

ACCESS TO JUSTICE FOR CHILDREN: SLOVAKIA

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I. What is the legal status of the Convention on the Rights of the Child (CRC)?

A. What is the status of the CRC and other relevant ratified international instruments in the national legal system?

Slovakia has ratified the CRC, as well as all of its three optional protocols.¹

Slovakia is a civil law country, where national law follows a formalised hierarchical structure as follows: (1) Constitution and constitutional acts², (2) international treaties that were ratified by the Slovak Parliament, (3) acts adopted by the parliament, and (4) administrative and regulatory law.³ Because Parliament ratified the CRC, the Slovak legal system treats the CRC as binding formal law – above that of national law.

B. Does the CRC take precedence over national law?

Yes. The CRC takes precedence over national laws as a ratified international convention.⁴

C. Has the CRC been incorporated into national law?

Yes, the CRC appears to have been automatically incorporated on ratification. Further, many of its provisions are reflected in national legislation, including the Child Protection Act⁵ and the Family Act.⁶

D. Can the CRC be directly enforced in the courts?

¹ The Optional Protocol on the involvement in armed conflict, the Optional Protocol on the sale of children, child pornography and child prostitution and the Optional Protocol on a communications procedure.

² Constitutional acts are the most substantial pieces of legislation that the National Council can pass. Constitutional acts require a 3/5 majority rather than the usual “simple majority.” Mathernova, K., *Czecho Slovakia: Constitutional Disappointments*, (1992), 7 Am. U. Int’l L. Rev. 471, p. 473, available at: <http://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1537&context=auilr>.

³ Gyarfas, J., *UPDATE: Legal research in Slovakia (Including a Brief Description of Slovak Political and Legal System)*, Hauser Global Law School Programme, 2013, available at: <http://www.nyulawglobal.org/globalex/Slovakia1.htm>.

⁴ Constitution of the Slovak Republic, Article 7(5), available at: www.nrsr.sk/web/Static/en-US/NRSR/Dokumenty/constitution.doc.

⁵ Act on social and legal protection of children and social curatorship and amendments to certain other laws, No. 305/2005, available at: <http://www.ojji.org/en/docs/general/act-no-3052005-coll-on-social-and-legal-protection-of-children-and-on-social-guardiansh>,

⁶ Act on coll. on family and on amendments to certain acts, No. 36/2005, available at: http://ec.europa.eu/ewsi/UDRW/images/items/docl_1330_448931233.pdf.

International conventions and treaties are binding law in Slovakia, and take precedence over national law, therefore, a litigant may file a claim when they believe their rights have been infringed under the CRC.

E. Are there examples of domestic courts using or applying the CRC or other relevant international instruments?

The CRC and other international treaties are frequently cited in the Slovak courts. The Constitutional Court has referred to the CRC in cases concerning child support,⁷ child custody⁸ and violence against children.⁹

II. What is the legal status of the child?

A. Can children and/or their representatives bring cases in domestic courts to challenge violations of children's rights?

The Slovak Constitution guarantees equal protection of the rights and interests of citizens, regardless of age, gender, nationality, skin colour and citizenship.¹⁰ Violations of children's rights can be challenged by children and their representatives, subject to the conditions referred to in part II.B.

B. If so, are children of any age permitted to bring these cases by themselves in their own names/on their own behalf, or must the case be brought by or with the assistance of a representative?

Slovak citizens do not attain full legal rights and procedural competence until reaching the age of eighteen¹¹ and minors are only capable of such legal acts as their age and maturity level permit.¹² Persons who lack legal capacity must act through a legal representative,¹³ as provided in the Family Act.

Slovak children under the age of eighteen are considered to be of limited legal capacity, and whether they may bring a case on their own behalf is ultimately determined on a case-by-case basis.¹⁴ Typically, minors are represented by their parents. However, in cases of conflict of interests between the child and their parents, the parent will not be allowed to act as a representative and instead the court will appoint a guardian ad litem for the child.¹⁵

Court-appointed guardians must make a pledge before the presiding judge to

⁷ Case IV. ÚS 176/03, available at: <https://www.crin.org/en/library/legal-database/iv-us-176/03>.

⁸ Case I. ÚS 04/02-51, available at: <https://www.crin.org/en/library/legal-database/i-us-04/02-51>.

⁹ Case I. ÚS 04/02-51, available at: <https://www.crin.org/en/library/legal-database/i-us-04/02-51> and Case I. ÚS 04/02-51, available at: <https://www.crin.org/en/library/legal-database/i-us-04/02-51>.

¹⁰ Constitution, Article 12.

¹¹ Civil Code, No. 40/1964 Sb., Article 8, available at: http://is.muni.cz/th/75440/ff_m/5523279/Civil_Code.pdf.

¹² Civil Code, Article 9.

¹³ Civil Code, Articles 26-27.

¹⁴ Council of Europe, *Child and Youth Participation in the Slovak Republic: A Council of Europe Policy Review*, 2012, at p. 128, available at: http://www.coe.int/t/dg3/children/participation/PolicyReviewSlovak_en.pdf.

¹⁵ Family Act, Article 31.

duly perform their duties taking into account the instruction given by the court.¹⁶ There is also a specific obligation to act in the interests of the minor.¹⁷

Children may, however, request the protection of their rights by the child protection authorities or other relevant state bodies independently and without notifying their parent(s) or guardian(s) or through the assistance of another person.¹⁸

C. In the case of infants and young children, how would cases typically be brought?

Typically, these cases are brought by the infant or young child's parents. Please see part II.B above.

D. Would children or their representatives be eligible to receive free or subsidised legal assistance in bringing these kinds of cases?

The right of every person to legal assistance in court proceedings is constitutionally protected in Slovakia.¹⁹

Free legal aid is provided by the Legal Aid Centre to persons who are otherwise unable to obtain legal services due to material hardship.²⁰ This law applies to all Slovak citizens, including children. For further details, please refer to part. IV.C below.

E. Are there any other conditions or limits on children or chosen legal representatives bringing cases (e.g., would a child's parents or guardian have to agree to a case being brought)?

No further legal conditions or limitations were identified. However, in practice a serious problem in criminal proceedings is that child victims are often represented by a state custodian, who is normally a civil worker without legal education or adequate training.²¹

III. **How can children's rights violations be challenged before national courts?**

A. If there is a potential violation of the Constitution or other principles

¹⁶ Code of Civil Procedure, No. 99/1963, Article 180, available at: <http://www.jafbase.fr/docUE/Slovaquie/COde%20ProcCvi.pdf>. Please note that this version of the Code does not include all amendments to it. The complete Code is available in Slovak language at: http://www.upv.sk/swift_data/source/pdf/legislativa/suvisiace_pravne_predpisy/pravo_6399.pdf. In May 2015, the National Council of the Slovak Republic adopted a proposal of three new codes replacing the Code of Civil Procedure. The Rules of Civil Contentious Litigation (RCCL), Rules of Civil Non-contentious Litigation (RCNCL) and Code of Judicial Review of Administrative Decisions (CJRAD) will enter into force on 1 July 2016.

¹⁷ Family Act, Article 61.

¹⁸ Child Protection Act N.305/2005, Article 8.

¹⁹ Constitution, Article 47(2).

²⁰ Act on the provision of legal aid to persons in material need, No 327/2005, available at http://ec.europa.eu/justice_home/judicialatlascivil/html/pdf/national_law_la_slk_en.pdf.

²¹ Comment provided by Sasa Drakova from the National Coalition for Children.

established in domestic law, or with the CRC or other relevant ratified international/regional instruments, how can a legal challenge be brought?

Civil claims involving domestic law and ratified international instruments can be brought in the first instance in the District court of the defendant's permanent residence.²² Complaints of violation of basic rights and freedoms established in the Constitution of Slovakia or by a ratified international treaty are decided by the Constitutional Court.²³

Slovak children may also seek help from the Public Defender in bringing a civil action. Anyone in the country who believes that his or her fundamental rights or freedoms have been violated can contact the Public Defender who may act on the complaint upon his own initiative.²⁴ If the complaint contains allegations that warrant a remedy, the Public Defender is to notify the complaining citizen of the correct procedure to pursue.²⁵ In cases of illegal detention or faulty administrative rulings, the Public Defender will notify a competent prosecutor to take action.²⁶

In 2015, Slovakia created a Commissioner for Children, charged with the protection of the rights of the child and promoting the observance of the CRC.²⁷ Children may petition the Commissioner directly or with the help of an adult, but there is no obligation to inform or obtain the consent of a parent.²⁸ In addition, petitions may be submitted by any person who has knowledge of a violation or a threat of a violation of children's rights.²⁹ The first Commissioner for children will be elected in November 2015.

In addition to the national mechanisms available to challenge rights violations, Slovak citizens also have recourse to the European Court on Human Rights and the UN Committee on the Rights of the Child.

The European Court on Human Rights decides cases concerning alleged violation of one of the rights contained in the European Convention on Human Rights.³⁰ Any individual, group of individuals or an NGO who considers to be a victim of a violation of one of these rights may submit a complaint to the Court,³¹ but the complaint will be admissible only if all

²² Code of Civil Procedure, Article 84.

²³ Constitution, Articles 125 and 127 and Act No. 38/1993 on the organisational structure of the Constitutional Court of the Slovak Republic and on the proceedings brought to the Court and on the position of its judges, Articles 49-56, available at: <http://www.refworld.org/docid/3ae6b5074.html>. See also: <http://portal.concourt.sk/display/ue/The+Constitutional+Court+of+the+Slovak+Republic>.

²⁴ Constitution, Article 151a and Act on the Public Defender of Rights, No. 564/2011, Articles 11 and 13, available at: http://legislationline.org/download/action/download/id/3764/file/Slovakia_Public%20Defender_2001_en.pdf.

²⁵ Act on the Public Defender of Rights, Article 14(2).

²⁶ Act on the Public Defender of Rights, Article 14(3-4).

²⁷ Act No. 156/2015 on the Commissioner for Children and the Commissioner for Persons with a Disability, available at: <http://www.zakonypreludi.sk/zz/2015-176>.

²⁸ Act No. 156/2015, Article 2(4).

²⁹ Act No. 156/2015, Article 2(3).

³⁰ European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950, Article 19 and 32, available at: http://www.echr.coe.int/Documents/convention_ENg.pdf.

³¹ European Convention on Human Rights, Article 34.

domestic remedies have been exhausted.³² Anonymous complaints are not permitted.³³ The procedural rules for the Court do not make any child-specific provisions. Persons may initially present an application themselves or through a representative, however, all applicants must be represented at hearings thereafter.³⁴ After examining the case, the Court renders a judgement which is binding on the state³⁵ and also has powers to award monetary compensation to the victims of human rights abuses.³⁶ It is also worth noting that the Court has an established practice of referring to other international human rights instruments, including the CRC, as guides to interpretation of the European Convention.

Once all domestic remedies have been exhausted, complaints of violations of children's rights may be submitted to the UN Committee on the Rights of the Child under the third Optional Protocol to the CRC,³⁷ which Slovakia has ratified. Complaints can be made directly by both an individual child or a group of children, or indirectly, on their behalf by an adult or an organisation.³⁸ The violations must concern a right granted by either the CRC, its Optional Protocol on the sale of children or the Optional Protocol on the involvement of children in armed conflict³⁹ and must have occurred after the entry into force of the Protocol on 14 April 2014.⁴⁰ Anonymous complaints are inadmissible and so are complaints not made in writing.⁴¹ In addition, only complaints made in one of the working languages of the UN will be accepted.⁴² After examining the complaint, the Committee can make recommendations to the state, which are not legally binding.⁴³

B. What powers would courts have to review these violations, and what remedies could they offer?

Article 46 of the Constitution states that “[e]veryone is entitled to compensation for damage incurred as a result of an unlawful decision by a court, or another state or public administration body, or as a result of an incorrect official procedure.” Courts typically award monetary damages, but can also order a party to stop doing something or to do something in order to cease a violation or to remove the consequences of the violation.⁴⁴

³² European Convention on Human Rights, Article 35.

³³ *Id.*

³⁴ Rules of Court, July 2014, Rule 36, available at: http://www.echr.coe.int/documents/rules_court_eng.pdf.

³⁵ European Convention on Human Rights, Article 46.

³⁶ European Convention on Human Rights, Article 41.

³⁷ Optional Protocol to the Convention on the Rights of the Child on a communications procedure, 2013, available at:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=A/RES/66/138&Lang=en.

³⁸ Optional Protocol on a communications procedure, Article 5

³⁹ *Id.*

⁴⁰ Optional Protocol on a communications procedure, Article 7(g).

⁴¹ *Id.*

⁴² Office of the United Nations High Commissioner for Human Rights, *23 FAQ about Treaty Body complaints procedures*, available at:

<http://www2.ohchr.org/english/bodies/petitions/individual.htm#contact>.

⁴³ Optional Protocol on a communications procedure, Article 10.

⁴⁴ Information provided to CRIN by the Slovak government.

The Constitutional Court may suspend the application of a law or other type of legislation, for the duration of the proceedings challenging that law, if it considers that its continued application could jeopardise the basic rights and freedoms or cause other serious irreparable consequence.⁴⁵ The application of legislation which has been inconsistent with the Constitution or an international treaty by the Court is suspended and the body which issued the legislation is given six months to repair the inconsistency and, if it fails to do so within that time period, the legislation becomes invalid.⁴⁶ The Constitutional Court also has powers to award compensation or order that an action is carried out or ceased.⁴⁷

Child victims may seek damages under the Act on Compensation of Victims of Violent Crimes.⁴⁸ Compensation under this act can only be attained upon a valid judgment in a criminal proceeding.⁴⁹ Children may also receive financial compensation for crimes committed against them through civil litigation.⁵⁰ Although the legislative framework is in place, according to information from local sources, none of the national NGOs working with child victims are aware of any case in which a child was awarded compensation, as there is no established practice of compensating child victims and even in relation to adults, the courts use the Act sparingly.⁵¹

Where the Commissioner for Children establishes that a violation of the rights of the child has taken place, he has the power to propose remedies for the violation to the party concerned, though these are non-binding recommendations, or to participate in court proceedings.⁵²

C. Would such a challenge have to directly involve one or more individual child victims, or is it possible to challenge a law or action without naming a specific victim?

In civil cases, proceedings must commence on a petition which, among other requirements, must give the names of the parties.⁵³ Similarly, in criminal cases, the victim is considered a party to the proceedings, and must be named.⁵⁴

For complaints to the Public Defender, complaints must make clear who is

⁴⁵ Constitution, Article 125(2).

⁴⁶ Constitution, Article 125(3).

⁴⁷ Constitution, Article 127(2).

⁴⁸ Act on Coll. on Compensation of Persons Injured by the Violent Crimes, No. 215/2006, available at: www.zbierka.sk/sk/predpisy/215-2006-z-z.p-9296.pdf.

⁴⁹ European Union Agency for Fundamental Rights, *Thematic Study on the Rights of the Child (Child Trafficking)*, AUGUST 2008, at p. 32, available at: http://fra.europa.eu/sites/default/files/fra_uploads/526-Child-trafficking-09-country-sk.pdf.

⁵⁰ *Id.*

⁵¹ Comment provided by Sasa Drakova from the National Coalition for Children.

⁵² Act No. 156/2015, Article 4(2).

⁵³ Code of Civil Procedure, Article 79.

⁵⁴ Criminal Procedure Code, Articles 46-52, available in Slovakian at:

http://www.unodc.org/res/cld/document/svk/2005/criminal_procedure_code_html/Criminal_Procedure_Code_Slovakia.pdf.

filing them⁵⁵ and anonymous complaints will not be dealt with.⁵⁶ However, complainants can request that their identity be kept confidential.⁵⁷

D. Is any form of collective action or group litigation possible, with or without naming individual victims?

The Slovak Code of Civil Procedure briefly mentions that several claimants may be involved in a case.⁵⁸ Where the claims against the defendant involve common rights or duties, the acts performed by one party are deemed to have been performed by all other parties. Consent by all parties is required, however, for petition amendments, petition withdrawals, and judicial settlements.⁵⁹

E. Are non-governmental organisations permitted to file challenges to potential children's rights violations or to intervene in cases that have already been filed?

Non-governmental organisations cannot bring lawsuits on behalf of others or intervene in lawsuits brought by others.⁶⁰ They can, however, inform the police or prosecution office of children's rights violations which amount to a criminal offence. Legal persons may, however, file complaints with the Public defender.⁶¹

IV. **Practical considerations.** Please detail some of the practical issues, risks and uncertainties that might be involved in bringing a case to challenge a violation of children's rights, such as:

A. Venue. In what courts could a case be filed (e.g., civil, criminal, administrative, etc.)? What would the initial filing process entail?

Claims under the CRC can be filed in civil or criminal courts. District courts are the courts of first instance in civil and criminal cases.⁶² District and Regional courts can both be the court of first instance, depending on the type of action.⁶³ Family law cases are brought in District courts, and are known as "guardianship proceedings." Decision of the District courts can be appealed to the Regional courts⁶⁴ and appeals from Regional courts go to the Supreme Court.⁶⁵ The Constitutional Court adjudicate claims of constitutional wrongdoing and have the power to quash decisions from the general courts, as described in part III of this report..⁶⁶

⁵⁵ Act on the Public Defender, Article 13(3).

⁵⁶ Act on the Public Defender, Article 13(8).

⁵⁷ Act on the Public Defender, Article 13(6)-(7).

⁵⁸ Code of Civil Procedure, Article 91.

⁵⁹ *Id.*

⁶⁰ Comment provided by Ivan Hanzlicek and Sasa Drakova from the National Coalition for Children.

⁶¹ Act on the Public Defender, Article 13.

⁶² *UPDATE: Legal research in Slovakia.*

⁶³ Civil Procedure Code, Article 9.

⁶⁴ Civil Procedure Code, Article 10.

⁶⁵ Civil Procedure Code, Article 10 and 10a.

⁶⁶ *UPDATE: Legal research in Slovakia.*

The Code of Civil Procedure lays out the guidelines for bringing a court case in Slovakia. The initial application to a Slovak court may be made in writing, orally at the court office, electronically, by telegram, or by fax.⁶⁷ The Ministry of Justice also provides standard forms, which require answers to the following: which court the suit is addressed to, who is submitting the form, what the suit concerns, and what is being sought.⁶⁸

A child or their representative can file a complaint with the Public Defender in writing or verbally and the complaint must make clear who is filing it, the subject it relates to, and what the claimant is claiming for.⁶⁹

- B. Legal aid / Court costs. Under what conditions would free or subsidised legal aid be available to child complainants or their representatives through the court system (i.e., would the case have to present an important legal question or demonstrate a likelihood of success)? Would child complainants or their representatives be expected to pay court costs or cover other expenses?

In order to be eligible for free legal aid, an applicant must meet three conditions: (1) the person is in material hardship; (2) the dispute is not manifestly futile; and (3) the amount in dispute exceeds the amount of the minimum wage, except in cases where there is no monetary value.⁷⁰ To claim legal aid, one must submit a written application to the Legal Aid Centre, including supporting documents demonstrating circumstances of material hardship.⁷¹

Applications to the court to file a lawsuit are subject to a fee, unless waived by the court. The court will not act upon the application until the plaintiff pays the fee.⁷²

Civil courts have a discretion to grant a full or partial exemption from payment of court fees to a party to the case if this is justified by the situation of the party, and provided the claim is not frivolous and the party is not exercising or defending a right clearly without hope of success.⁷³

In cases involving the upbringing of minors, such as custody and guardianship hearings, the proceeding is free of costs.⁷⁴

- C. Pro bono / Financing. If legal aid is not available, would it be possible for child complainants or their representatives to obtain legal assistance from practicing lawyers on a pro bono basis, through a children's rights organisation, or under an agreement that does not require the payment of

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ Act on the Public Defender, Article 13(3).

⁷⁰ Legal Aid Act, Section 6.

⁷¹ Legal Aid Act, Section 10.

⁷² European Judicial Network in Civil and Commercial Matters, *Bringing a Case to Court – Slovakia*, available at: http://ec.europa.eu/civiljustice/case_to_court/case_to_court_svk_en.htm.

⁷³ Code of Civil Procedure, Article 138.

⁷⁴ *Study on the Enforcement of Family Law Judgements*, at p. 20.

legal fees up front?

Pro bono assistance appears to have recently taken root in Slovakia. In 2011, the “National Pro Bono Advocacy” programme was launched, seeking to link private practitioners to local nonprofits and NGOs.⁷⁵ According to information from local sources, pro bono services are not only scant in Slovakia, but also inaccessible for most people living outside the capital.⁷⁶

- D. Timing. How soon after a violation would a case have to be brought? Are there any special provisions that allow young adults to bring cases about violations of their rights that occurred when they were children?

For civil law offences, the statute of limitations does not begin running until the day the damage is known to the injured party.⁷⁷ The default limitation period is two years since the damage becomes known, unless a law provides otherwise, and the right to bring civil proceedings will elapse after three years from the day when damage occurred or after ten years, if the damage was caused intentionally.⁷⁸ However, this does not apply to cases concerning damage to a person’s health.⁷⁹

In criminal proceedings, the statute of limitations is related to the crime’s maximum punishment, but not necessarily equal to it.⁸⁰

In relation to certain offences committed against children, such as trafficking, sexual abuse and producing child pornography, an case may be initiated within a three year period since the victim attains 18 years of age.⁸¹

- E. Evidence. What sort of evidence is admissible/required to prove a violation? Are there particular rules, procedures or practices for dealing with evidence that is produced or presented by children?

The types of evidence which can be presented in a civil trial includes witness testimony, expert opinions, reports and statements of authorities and other documents.⁸²

Special procedures apply in relation to hearing evidence by children.⁸³

⁷⁵ Pro Bono Institute, *Today Slovakia, Tomorrow the World!*, (3 June 2011), available at: <http://thepbeye.probonoinst.org/2011/06/03/today-slovakia-tomorrow-the-world/>. Please see: <http://www.nadaciapontis.sk/about-the-programme-en>.

⁷⁶ Comment provided by Sasa Drakova from the National Coalition for Children.

⁷⁷ Transparency International, *Timed Out: Statutes of Limitations and Prosecuting Corruption in EU Countries*, p. 17, available at: http://transparency.ie/sites/default/files/Statutes%20of%20Limitation_web.pdf.

⁷⁸ Civil Code, Article 106.

⁷⁹ *Id.*

⁸⁰ *Timed Out*, p.17.

⁸¹ Criminal Code, Article 87(5), available in Slovakian language at: <http://www.zakonypreludi.sk/zz/2005-300>.

⁸² Code of Civil Procedure, Article 125.

⁸³ European Commission, *Study on children’s involvement in judicial proceedings: Contextual overview for the criminal justice phase – Slovakia*, June 2013, available at: <http://www.childreninjudicialproceedings.eu/docs/ContextualOverview/Slovakia.pdf>.

- F. Resolution. How long might it take to get a decision from the court as to whether there has been a violation?

The Constitution of Slovakia binds it to respect the right to speedy trial granted by the European Convention on Human Rights.⁸⁴ District courts hearing civil claims usually decide matters involving judicial care of minors within six months from the start of proceedings.⁸⁵ According to government statistics, the average length of family law proceedings is 6,95 months and only 3,3% of the cases take two years or longer to resolve.⁸⁶

- G. Appeal. What are the possibilities for appealing a decision to a higher court?

The Slovak Code of Civil Procedure states that an appeal must be filed within fifteen days of the delivery of the judgment.⁸⁷ The court must articulate specific instructions for appeal concerning each individual case following every decision.⁸⁸

Regional courts act as the court of appeal for cases brought in District courts.⁸⁹ The Supreme Court is the highest branch of the general court, and may hear cases on appeal directly from either the District or Regional courts.⁹⁰ Professional judges appointed by the President compose Slovakia's Appellate and Supreme Court panels.⁹¹

There is no appeal of decisions of the Constitutional Court.⁹²

- H. Impact. What are the potential short-term and long-term impacts of a negative decision? Is there a possibility for political backlash or repercussions from a positive decision?

There is no evidence of political backlash or repercussions in cases involving children's rights. The Slovak government has expanded law protecting children a number of times since the country was formed, and appears to have done so with relative political ease.

- I. Follow up. What other concerns or challenges might be anticipated in enforcing a positive decision?

The Slovak Code of Civil Procedure establishes the role of courts in enforcing judgments. Enforcement agents, called "distrainers," are regulated by the state, and appointed by the courts to enforce judgments. There are a

⁸⁴ European Convention on Human Rights, Article 5.

⁸⁵ *Child and Youth Participation in the Slovak Republic*, at p. 129.

⁸⁶ Statistical Yearbook of the Ministry of Justice of the Slovak Republic 2014, available at: http://www.justice.gov.sk/stat/roc/15/stat_roc_2014.pdf.

⁸⁷ Code of Civil Procedure, Article 204.

⁸⁸ Code of Civil Procedure, Article 156.

⁸⁹ *UPDATE: Legal research in Slovakia*.

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² Constitution, Article 133.

few potential challenges in enforcing a decision within this system. First, because the state oversees enforcement of decisions, enforcement fees cannot be freely negotiated.⁹³ Second, Slovakia has not developed quality standards for enforcement agents.⁹⁴ Third, no mechanisms exist for enforcing court decisions rendered against public authorities.⁹⁵ Also, Slovak citizens complain about the lack of information regarding judgment enforcement, and the excessive length and cost of enforcing judgments.⁹⁶

V. Additional factors. Please list any other national laws, policies or practices you believe would be relevant to consider when contemplating legal action to challenge a violation of children's rights.

Slovakia has a number of national helplines for child victims, including one for victims of human trafficking, a 24-hour hotline for missing and sexually exploited children and to help children deal with various virtual threats on the internet.⁹⁷

This report is provided for educational and informational purposes only and should not be construed as legal advice.

⁹³ European Commission for the Efficiency of Justice, *Judicial System Evaluation Grid – Slovakia*, 2011. at pp. 47-48, available at: http://www.coe.int/t/dghl/cooperation/cepej/evaluation/2012/Slovakia_en.pdf.

⁹⁴ *Id.* at p. 48.

⁹⁵ *Id.* at p. 49.

⁹⁶ *Id.*

⁹⁷ Coalition for Children, *Alternative Report on the Implementation of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OPSC) in the Slovak Republic*, May 2012, http://www2.ohchr.org/english/bodies/crc/docs/ngos/CoalitionForChildren_OPSC_Slovakia62.pdf.