

Cyber hate legislation in Slovakia

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Criminal offences of extremism are criminal offense establishing, supporting and promoting movements aimed at suppression of fundamental rights and freedoms according to Section 421, demonstration of fellow-feelings to movements aimed at suppression of fundamental rights and freedoms according to Section 422, manufacturing of extremist materials according to Section 422a, dissemination of extremist materials according to Section 422b, possession of extremist materials according to Section 422c, denial and approval of holocaust, crimes of political regimes and crimes against humanity according to Section 422d, defamation of nation, race and belief according to Section 423, incitement of national, racial and ethnic hatred according to Section 424, apartheid and discrimination of group of persons according to Section 424a and criminal offence committed by a reason of specific motivation according to the Section 140 number e.

Section 140

Specific Motivation

Specific motivation shall mean that a criminal offence was committed

- a) as a felony for hire,
- b) because of revenge,
- c) with the intention to cover up or facilitate another criminal offence,
- d) with the intention to commit any of the criminal offences of terrorism
- e) **based on hatred against a group of persons or individual for their actual or alleged affiliation to any race, nation, nationality, ethnic group, their actual or supposed origin, color, gender, sexual orientation, political conviction or religion, or**
- f) as a sexually motivated criminal offence.

It is necessary to take into account

- Section 122 on Criminal Offence and Modes of its Commission of the Penal Code:

(2) The criminal offence is considered as having been committed in public if it is committed

a) through the content of a printed matter or a disseminated written material, through a film, through the radio, television, with the use of a **computer network**, or using the means of similar effect, or

b) in the presence of more than two persons.

- Section 47a Offences of Extremism of the Act No. 372/1990 Coll. on Offences

(1) An offense of extremism is committed by one who

(a) in public uses a written, graphic, pictorial, audiovisual or audiovisual copy of texts and declarations, pledges, badges, passwords or symbols of groups or movements and their programs or ideologies which are directed to the suppression of fundamental human rights and freedoms,

b) in public uses a written, pictorial, pictorial, sound or pictorial sound, advocating, encouraging or incite hatred, violence or unjustifiably different treatment against a group of persons or an individual for their belonging to any race, nation, nationality, color, ethnic group, the origin of the genus or their religious denomination,

c) commits an offense pursuant to Section 49, par. (1) (a), (b) and (d) or an offense against property pursuant to Section 50 by deliberate destruction or damage to a matter due to national, ethnic or racial hatred or hatred for reasons of color, gender or religion.

(2) A fine of up to EUR 500 may be imposed for the offense under paragraph 1.

Select laws deal with (cyber)bullying:

- Section 189 on Extortion of the Penal Code
- Section 192 on Duress of the Penal Code
- Section 360a on Dangerous Stalking of the Penal Code