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Contact: Ireneusz Kondak
Tel: 03.90.21.59.86

Date: 25/09/2026

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Meeting: 1577th meeting (December 2026) (DH)

Communication from the authorities (23/09/2026) concerning the group of cases of Janockova and Kvocera v. Slovakia (Application No. 39980/22)

Information made available under Rule 8.2a of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Réunion : 1577^e réunion (décembre 2026) (DH)

Communication des autorités (23/09/2026) relative au groupe d'affaires Janockova et Kvocera c. Slovaquie (Requête n° 39980/22) **[anglais uniquement]**

Informations mises à disposition en vertu de la Règle 8.2a des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

23 SEP. 2026

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

Department for the Execution of Judgments
of the European Court of Human Rights
Directorate of Human Rights
Directorate General of Human Rights and Rule of Law
Council of Europe
F- 67075 Strasbourg Cedex
France

Your letter Nr. / Dated:

Our Nr.:
S-MSSR-000726/2026

Prepared by:

Bratislava
23 September 2026

**Re: Case Janočková and Kvocera v. Slovakia (application no. 39980/22) – judgment of 08/02/2024,
final on 08/05/2024**

In the context of the execution of the afore-mentioned judgment, please let me submit the
enclosed information concerning individual measures and general measures.

Yours faithfully,



Miroslava Bálintová
Agent of the Government
of the Slovak republic
before the European Court of Human Rights

Information on the execution of the judgment *Janočková and Kvocera v. Slovakia*
(application No. 39980/22, judgment of 08/02/2024, final on 08/05/2024)

A. Individual measures

Enforcement proceedings concerning the first applicant's contact with the minor

In the proceedings concerning the enforcement of the first applicant's contact rights with the second applicant (hereinafter "the minor") (case no. 39Em/3/2024), by a decision of 28 May 2024 the Municipal Court Bratislava II ordered the enforcement of the judgment of the District Court Bratislava III of 21 April 2022, in conjunction with the judgment of the Regional Court in Trnava of 24 January 2024, concerning the first applicant's contact with the minor. At the same time, it ordered professional psychological counselling for both parents and the minor, aimed, inter alia, at addressing the problems related to the non-implementation of contact and restoring the relationship between the first applicant and the minor, and postponed the enforcement pending the completion of the counselling. At the hearing of 28 May 2024, the court also imposed a procedural fine of EUR 350 on the first applicant for disrupting the orderly and dignified conduct of the hearing and thereby obstructing the taking of evidence.

As reported in the Government's letter of 24 April 2025, following the first applicant's appeal, on 20 January 2025 the Regional Court in Trnava quashed the decision in the part concerning the newly ordered psychological counselling and the related postponement of enforcement. In doing so, the Regional Court took into account that psychological counselling had already been ordered by an earlier interim measure of 21 April 2021, which remained in force, and that the counselling previously undertaken had not achieved its intended purpose, in particular because of the continuing hostile relationship between the parents and their inability to communicate. The Regional Court also referred to the findings made in the judgment of 24 January 2024 concerning the father's previous conduct in relation to the implementation of contact. The decision of 20 January 2025 became final on 16 February 2025.

Following that decision, the Municipal Court continued taking steps aimed at securing the implementation of the contact order. The minor's guardian carried out a further examination in the father's household on 22 January 2025 and interviewed the minor. It subsequently organised a case conference for 5 March 2025, which was attended by the father, whereas the first applicant refused to participate. The guardian considered that future social and psychological counselling should focus on the first applicant's attitudes and parental skills, but reported that she refused to cooperate. On 25 March 2025, the Municipal Court issued a notice to the father to comply voluntarily with the contact order and warned him of the consequences of non-compliance; the notice was served on him on 27 March 2025.

Subsequently, the father requested that the enforcement be postponed. The minor's guardian supported that request, whereas the first applicant opposed it and requested the use of coercive measures against the father. By a decision of 10 July 2025, the Municipal Court postponed the enforcement of the contact order until the final conclusion of the related proceedings pending before the same court under case no. B3-39Em/2/2021. The latter proceedings concerned the enforcement of an earlier interim measure of 21 April 2021 requiring the minor to undergo professional psychological counselling at the designated facility and the father to ensure his participation. The decision of 10 July 2025 became final on 28 July 2025.

In deciding to postpone the enforcement, the Municipal Court examined the manner in which contact had been taking place. It noted that the first applicant did not always arrive for the scheduled contact. When she did, the minor was prepared for the meeting, came to meet her and briefly communicated with her, but refused to leave with her. The Municipal Court found no instance in which the father had prevented or refused contact. It further noted that the father respected the first applicant's request not to be present at the meetings, prepared the minor for contact and did not interfere with their communication. The minor's guardian reported that the minor rejected the first applicant and considered that a change in his attitude was likely to require a visible change in her approach. Against that background, and having regard to the ongoing proceedings concerning the enforcement of psychological counselling, the Municipal Court considered that coercive enforcement at that stage would not be in the minor's best interests and that professional psychological assistance should precede further enforcement.

The related proceedings under case no. B3-39Em/2/2021 were subsequently discontinued. Those proceedings had originally concerned the enforcement of the interim measure of 21 April 2021 requiring the minor to undergo professional psychological counselling and the father to ensure his participation. In the meantime, however, that interim measure had itself been quashed by a decision of the Municipal Court Bratislava II of 15 November 2024, upheld by the Regional Court in Trnava on 28 April 2025; that decision became final on 31 May 2025. The enforcement title underlying the proceedings under case no. B3-39Em/2/2021 had therefore ceased to exist. Accordingly, by a decision of 5 September 2025, the Regional Court in Trnava changed the first-instance decision and discontinued the enforcement proceedings on that ground. The proceedings were finally concluded on 15 October 2025.

On 20 October 2025, the President of the Municipal Court Bratislava II excluded the judge who had until then been dealing with the enforcement proceedings, following an objection of bias submitted by the judge herself on 14 August 2025. The decision referred, *inter alia*, to numerous personal attacks by the first applicant against the judge, publicly presented on social media and extending into her private life, as well as to complaints addressed to various State institutions. The President of the Court considered that the intensity and long-term nature of those personal attacks could objectively give rise to doubts as to the judge's impartiality in the further examination of the case. On 23 October 2025, the case was randomly assigned to another judge.

Following the final conclusion of the related proceedings, by a decision of 15 January 2026 the Municipal Court resumed the enforcement proceedings concerning the first applicant's contact with the minor (case no. 39Em/3/2024). A hearing was initially scheduled for 6 March 2026. Following a request for adjournment on account of the father's temporary incapacity for work, the court rescheduled the hearing for 20 April 2026. On the court's initiative, the District Prosecutor's Office Bratislava III joined the proceedings on 31 March 2026.

At the hearing of 20 April 2026, the Municipal Court examined the current situation concerning the implementation of contact and the attempts made in the preceding period. The information before the court showed that contact continued not to take place in accordance with the contact order. According to the father and his legal representative, during the preceding six months the first applicant had attended only some of the scheduled meetings. When she attended, the minor continued to refuse to leave with her; on some occasions he refused even to come to the gate. The minor's guardian likewise stated, on the basis of interviews conducted with the minor in the present and related proceedings, that he did not wish to leave with the first applicant, speak to her or otherwise have contact with her.

The Municipal Court also examined the previous attempts at psychological assistance. The first applicant acknowledged that she had begun counselling but later discontinued it, explaining that previous counselling and mediation had not resulted in contact with the minor. The guardian again proposed psychological counselling for both parents and the minor. It stated that the father had accepted the professional and psychological assistance offered to him, including assistance for the minor, whereas the first applicant had repeatedly refused psychological counselling for herself and the minor.

At the same hearing, the Municipal Court imposed a procedural fine of EUR 150 on the first applicant. The court found that, despite repeated warnings, her emotional and insulting conduct had disrupted the orderly and dignified course of the hearing and impeded the court's conduct of the proceedings.

Following the discussion at the hearing, it was agreed to attempt a video call between the first applicant and the minor before the next hearing. The minor was to remain in his home environment, in the presence of the guardian, the prosecutor and the judge, while the first applicant would participate remotely. The arrangement was intended to ascertain whether the minor was willing to engage in contact without interference by the father. The video call was scheduled for 28 April 2026. On that date, the guardian, the prosecutor and the judge came to the father's home. After an initial conversation, the minor unequivocally refused any form of contact with the first applicant, including by video or telephone. The video call therefore did not take place.

Meanwhile, the minor's maternal grandparents had instituted separate proceedings seeking judicial regulation of their contact with him. By a judgment of 20 April 2026, the Municipal Court Bratislava II dismissed their application. The court found, *inter alia*, that the minor had not had any contact with his maternal grandparents for several years and did not wish to restore the relationship. In assessing his best interests, the court attached particular importance to his age and views. It observed that the minor was already twelve years old and had reached an age at which pressure, coercion, manipulation, fear or the exercise of authority could produce precisely the opposite effect. It therefore considered that he should not be compelled to meet his grandparents and that his feelings and views had to be respected, while he could be appropriately guided towards understanding their feelings. The court itself encouraged the father to continue motivating the minor and suggested, for example, that the father and the minor could meet the grandparents on neutral ground during the summer holidays.

On 11 May 2026, the Municipal Court held a further hearing. During that hearing, the court imposed another procedural fine of EUR 500 on the first applicant on account of her conduct during the hearing. Following the hearing, the Municipal Court declared the enforcement of the judgment of the District Court Bratislava III of 21 April 2022, in conjunction with the judgment of the Regional Court in Trnava of 24 January 2024, inadmissible in so far as it concerned the first applicant's contact with the minor, and discontinued the enforcement proceedings.

In reaching that conclusion, the Municipal Court examined in detail the measures which had been taken with a view to restoring contact between the first applicant and the minor, the reasons why contact had nevertheless not been re-established, and whether any further coercive measures could realistically achieve that objective without adversely affecting the minor.

The Municipal Court first took account of the minor's consistently expressed position. His views had been ascertained by the guardian on several occasions, including during an interview conducted in the father's absence, when the minor unequivocally stated that he did not wish to meet or have any contact with the first applicant. His refusal of contact persisted and, as noted above, he also refused the proposed video call intended as a less intrusive means of initiating contact with the first applicant.

The Municipal Court also examined the first applicant's allegation that the minor's refusal of contact was attributable to the father. It found that the evidence gathered in the proceedings did not establish that the minor's refusal resulted from inadequate psychological preparation for contact by the father or from conscious and deliberate manipulation by him aimed at excluding the first applicant from the minor's life. At the same time, the court acknowledged that, without extensive expert evidence, it was not possible reliably to determine the primary cause of the minor's rejection of the first applicant or the respective responsibility of the parents. It considered, however, that the first applicant's pressuring behaviour towards the minor appeared to constitute a secondary factor contributing to his refusal of contact, which the minor perceived as highly stressful.

The Municipal Court further considered the possibilities of professional assistance aimed at restoring the relationship. It noted that professional and psychological assistance had repeatedly been offered to the parents and the minor throughout the enforcement proceedings. On the basis of the recommendation of the psychologist present at the hearing of 11 May 2026, the court considered such assistance to be, at that stage, the only available means capable of helping the minor and the first applicant to begin restoring their relationship and regarded this approach as being in the minor's best interests.

The Municipal Court attached particular importance to the first applicant's position in this respect. It noted that she was unwilling to participate in the professional and psychological counselling repeatedly offered to her and that she also refused to consent to the minor receiving the professional and psychological assistance offered by the guardian. Without her consent, such assistance to the minor could not be initiated. The court expressly stated that, in view of the first applicant's lack of cooperation, it had no other means, apart from such professional and psychological assistance, by which it could seek to bring about compliance with the contact order in a manner consistent with the minor's best interests and without exposing him to further trauma or harm.

The Municipal Court then examined whether further coercive measures could realistically bring about the implementation of contact. It considered that the measures already taken to facilitate contact, including the attempt to arrange the video call, had not produced the desired result. In particular, the court considered that imposing sanctions on the father, as requested by the first applicant, would not bring about a change in his conduct but would instead place pressure on the minor to change his own position in order to prevent sanctions being imposed on his father. In the court's assessment, this risked further worsening the relationship between the first applicant and the minor.

Finally, the Municipal Court attached significant weight to the minor's age and maturity. At the time of the decision, he was twelve years old and had consistently and unequivocally refused to meet or otherwise communicate with the first applicant. The court considered that pressure, threats, punishment or other forms of coercion were liable to produce the opposite effect and that the minor had to be approached in a manner respectful of his feelings and views. It nevertheless reiterated that professional and psychological assistance remained an appropriate means of guiding and encouraging him towards restoring his relationship with the first applicant.

Having assessed all these circumstances, the Municipal Court concluded that the contact order could no longer be enforced and therefore declared its enforcement inadmissible and discontinued the enforcement proceedings. The decision was pronounced at the hearing on 11 May 2026. Owing to the judge's temporary incapacity for work, the President of the Municipal Court granted an extension of the time-limit for preparing the written version of the decision until 3 July 2026. The written decision was dispatched on that date. On 13 July 2026, the first applicant lodged an appeal against the decision. The appeal proceedings are currently pending.

B. General measures

I. Practical implementation of the multi-disciplinary approach in family law agenda

As described in detail in the Government's communication on general measures of 13 November 2025, the multi-disciplinary approach in family law agenda is aimed, inter alia, at facilitating an early resolution of parental disputes, including through an informative meeting with the parents conducted by a senior judicial clerk – the coordinator for family affairs, and through the provision of appropriate professional assistance. During the monitored period following the introduction of this approach, the average period between the first meeting with the parents and the first court hearing decreased to 39.2 days, with a median of 25 days.

Following the first year of its practical implementation, the application of this approach was evaluated on the basis of statistical data collected in cases in which senior judicial clerks – coordinators were involved. As regards informative meetings with parents, the data show that approximately 88.2% of parents did not refuse to attend such meetings.

As regards the types of professional assistance used within the multi-disciplinary approach, the data show that parents most frequently made use of counselling and psychological services. In 51% of cases dealt with by the senior judicial clerk – coordinator, a full parental agreement was reached, while in a further 5% a partial parental agreement was reached. In 3% of cases an agreement had already existed before the meeting with the coordinator, and in 9% of cases the application was withdrawn before the first hearing. Approximately 23% of cases handled by the coordinator continued without a parental agreement and were subsequently heard and decided by a judge.

Furthermore, in cases in which a senior judicial clerk – coordinator had been involved, a full parental agreement was approved by the court in 60% of cases during the monitored period.

These statistics concern the application of the multi-disciplinary approach in family law proceedings involving minors generally and do not provide separate data on proceedings concerning the execution of decisions on contact rights.

II. Statistics related to the length of proceedings concerning minors and enforcement proceedings in matters involving minors

The average duration of court proceedings concerning the determination of parental rights and obligations regarding minor children (custody and contact rights) in the Slovak Republic is 6.05 months.

The average duration of court proceedings concerning the enforcement of decisions on the regulation of parental rights and obligations regarding minor children (custody and contact rights) is not the subject of statistical surveys. According to data provided by the presidents of courts at regular meetings with the Minister of Justice, such proceedings are rare and occur as isolated cases.

III. Statistics related to the practice of the Constitutional Court concerning proceedings involving minors and enforcement proceedings in matters involving minors

In 2021, the Constitutional Court received 29 motions concerning proceedings regarding the care of minors, 9 motions concerning proceedings regarding the enforcement of decisions in matters involving minors, and one motion concerning both types of proceedings.

In 2022, the Constitutional Court received 32 motions concerning proceedings regarding the care of minors and 9 motions concerning proceedings regarding the enforcement of decisions in matters involving minors.

In 2023, the Constitutional Court received 24 motions concerning proceedings regarding the care of minors and 6 motions concerning proceedings regarding the enforcement of decisions in matters involving minors.

In 2024, the Constitutional Court received 41 motions concerning proceedings regarding the care of minors, 11 motions concerning proceedings regarding the enforcement of decisions in matters involving minors, and one motion concerning both types of proceedings.

In 2025, the Constitutional Court received 33 motions concerning proceedings regarding the care of minors and 11 motions concerning proceedings regarding the enforcement of decisions in matters involving minors.

The Constitutional Court does not keep separate statistics within its information systems tracking the subject matter of proceedings and decisions that are the subject of constitutional review related to the violation of a right complained of by applicants. The Constitutional Court's statistical data focus primarily on the fundamental rights and freedoms the violation of which is contested by applicants in proceedings before the Constitutional Court.

Given that the Constitutional Court does not have the power of subsequent supervision or review of the implementation of its decisions by public authorities, it does not assess the impact of its rulings on the subsequent actions of the public authority in the contested proceedings. In the case of each complaint, however, the Constitutional Court determines whether the contested proceedings have already been the subject of proceedings before the Constitutional Court.

Between 2021 and 2025, 45 cases concerning proceedings involving minors and 14 cases concerning proceedings regarding the enforcement of decisions in matters involving minors were the subject of repeated proceedings before the Constitutional Court.