry into the prevalence of FGM and the number of girls and women possibly at risk of it.

We recommend that Slovakia issue a governmental declaration confirming the application of criminal law to FGM, including a definition of 'FGM' that corresponds to the WHO's and specifying that FGM is a criminal offence if performed on a woman or girl of any age, regardless of (perceived) consent (especially in the case of a minor).

We also recommend that Slovakia instate an obligation for (at least) relevant professionals and institutions to report cases where there are reasonable grounds to believe that FGM may be committed imminently.

Finally, we recommend that Slovakia extend extraterritorial application of Slovak criminal law to the performance of FGM abroad, regardless of double criminality, in cases where the victim is a resident of Slovakia.

# Appendix I: International and Regional Treaties

SLOVAKIA	Signed	Ratified/ Acceded	Reservations on reporting?
<b>International</b>			
International Covenant on Civil & Political Rights (1966) ( <i>ICCPR</i> ) <sup>7</sup>	X	✓ 1993	No
International Covenant on Economic, Social & Cultural Rights (1966) ( <i>ICESCR</i> ) <sup>8</sup>	X	✓ 1993	No
Convention on the Elimination of All forms of Discrimination Against Women (1979) ( <i>CEDAW</i> ) <sup>9</sup>	X	✓ 1993	No
Convention on the Rights of the Child (1989) ( <i>CRC</i> ) <sup>10</sup>	X	✓ 1993	No
<b>Regional</b>			
Istanbul Convention <sup>11</sup>	✓ 2011	X	N/A
European Convention on Human Rights <sup>12</sup>	✓ 1991	✓ 1992	No

**‘Signed’:** a treaty is signed by countries following negotiation and agreement of its contents.

**‘Ratified’:** once signed, most treaties and conventions must be ratified (i.e. approved through the standard national legislative procedure) to be legally effective in that country.

**‘Acceded’:** when a country ratifies a treaty that has already been negotiated by other states.

# Appendix II: National Laws

## Criminal Code

### Section 4

Podľa tohto zákona sa posudzuje aj trestnosť činu, ktorý mimo územia Slovenskej republiky spáchal občan Slovenskej republiky alebo cudzinec, ktorý má na území Slovenskej republiky trvalý pobyt.

### Section 5

Podľa tohto zákona sa posudzuje aj trestnosť obzvlášť závažného zločinu, ak bol čin spáchaný mimo územia Slovenskej republiky proti občanovi Slovenskej republiky a v mieste činu je čin trestný alebo ak miesto činu nepodlieha žiadnej trestnej právomoci.

### Section 13

- (1) Príprava na zločin je konanie, ktoré spočíva v úmyselnom organizovaní zločinu, zadovážovaní alebo prispôsobovaní prostriedkov alebo nástrojov na jeho spáchanie, v spolčení, zhluknutí, návode, objednávaní alebo pomoci na taký zločin alebo v inom úmyselnom vytváraní podmienok na jeho spáchanie, ak nedošlo k pokusu ani dokonaniu zločinu.
- (2) Príprava na zločin je trestná podľa trestnej sadzby ustanovenej za zločin, ku ktorému smerovala.
- (3) Trestnosť prípravy na zločin zaniká, ak páchatel dobrovoľne
  - a) upustil od ďalšieho konania smerujúceho k spáchaniu zločinu a odstránil nebezpečenstvo, ktoré vzniklo záujmu chránenému týmto zákonom z podniknutej prípravy, alebo
  - b) urobil o príprave na zločin oznámenie orgánu činnému v trestnom konaní alebo Policajnému zboru v čase, keď nebezpečenstvo, ktoré vzniklo záujmu chránenému týmto zákonom z podniknutej prípravy, sa mohlo ešte odstrániť; vojak môže toto oznámenie urobiť aj svojmu nadriadenému alebo služobnému orgánu a osoba vo výkone trestu odňatia slobody alebo vo výkone väzby aj príslušníkovi Zboru väzenskej a justičnej stráže.
- (4) Ustanovením odseku 3 nie je dotknutá trestnosť páchatel'a za iný trestný čin, ktorý už týmto konaním spáchal.

### Section 21

- (1) Účastník na dokonanom trestnom čine alebo na jeho pokuse je ten, kto úmyselne
  - a) zosnoval alebo riadil spáchanie trestného činu (organizátor),
  - b) naviedol iného na spáchanie trestného činu (návodca),
  - c) požiadaval iného, aby spáchal trestný čin (objednávateľ), alebo
  - d) poskytol inému pomoc na spáchanie trestného činu, najmä zadovážením prostriedkov, odstránením prekážok, radou, utvrdzovaním v predsavzatí, sľubom pomôcť po trestnom čine (pomocník).
- (2) Na trestnú zodpovednosť účastníka sa použijú ustanovenia o trestnej zodpovednosti páchatel'a, ak tento zákon neustanovuje inak.

### Section 123

- (1) Ujmou na zdraví sa na účely tohto zákona rozumie akékoľvek poškodenie zdravia iného.
- (2) Ublížením na zdraví sa na účely tohto zákona rozumie také poškodenie zdravia iného, ktoré si objektívne vyžiadalo lekárske vyšetrenie, ošetrovanie alebo liečenie, počas ktorého bol nie iba na krátky čas sťažený obvyklý spôsob života poškodeného.



- (3) Ťažkou ujmov na zdraví sa na účely tohto zákona rozumie len vážna porucha zdravia alebo vážne ochorenie, ktorou je
- a) zmrzačenie,
  - b) strata alebo podstatné zníženie pracovnej spôsobilosti,
  - c) ochromenie údu,
  - d) strata alebo podstatné oslabenie funkcie zmyslového ústrojenstva,
  - e) poškodenie dôležitého orgánu,
  - f) zohyzdenie,
  - g) vyvolanie potratu alebo usmrtenie plodu,
  - h) mučivé útrapy, alebo
  - i) porucha zdravia trvajúca dlhší čas.
- (4) Poruchou zdravia trvajúcou dlhší čas sa na účely tohto zákona rozumie porucha, ktorá si objektívne vyžiadala liečenie, prípadne aj pracovnú neschopnosť, v trvaní najmenej štyridsaťdva kalendárnych dní, počas ktorých závažne ovplyvňovala obvyklý spôsob života poškodeného.

### Section 138

Závažnejším spôsobom konania sa rozumie páchanie trestného činu

- a) so zbraňou okrem trestných činov úkladnej vraždy podľa § 144, vraždy podľa § 145, zabitia podľa § 147 a § 148, usmrtenia podľa § 149, ublíženia na zdraví podľa § 155, § 156 a § 157,
- b) po dlhší čas,
- c) surovým alebo trýznivým spôsobom,
- d) násilím, hrozbou bezprostredného násillia alebo hrozbou inej ťažkej ujmy,
- e) vlámaním,
- f) lst'ou,
- g) využitím tiesne, neskúsenosti, odkázanosti alebo podriadenosti,
- h) porušením dôležitej povinnosti vyplývajúcej z páchateľovho zamestnania, postavenia alebo funkcie alebo uloženej mu podľa zákona,
- i) organizovanou skupinou, alebo
- j) na viacerých osobách.

### Section 139

(1) Chránenou osobou sa rozumie

- a) dieťa,
- b) tehotná žena,
- c) blízka osoba,
- d) odkázaná osoba,
- e) osoba vyššieho veku,
- f) chorá osoba,
- g) osoba požívajúca ochranu podľa medzinárodného práva,
- h) verejný činiteľ alebo osoba, ktorá plní svoje povinnosti uložené na základe zákona, alebo

- i) svedok, znalec, tlmočník alebo prekladateľ.
- (2) Ustanovenie odseku 1 sa nepoužije, ak trestný čin nebol spáchaný v súvislosti s postavením, stavom alebo vekom chránenej osoby.

### Section 155

- (1) Kto inému úmyselne spôsobí ťažkú ujmu na zdraví, potrestá sa odňatím slobody na štyri roky až desať rokov.
- (2) Odňatím slobody na päť rokov až dvanásť rokov sa páchatel potrestá, ak spácha čin uvedený v odseku 1
  - a) závažnejším spôsobom konania,
  - b) na chránenej osobe, alebo
  - c) z osobitného motívu.
- (3) Odňatím slobody na desať rokov až pätnásť rokov sa páchatel potrestá, ak spácha čin uvedený v odseku 1
  - a) ako člen nebezpečného zoskupenia, alebo
  - b) za krízovej situácie.

### Section 156

- (1) Kto inému úmyselne ublíži na zdraví, potrestá sa odňatím slobody na šesť mesiacov až dva roky.
- (2) Odňatím slobody na jeden rok až tri roky sa páchatel potrestá, ak spácha čin uvedený v odseku 1
  - a) na chránenej osobe, alebo
  - b) z osobitného motívu.
- (3) Odňatím slobody na dva roky až päť rokov sa páchatel potrestá, ak spácha čin uvedený v odseku 1
  - a) závažnejším spôsobom konania, alebo
  - b) za krízovej situácie.

### Section 208

- (1) Kto týra blízku osobu alebo osobu, ktorá je v jeho starostlivosti alebo výchove, spôsobujúc jej fyzické utrpenie alebo psychické utrpenie
  - a) bitím, kopaním, údermi, spôsobením rán a popálenín rôzneho druhu, ponižovaním, pohrdavým zaobchádzaním, neustálym sledovaním, vyhrážaním, vyvolávaním strachu alebo stresu, násilnou izoláciou, citovým vydieraním alebo iným správaním, ktoré ohrozuje jej fyzické alebo psychické zdravie alebo obmedzuje jej bezpečnosť,
  - b) bezdôvodným odopieraním stravy, oddychu alebo spánku alebo odopieraním nevyhnutnej osobnej starostlivosti, ošatenia, hygieny, zdravotnej starostlivosti, bývania, výchovy alebo vzdelávania,
  - c) nútením k žobrote alebo k opakovanému vykonávaniu činnosti vyžadujúcej jej neúmernú fyzickú záťaž alebo psychickú záťaž vzhľadom na jej vek alebo zdravotný stav alebo spôsobilej poškodiť jej zdravie,
  - d) vystavovaním vplyvu látok spôsobilých poškodiť jej zdravie, alebo
  - e) neodôvodneným obmedzovaním v prístupe k majetku, ktorý má právo užívať, potrestá sa odňatím slobody na tri roky až osem rokov.
- (2) Odňatím slobody na sedem rokov až pätnásť rokov sa páchatel potrestá, ak spácha čin uvedený v odseku 1
  - a) a spôsobí ním ťažkú ujmu na zdraví alebo smrť,
  - b) z osobitného motívu,
  - c) hoci bol v predchádzajúcich dvadsiatich štyroch mesiacoch za taký čin odsúdený alebo z výkonu trestu odňatia slobody uloženého za taký čin prepustený, alebo

- d) závažnejším spôsobom konania.
- (3) Odňatím slobody na pätnásť rokov až dvadsaťpäť rokov alebo trestom odňatia slobody na doživotie sa páchatel potrestá, ak spácha čin uvedený v odseku 1 a spôsobí ním ťažkú ujmu na zdraví viacerým osobám alebo smrť viacerých osôb.

### Section 339

- (1) Kto páchatelovi trestného činu pomáha v úmysle umožniť mu, aby unikol trestnému stíhaniu, trestu alebo ochrannému opatreniu alebo ich výkonu, potrestá sa odňatím slobody až na tri roky; ak však takto pomáha páchatelovi trestného činu, na ktorý tento zákon ustanovuje miernejší trest, potrestá sa týmto miernejším trestom.
- (2) Kto spácha čin uvedený v odseku 1 v prospech osoby jemu blízkej, nie je trestný okrem prípadu, že by tak urobil v úmysle
  - a) pomôcť osobe, ktorá spáchala trestný čin vlastizrady podľa § 311, úklady proti Slovenskej republike podľa § 312, teroru podľa § 313 a § 314, záškodníctva podľa § 315 a § 316, sabotáže podľa § 317, vyzvedačstva podľa § 318 alebo genocídia podľa § 418, alebo
  - b) zadovážiť sebe alebo inému majetkový prospech.
- (3) Kto spácha čin uvedený v odseku 1 nie je trestný, ak bol k pomoci donútený a túto nemohol odmietnuť bez toho, aby seba alebo blízku osobu uviedol do nebezpečenstva smrti, ublíženia na zdraví alebo inej závažnej ujmy.

### Section 340

- (1) Kto sa hodnoverným spôsobom dozvie, že iný spáchal zločin, na ktorý tento zákon ustanovuje trest odňatia slobody s hornou hranicou najmenej desať rokov, alebo niektorý z trestných činov korupcie uvedených v treťom diele ôsmej hlavy osobitnej časti, a taký zločin alebo trestný čin neoznámí bez odkladu orgánu činnému v trestnom konaní alebo Policajnému zboru, alebo namiesto toho, ak ide o vojaka, svojmu nadriadenému alebo služobnému orgánu, a ak ide o osobu vo výkone trestu odňatia slobody alebo vo výkone väzby príslušníkovi Zboru väzenskej a justičnej stráže, potrestá sa odňatím slobody až na tri roky.
- (2) Kto spácha čin uvedený v odseku 1, nie je trestný, ak nemohol oznámenie urobiť bez toho, že by seba alebo blízku osobu uviedol do nebezpečenstva smrti, ublíženia na zdraví, inej závažnej ujmy alebo trestného stíhania.
- (3) Kto spácha čin uvedený v odseku 1, nie je trestný, ak by oznámením trestného činu porušil
  - a) spovedné tajomstvo alebo tajomstvo informácie, ktorá mu bola zverená ústne alebo písomne pod podmienkou mlčanlivosti ako osobe poverenej pastoračnou činnosťou, alebo
  - b) zákonom uznanú povinnosť mlčanlivosti.

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- 1 Economist Intelligence Unit (1998) *Slovakia*. Available at <https://www.britannica.com/place/Slovakia> (accessed 1 August 2021).
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Vadymdrobot (undated) *Sourire confiant afro-américaine jeune femme debout, les bras croisés sur fond blanc*. 123RF ID 54538073.

Please note that the use of a photograph of any girl or woman in this report does not imply that she has, nor has not, undergone FGM.

This report analyses and discusses the application of national (criminal) laws to the commission of FGM and any possible related crimes. It also explores other legal factors deemed relevant, such as legal obligations to report the commission or likely upcoming commission of FGM, available legal protective measures for girls and women at risk of FGM, and any obligations of national governments in relation to FGM.

The initial research conducted for this report consisted of a questionnaire developed by 28 Too Many and Ashurst LLP. The information contained in the responses to that questionnaire was then reviewed by Middelburg Human Rights Law Consultancy, updated and used as the basis of further research from relevant sources. This report is mainly based on primary legal sources such as legislation, case law and authoritative literature, but does use secondary sources such as government documents, journal articles and newspaper articles.

This report has been prepared as a work of legal research only and does not represent legal advice in respect of any of the laws of Slovakia. It does not purport to be complete or to apply to any particular factual or legal circumstance. It does not constitute, and must not be relied or acted upon as, legal advice or create an attorney-client relationship with any person or entity. Neither 28 Too Many, Ashurst LLP and Middelburg Human Rights Law Consultancy nor any other contributor to this report accepts responsibility for losses that may arise from reliance upon the information contained herein, or any inaccuracies, including changes in the law since the research was completed in August 2021. No contributor to this report holds himself or herself out as being qualified to provide legal advice in respect of any jurisdiction as a result of his or her participation in this project or contribution to this report. Legal advice should be obtained from legal counsel qualified in the relevant jurisdiction/s when dealing with specific circumstances. It should be noted, furthermore, that in many countries there is a lack of legal precedent for the penalties laid out in the law, meaning that, in practice, lesser penalties may be applied.

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