



SLOVAK NATIONAL
CENTRE FOR
HUMAN RIGHTS

Cases of sexual harassment in the field of education

Towards Gender Equality in Europe

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National legislation

§ 2a sec. 5 of the Antidiscrimination Act

verbal, non-verbal or physical conduct of a sexual nature, by which the purpose or consequence is or may be violating the dignity of a person, and which creates an intimidating, hostile, degrading, humiliating or offensive environment

- unwanted conduct, sexual nature
- verbal / non-verbal / physical (including online form)
- the behaviour can be unintentional from the perpetrator
- no comparator is needed
- discrimination ground - sex/gender



Sexual Abuse

§ 201 of the Criminal Code

Whoever performs sexual intercourse with a person under the age of fifteen years or whoever sexually abuses such a person shall be punished by a prison sentence of three to ten years.

§ 201a of the Criminal Code

Whoever, using an electronic communication service, proposes a personal meeting to a child below fifteen years of age with the intention to commit a criminal offence of sexual abuse or a criminal offence of production of child pornography against them and is not a child themselves, shall be punished by a prison sentence of six months to three years.

§ 201b of the Criminal Code

Whoever misuses a child below fifteen years of age with the intention to achieving sexual satisfaction by such child's participation in sexual activities or sexual abuse, without such child having to necessarily take part in such sexual activities or sexual abuse, or whoever makes such abuse of a child possible, shall be punished by a prison sentence of up to two years.



Recommendations for measures for protection against sexual harassment

- education about sexual harassment and instruments of legal protection
- mechanisms of confidential reporting of sexual harassment
- thorough investigation of sexual harassment cases and consequences for the perpetrator
- provision of psychological support
- cooperation with Centres for Counselling and Prevention – establishment of support teams
- sexual harassment as gross misconduct of work ethics
- Ethical Code of employer



Sexual harassment in the primary school

- The teacher of informatics sexually harassed students of 8th and 9th grade in the primary school
- The State School Inspection identified shortcomings from the director of the school
- The SNCHR provides legal representation to the students
- Currently is the case in the stage of legal solution



Sexual harassment of male employee by female superior

- The client and his superior got intimate during business trip
- Agreed to have only professional relationship
- The superior tried to convince the client to continue with intimate relationship
- When he refused, she created hostile environment in the workplace
- The client had written communication as evidences
- Both court of first instance and court of appeal held in favour of the client (apology and 2.000 Euros pecuniary damages)



Slovak National Centre for Human Rights

The SNCHR provides legal aid to the victims of discrimination (free of charge) and may represent the victim in the:

- court proceeding
- out of the court settlement

The applicant may claim:

- to refrain from the discrimination conduct
- where possible, rectify the illegal situation
- provide adequate satisfaction (apology / non-pecuniary damages)



Provision of training activities

SNCHR provides lectures and training activities for:

- Primary schools,
 - High schools (including pedagogical employees),
 - Universities,
 - Institutions,
 - Organisations,
 - Private sector- employers
-





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