
**Committee on the Elimination of
Discrimination against Women
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**Concluding Observations of the Committee on the Elimination of
Discrimination against Women: Slovenia**

Second and third periodic reports

184. The Committee considered the second and third periodic reports of Slovenia (CEDAW/C/SVN/2 and CEDAW/C/SVN/3) at its 620th and 621st meetings, on 10 July 2003 (see CEDAW/C/SR.620 and 621).

Introduction by the State party

185. In introducing the second and third periodic reports, the representative of Slovenia informed the Committee that the processes for ratifying the Optional Protocol to the Convention, and for accepting the amendment to article 20, paragraph 1, of the Convention, were well under way.

186. The representative of Slovenia said that the Committee's concluding comments on Slovenia's initial report had been powerful tools in influencing legislative and gender equality policy processes, and had been translated, published and widely disseminated in the country. Ministries and government offices had been instructed to implement the Committee's suggestions and recommendations, and to introduce new measures, where necessary, for the full realization of the Convention. Along with those comments, the Convention itself and the Optional Protocol, as well as the outcomes of the Fourth World Conference on Women and the special session of the General Assembly held in 2000, had been used to challenge the existing gender-specific division of labour, power and responsibilities. While civil society organizations had been invited to contribute to the second report, time constraints had prevented the inclusion of non-governmental organizations in the recent reporting process.

187. The country's current general conditions did not differ significantly from those that had prevailed at the time of the consideration of the initial report by the Committee in 1997. Public and political life remained male-dominated areas. Women held the same number of seats in the National Assembly following the national elections of 2000 as they had in 1993. After changes in government in 2002, three women now held ministerial portfolios, representing 18.7 per cent of the executive power. Women remained underrepresented at the local level. Following the 2002 elections, only 11 out of 193 municipalities were headed by women mayors, and women had been elected to 13 per cent of seats on municipal councils. The principle of gender-balanced participation had only been realized in the Constitutional Court: four out of nine judges were women, as was its President.

188. With regard to national machineries for the advancement of women, the representative of Slovenia informed the Committee that the parliamentary working group responsible for the advancement of women and gender equality had not been re-established after the national elections of 2000. However, the National Assembly had adopted, in 2002, a special provision guaranteeing the non-sexist use of language in legislation. On the other hand, the Government's Office for Equal Opportunities (formerly the Women's Policy Office), responsible for the advancement of women and gender equality, had been strengthened, including by the adoption of the Act on Equal Opportunities for Women and Men. Among the Office's important new tasks was to consider proposed acts and measures from a gender equality perspective and to issue opinions on them prior to their adoption by the Government. An Advocate for Equal Opportunities for women and men would hear cases of alleged unequal treatment. In addition, each minister had appointed a coordinator on equal opportunities for women and men. While the Office now enjoyed a certain level of autonomy, that might come to an end in the current process of reform of State institutions.

189. Positive legislative changes for the elimination of gender-based discrimination included the Act on Equal Opportunities for Women and Men, which had introduced a legal basis for the use of temporary special measures to promote equality between women and men; the Employment Relationships Act; and the Parental Leave and Family Income Act.

190. Violence against women and trafficking in women and children for sexual exploitation had received special attention in recent years, including at national meetings, seminars and conferences, and in campaigns for zero tolerance of violence against women. Measures had been taken to train educators, and a special commission to prevent violence in schools had been established in 2003 under the auspices of the Ministry of Education, Science and Sports. New provisions incorporating the definition of trafficking contained in the Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention against Transnational Organized Crime were under discussion. While no action plan against trafficking in human beings had yet been adopted, the Government and non-governmental organizations had taken steps to address that issue in all its dimensions, particularly with regard to prevention and assistance to victims. The adopted amendments to the Act on Breaches of Public Order and Peace had removed the definition of prostitution as a misdemeanour, as well as its possible penalty of imprisonment.

191. Equal educational opportunities for both sexes had been one of the principles of curriculum reform. Statistical data for 2000-2001 indicated that women prevailed among primary and secondary school teachers, although their representation was lower among principals and their assistants. The share of female students in secondary schools and universities had increased slightly in the reporting period, and was now higher than that of men. Women predominated among those with master's degrees and the gender gap had nearly closed at the doctoral level. Several measures had been implemented to ensure access to

schools for rural children, including the creation of State-funded dormitories for secondary school students.

192. The representative of Slovenia stressed that employment legislation now placed greater prominence on providing equal opportunities for women and men. The new Employment Relationships Act of 2003 represented a major achievement as it guaranteed equal opportunities and equal treatment of women and men in employment, promotion, training, education, retraining, pay and other remuneration, bonuses, absence from work, and working conditions and time. The legislation guaranteed equal pay for equal work or work of equal value; prohibited direct and indirect discrimination and placed the burden of proof on the employer in cases involving gender discrimination; and obligated employers to ensure a working environment free of sexual harassment. The Act on Parental Care and Family Income was also an important step as it introduced the non-transferable right to paternity leave.

193. While the general policy for women's health had not improved, certain data showed progress in women's reproductive health. New national guidelines for preventive reproductive health programmes had been adopted in 2002. A decline in the number of legal abortions, which was attributed to changing behaviour patterns within the population, was a positive achievement. New legislation on infertility treatment, however, denied this right to single women.

194. Research conducted in 1997 indicated that farm and rural women were often too overburdened by their work to participate in society and in public life. They were also rarely members of political parties.

195. In closing, the representative of Slovenia commented that mapping of the status of women in Slovenia clearly reflected both positive and negative aspects. The Committee's conclusions and recommendations would contribute to the development and implementation of gender equality policy in Slovenia.

Concluding comments of the Committee

Introduction

196. The Committee commends the State party for its second and third periodic reports, which complied with the Committee's guidelines for the preparation of reports.

197. The Committee commends the State party for its delegation, which was headed by the Director of the Governmental Office for Equal Opportunities, and expresses appreciation for the written replies to the issues raised by the pre-session working group and for the State party's frank oral presentation, which provided additional information on the current situation with regard to the implementation of the Convention in Slovenia.

198. The Committee welcomes the information that the process for ratification of the Optional Protocol and acceptance of the amendment to article 20, paragraph 1, of the Convention are under way.

Positive aspects

199. The Committee commends the State party for adopting new laws in support of the goal of gender equality, including the Act on Equal Opportunities for Women and Men, which, inter alia, introduces a legal basis for the elaboration of temporary special measures to promote de facto equality between women and men; the Employment Relationships Act, which provides for equal opportunities and equal treatment of women and men in employment; the Parental Care and Family Income Act, providing parental leave for fathers; and the special provision guaranteeing non-sexist use of language in legislation.

200. The Committee notes with satisfaction the high percentage of female students in particular in postgraduate studies. The Committee also notes with satisfaction that four out of nine judges on the Constitutional Court are women and that women make up a large share of judges on other courts.

201. The Committee welcomes the introduction by the State party of the compensatory alimony scheme which provides compensation for children in the event that those liable to pay alimony fail to do so. The Committee also welcomes the efforts to encourage women's entrepreneurship.

Principal areas of concern and recommendations

202. While noting the steps taken to promote gender equality, particularly legislative reforms, the Committee is concerned at the slow progress in preventing and eliminating de facto discrimination against women.

203. The Committee requests the State party to strengthen its efforts to ensure de facto equality of women. The Committee requests the State party to provide in its next report an assessment of the implementation, and the results regarding gender equality, of all laws, policies, plans and programmes and other measures taken to eliminate discrimination against women in all areas of their lives.

204. While welcoming the efforts of the Government Office for Equal Opportunities, the Committee expresses its concern that the national machinery for the advancement of women does not have sufficient visibility, power or financial and human resources to promote effectively the advancement of women and gender equality. The Committee is concerned about the lack of streamlined procedures for ongoing, regular cooperation between the Government Office for Equal Opportunities and the gender equality coordinators at the ministries. The Committee is concerned that the possible restructuring of the Government Office for Equal Opportunities, placing it under the Ministry of Labour, Family and Social Affairs, could reduce its importance and have negative implications on its ability to carry out its many tasks, including those that were delegated to the Office by the recently adopted Act on Equal Opportunities for Women and Men.

205. The Committee recommends that the State party reconsider the proposal to restructure the Government Office for Equal Opportunities, and instead strengthen the existing national machinery in order to make it more effective by providing it with

adequate visibility, power and human and financial resources at all levels and by enhancing its capacity to coordinate and monitor actions at the national and local levels for the advancement of women and the promotion of gender equality. It also recommends that the gender mainstreaming capacity of all ministries, policies and programmes be strengthened and that the ongoing, regular cooperation between the Government Office for Equal Opportunities and the gender equality coordinators at the ministries be streamlined.

206. The Committee expresses concern about the incidence of violence against women, including domestic violence. It is concerned that there is a lack of systematic data collection and research on violence against women, in particular domestic violence. The Committee expresses concern at the light penalties for crimes of violence against women under the Penal Code and that no specific legislation has been enacted to combat domestic violence.

207. In the light of its general recommendation 19, the Committee urges the State party to place high priority on putting in place comprehensive measures to address violence against women in the family and in society, including quantitative and qualitative research, and to recognize that such violence, including domestic violence, constitutes a violation of the human rights of women under the Convention. The Committee calls upon the State party to adopt legislation on domestic violence and to ensure that violence against women is prosecuted and punished with the required seriousness and speed. Women victims of violence should have immediate means of redress and protection, including protection orders and access to legal aid. The Committee recommends that measures be taken to provide accessible shelters for women victims of violence in sufficient number and with adequate funding, and to ensure that public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women and trained to handle such situations adequately. The Committee recommends that the State party devise a structure for systematic data collection on violence against women, including domestic violence. The Committee invites the State party to undertake awareness-raising measures through the media and public education programmes to make such violence socially and morally unacceptable.

208. The Committee is concerned about the problem of trafficking in women and girls in Slovenia and about the lack of detailed data and information on the phenomenon as well as the lack of a comprehensive strategy to combat it.

209. The Committee recommends the adoption and implementation of a comprehensive strategy to combat trafficking in women and girls, which should include measures of prevention, the prosecution and punishment of offenders and increased international, regional and bilateral cooperation. It recommends the introduction of social support for women and girls who have been victims of trafficking. It further recommends that training of border police and law enforcement officials provide them with the

requisite skills to recognize and provide support for victims of trafficking. The Committee requests the State party to provide in its next report comprehensive information and data on trafficking in women and girls and on the measures taken to combat the phenomenon.

210. While welcoming the efforts made to encourage women's participation in political and public life, including provisions in the Act on Equal Opportunities for Women and Men and the proposed draft constitutional amendment to encourage equal opportunities between women and men with regard to standing as candidates in elections, and noting the high level of women's educational achievement, the Committee is concerned about the low representation of women in elected and appointed bodies, including the National Assembly, executive bodies of the Government and local government bodies.

211. The Committee urges the State party to adopt the proposed draft constitutional amendment to encourage equal opportunities between women and men, and to strengthen and implement measures to increase the representation of women in elected and appointed bodies through, inter alia, the implementation of temporary special measures, in accordance with article 4, paragraph 1, of the Convention, in order to realize women's right to participation in all areas of public life, particularly at high levels of decision-making. The Committee recommends that the State party increase its efforts in offering or supporting training programmes for current and future women leaders and carry out awareness-raising campaigns regarding the importance of women's equal participation in political decision-making.

212. While welcoming the adoption of the Employment Relationships Act, the Committee expresses concern about the situation of women in the labour market, including the strong vertical and horizontal segregation and wage differentials between women and men, in particular in companies and businesses. The Committee is particularly concerned that women's high educational levels do not seem to result in commensurate opportunities and success in the labour market. The alarmingly high and growing unemployment rate of young female first-job seekers is also a particular concern for the Committee.

213. The Committee urges the State party to ensure equal opportunities for women and men in the labour market through, inter alia, temporary special measures in accordance with article 4, paragraph 1, of the Convention. The Committee recommends that the State party design and implement special training and retraining programmes for unemployed women. It also recommends that effective measures allowing for the reconciliation of family and professional responsibilities be strengthened and that the sharing of domestic and family responsibilities between women and men be promoted. The Committee requests the State party to provide in its next report information on the implementation of the Employment Relationships Act and other measures in the area of employment, and their impact on women, including an analysis of the efforts of the relevant monitoring bodies.

214. The Committee is concerned at the high maternal mortality rate in Slovenia.

215. The Committee recommends that the State party take urgent measures to reduce the maternal mortality rate, in consultation with the World Health Organization, as necessary. The Committee requests the State party to provide in its next report an assessment of such measures.

216. The Committee is concerned about the persistence of traditional stereotypes regarding the role and responsibilities of women and men in the family and in society at large.

217. The Committee urges the State party to strengthen measures to eradicate traditional sex role stereotypes in the family, in employment, in politics and in society. The Committee recommends that the State party encourage the mass media to promote cultural changes with regard to the roles and responsibilities attributed to women and men, as required by article 5 of the Convention.

218. While noting that the State party's efforts to promote gender equality appear to be oriented primarily towards the framework of European Union provisions, the Committee is concerned that the Convention has not been given central importance as a legally binding human rights instrument and basis for the elimination of all forms of discrimination against women and the advancement of women.

219. The Committee urges the State party to base its efforts to achieve gender equality on the wide scope of the Convention, as a legally binding human rights instrument. It therefore urges the State party to take proactive measures to raise awareness about the Convention, in particular among parliamentarians, the judiciary and the legal profession.

220. While welcoming the State party's recognition of the important role of non-governmental organizations working on women's issues, the Committee notes with concern that the State party seems to rely too heavily on such organizations in connection with the implementation of the Convention.

221. While encouraging the State party to involve non-governmental organizations in all stages of the implementation of the Convention, including policy-making on a regular basis and in a structured way, the Committee emphasizes the State party's obligations under the Convention and urges it to ensure that implementation of the Convention is fully integrated into its overall governmental responsibilities.

222. The Committee is concerned about the situation of older women, particularly in rural areas, and minority women, in particular Roma women, and about the lack of statistical data on their status.

223. The Committee requests the State party to provide in its next report disaggregated data and information on the situation of older women, especially in rural areas, and on the situation of minority women, particularly Roma women, including with

regard to employment, social security, education and health and on measures taken in this regard.

224. The Committee encourages the State party to accept the amendment to article 20, paragraph 1, of the Convention, concerning the meeting time of the Committee, without delay.

225. The Committee encourages the State party to ratify the Optional Protocol to the Convention without delay.

226. The Committee requests the State party to respond to the concerns expressed in the present concluding comments in its next periodic report, due in 2005, to be submitted under article 18 of the Convention. It also requests that the report address the general recommendations of the Committee and provide information on the impact of legislation, policies and programmes designed to implement the Convention.

227. Taking account of the gender dimensions of declarations, programmes and platforms for action adopted by relevant United Nations conferences, summits and special sessions (such as the special session of the General Assembly to review and appraise the implementation of the Programme of Action of the International Conference on Population and Development (the twenty-first special session), the special session of the General Assembly on children (the twenty-seventh special session), the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Second World Assembly on Ageing), the Committee requests the State party to include information on the implementation of aspects of these documents relating to relevant articles of the Convention in its next periodic report.

228. The Committee requests that the present concluding comments be widely disseminated in Slovenia in order to make the people of Slovenia, in particular government officials and politicians, aware of the steps that have been taken to ensure the de jure and de facto equality of women and the further steps required in this regard. It also requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations and the Beijing Declaration and Platform for Action, as well as the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".