

SLOVAKIA

Criminal Code, Act No. 300/2005, Effective 1 January 2006. The latest relevant amendment included the protected characteristic of sex into Section 140 e) of the Criminal Code.

Section 140 – (Definitions) Specific Motivation

Specific motivation shall mean that a criminal offence was committed

(...)

e) from hatred against certain group of persons or an individual because of their real or perceived affiliation to any race, nation, nationality, ethnic group; or because of their actual or perceived origin, colour of skin, sex, sexual orientation, political beliefs or religion.

THE FOLLOWING PROVISIONS CONTAIN AN ENHANCED PENALTY IN CASE AN OFFENCE REFERRED TO HAS BEEN COMMITTED “BY REASON OF SPECIFIC MOTIVATION”:

Section 144/2/e - First Degree Murder

Section 145/2/d - Second Degree Murder

Section 147/2/b - Killing

Section 154/2/c - Participating in a Suicide

Sections 155/2/c and 156/2/b - Bodily Harm

Section 159/3/b - Wrongful Taking of Organs, Tissues and Cells and Criminal Sterilization Section 160/2/b

Section 170/2/d - Endangering Health due to Unauthorized Pharmaceuticals, Health Care Aids and Equipment

Section 179/3/e - Trafficking in Human Beings

Section 182/2/a - Deprivation of Personal Freedom

Section 183/2/b - Restriction of Personal Freedom

Section 184/2/b - Restricting the Freedom of Residence

Section 185/2/c - Taking a Hostage

Section 186/2/d - Kidnapping for Ransom

Section 187/2/c - Abduction to a Foreign Country

Section 188/2/e - Robbery

Section 189/2/c - Extortion

Sections 190/3/c and 191/2/c - Gross Coercion

Section 192/2/c - Duress

Section 193/2/c - Restricting the Freedom of Worship

Section 194/2/d - Forcible Entry into Dwelling

Section 194a/2/d – Protection of Privacy in Dwelling

Sections 196/3/b and 197/3/b - Breach of Mailing Secrets

Section 199/2/c - Rape

Section 200/2/c - Sexual Violence
Section 201/2/c - Sexual Abuse
Section 208/3/b - Battering a Close Person and a Person Entrusted into one's Care
Sections 209/2/b and 210/2/b - Kidnapping
Section 211/3/b - Corrupting Morals of Youth
Section 212/3/c - Theft
Section 213/2/b - Embezzlement
Section 214/2/b - Failure to Pay Wages and Redundancy Payment
Section 215/2/b - Unlawful Enjoyment of a Thing of Another
Sections 216/2/b and 217/2/b - Unlawful Enjoyment of a Motor Vehicle of Another
Section 218/3/b - Unlawful Interference with a Title to a House, Dwelling or Non-residential Premises
Section 219/3/c - Unlawful Manufacturing and Enjoyment of Payment Means, Electronic Money or Other Payment Card
Section 219a/3/c – Unlawful Manufacturing, Enjoyment and Possession of the Instrument Verification Mark or Instrument Safety Mark
Section 220/2/c - Falsification and Fraudulent Alteration of Motor Vehicle Identification Numbers
Section 221/3/b - Fraud
Section 222/3/b - Credit Fraud
Section 223/3/b - Insurance Fraud
Section 224/2/b - Capital Fraud
Section 225/4/b - Subsidy Fraud
Section 226/2/b - Unjust Enrichment
Section 229/2/b - Illegal Gambling and Wagers
Section 230/2/b - Illegal Lotteries and Similar Games
Section 231/2/b - Sharing
Section 233/2/a - Legalisation of the Proceeds of Crime
Section 235/3/c - Usury
Section 237/2/b - Breach of Trust by Maladministration of Estates of Another
Section 239/3/b - Harm Done to a Creditor
Section 241/3/a - Deceitful Practices in Bankruptcy and Composition Proceedings
Section 242/2/b - Obstructing Bankruptcy or Composition Proceedings
Sections 245/2/b and 246/2/b - Harm Done to a Thing of Another
Section 247c/3/a – Unlawful Capturing of Computer Data
Section 248a/2/b – Damaging and Devaluation of Cultural Monument
Section 249/2/b - Damaging and Devaluation of Archaeological Heritage
Section 249a/2/a - Falsification of Objects of Cultural Value
Section 250/2/c - Abusing Participation in Economic Competition
Section 259/3/c - Distortion of Data in Financial and Commercial Records
Section 261/2/b - Damaging Financial Interests of the European Communities
Section 264/2/b - Endangering Trade, Bank, Postal, Telecommunication and Tax Secrets
Section 265/3/b - Insider Trading
Section 265a/3/b – Market manipulation
Section 266/2/b - Deceitful Practices in Public Procurement and Public Auction

Section 274/2/b - Forgery, Fraudulent Alteration and Illicit Manufacturing of Duty Stamps, Postage Stamps, Stickers and Postmarks

Section 275/2/b - Forgery and Fraudulent Alteration of Control Technical Measures for Labelling Goods

Section 278a/2/a – Thwart of Tax Administration

Section 279/2/b - Breach of Regulations Governing State Technical Measures for Labelling Goods

Section 281/3/b - Infringing Trademark, Registered Appellation of Origin and Trade Name Rights

Section 283/2/c - Infringement of Copyright

Section 284/2/c - Endangering Public Safety

Section 290/2/c - Breach of Duty under Imminent Danger Situation

Sections 294/4/b and 295/3/b - Prohibited Acquisition and Possession of Firearms and Trafficking in them

Section 298/2/b – Prohibited Production and Possession of Nuclear Materials, Radioactive Substances, Hazardous Chemicals and Hazardous Biological Agents and Toxins

Section 305/4/b - Breach of Plant and Animal Species Protection Regulations

Section 309/2/b - Escape of Genetically Modified Organisms

Section 326/2/c - Abuse of Power by a Public Official

Section 342/2/a - Interfering with Judicial Independence

Section 344/2/c - Obstruction of Justice

Section 345/2/a - False Accusation

Section 346/3/b - False Testimony and Perjury

Section 347/2/b - False Expert Opinion, Interpreting and Translation

Section 351/3/c - Obstructing the Preparation for and Holding of Elections or Referendum

Section 352/4/b – Forgery and Alteration of Public Documents, Official Seals, Official Emblem and Official Mark

Section 352a/2/e – False Medical Records

Section 355/3/b - Smuggling of Migrants

Section 359/2/a – Violence against a Group of Persons

Section 360/2/d – Dangerous Threats and Section 360a/2/c – Dangerous Persecution

Section 364/2/a – Disorderly Conduct

Section 365/2/b – Desecration of Graves and Section 366/2/b – Desecration of the Dead

Section 373/2/b – Slander

Section 420/2/d – Torture and Other Inhuman or Cruel Treatment

Section 140a - Extremist Offenses, such as following:

Section 423/2/c – Defamation of the Nation, Race and Belief

Section 424/3/a – Incitement to National, Racial and Ethnic Hatred

Section 424a/2/c - Apartheid and Discrimination of Group of Persons