



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Pre-session working group

Forty-second session

20 October-7 November 2008

List of issues and questions with regard to the consideration of periodic reports

Slovenia*

The pre-session working group examined the fourth periodic report of Slovenia (CEDAW/C/SVN/4).

Constitutional, legislative and institutional framework

1. Please provide information about the measures taken in order to make widely known the Convention and its Optional Protocol, which Slovenia ratified on 23 September 2004, and the general recommendations of the Committee, especially to the judiciary and legal professionals. Please also provide information on cases where the Convention has been invoked before national courts.
2. Please provide information on the progress relating to acceptance of the amendment of the first paragraph of article 20 on the Committee's meeting time.
3. Please provide information on the progress made towards achieving the various objectives of the State party's gender equality policy. This should include information on the Implementation of the Principle of Equal Treatment Act adopted in 2004, and the implementation of the periodic plans drawn up under the National Programme for Equal Opportunities for Women and Men (2005-2013), the policy's monitoring mechanisms and the impact of the policy on the promotion of gender equality (paras. 11, 17, 18).
4. The report refers to the commencement of the work of the Advocate of the Principle of Equality who is competent to hear cases of alleged discrimination on January 2005. Slovenia also has a special Advocate for gender Equality who works as a civil servant in the Office for Equal Opportunities. Please provide information on the differences of the functions of these two institutions (paras. 12-13). Please

* The present report is being issued without formal editing.

also provide further information on the number of cases that have been filed with these institutions by women who faced discrimination, the outcome of these cases and subsequent compliance.

5. The report states that the Equal Opportunities for Women and Men Act provides a legal basis for the adoption of temporary special measures, in accordance with article 4, paragraph 1 of the Convention (para. 22). Please provide information on any temporary special measures undertaken or envisaged under the act to enhance realization of de jure and de facto gender equality and their impact.

Political participation and decision-making

6. The report states that the drawing up of a draft bill amending the National Assembly Elections Act is currently under way and that it was planned to be adopted in 2006. Please provide information on whether the draft bill has been adopted and the measures it will provide/provides for promoting equal opportunities for men and women standing for election. Please also provide information on the impact of the new Act Amending Local Elections Act (2005) on the representation of women in municipal councils in the local elections held in 2006 (para. 7).

7. Please elaborate on the effect of the Decree regulating the criteria for implementation of the principle of balanced representation of women and men in the composition of working bodies and in appointing and nominating government representatives. Please also provide information on the exemptions that allow derogation from the principle of balanced representation, the use of which, according to the report, has resulted in the fact that the division into the predominantly male and female fields of work is partially preserved (paras. 16 and 79).

8. Please provide information, in line with the request of the Committee in its previous concluding comments, on the situation of older women, especially in rural areas, and 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.¹ Please also elaborate on the implementation of the regional project “Roma Women Can Do It” mentioned in paragraph 95 of the report, and its impact on the participation of Roma women in the public and political life.

Violence against women

9. The report states that in December 2005 the Government adopted the draft proposal of the new Offences against Public Order and Peace Act in which offences related to family violence are defined separately and punished by more severe sentences (para. 44). Please indicate whether this Act has entered into force and provide more information on its provisions relating to family violence, criminal proceedings initiated under the act and about their outcome.

10. In its previous concluding comments the Committee called upon the State party to adopt legislation on domestic violence and to ensure that the perpetrators of violence against women are prosecuted and punished with the required seriousness and speed.² The report refers to a research project “Advanced Guidelines in the

¹ See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 38* (A/58/38), para. 223.

² *Ibid.*, para. 207.

Substantive Criminal Law”, the outcome of which will form the basis of a decision as to whether the Slovenian Penal Code should define family violence as a specific criminal offence (para. 45). Please provide information on the status and outcome of this project, and clarify whether there are any plans to amend the Penal Code.

11. Please indicate the timetable for the adoption of the Law on the Prevention of Family Violence, and provide information on the definition of domestic violence under the law and the provisions it contains to protect women, including protection orders and other measures. Please also provide information on measures envisaged to implement the law in order to put in place a comprehensive system to address violence against women in the family and in society (para. 51).

12. The report states that between 2001 and 2004 the percentage of women that were victim of offences against the public law and order has slightly decreased. It also states that during the same period the number of offences involving family violence has increased considerably, from 15.5 per cent to 26.7 per cent, of the total offences committed against public law and order, and that in a majority of cases it was a question of domestic violence (para. 49). Since the data provided is not gender specific, please provide data on the percentage of women in comparison with men who are victims of family violence. Please provide further information on the measures taken to protect women victims of violence on the basis of the midterm action plan for the police (2003-2007) referred to in paragraph 46 of the report and their impact.

13. Please provide information on the establishment of a mechanism for systematic collection of data on violence against women referred to in paragraph 45 of the report. Please also provide statistical data on number of women murdered by their husbands, intimate partners or ex-husbands during the last four years.

14. Please provide further information on the system of renting non-profit housing units, including on the number of women and children victims of domestic violence benefiting from this possibility (para. 47). Please provide information on measures taken or envisaged to implement the recommendation of the Committee, in its previous concluding comments, to provide accessible shelters in sufficient numbers to women victims of violence.³

15. Please provide information on any awareness-raising measures through the media and public education programmes undertaken or envisaged to make violence against women socially and morally unacceptable, as suggested by the Committee in its previous concluding comments.⁴

Trafficking and exploitation of prostitution

16. Please provide the text (in English) of the new article 185 of the Criminal Code defining the criminal offence of abuse of prostitution, mentioned in paragraph 65 of the report. Please also provide further information on criminal proceedings initiated under this new article, the outcome of such proceedings, and sentences imposed.

³ Ibid., para. 207.

⁴ Ibid.

17. Please provide the text (in English) of the new article 387 (a) of the Penal Code defining a criminal offence of trafficking in human beings, mentioned in paragraph 66 of the report. Please include further information on the estimated number of women and girls who have been victims of trafficking, the number of criminal proceedings initiated under this article, the outcome of such proceedings, and sentences imposed.

18. Please elaborate on the implementation of the measures to protect victims under the “Agreement on cooperation in the field of providing help to the victims of trafficking in human beings in the Republic of Slovenia” mentioned in paragraph 72 of the report. In particular, please provide information on the impact of these measures on women and girl victims of trafficking, the number of temporary residence permits issued under the Agreement and the conditions governing the issuance of such permits to women victims of trafficking.

19. Please provide information on the measures undertaken or envisaged to enhance international, regional and bilateral cooperation to combat trafficking as recommended by the Committee in its previous concluding comments.⁵ Please provide information in the measures taken or envisaged to address the transit of potential victims through the country (para. 74).

Sex roles and stereotyping

20. Please provide more information on the awareness-raising campaign started in 2005 within the framework of the project “Men and Parenting”, which aims to promote involvement of fathers in the lives of their children and overcome existing gender stereotypes in society. Please also indicate whether any assessment of the impact of the campaign has been carried out and whether other measures to eradicate traditional sex role stereotypes in the family have been undertaken.

Employment and reconciliation of work and family life

21. The report states that in 2004, several women, allegedly victims of sexual harassment, contacted labour inspectors for advice but declined to report the offence because the alleged perpetrator was their superior (para. 63). Please provide information on any measures taken or envisaged to improve de facto the possibility for women to report sexual harassment at work and initiate court or other proceedings against alleged perpetrators. Please also provide information on impact of the initiatives referred to in paragraph 61 on the general attitude towards sexual harassment.

22. Statistical data indicate that there is a growth in unemployment among women in two specific groups: young women with high education and women over 45. Please indicate whether there are any government employment policies addressing the needs of these two groups.

23. The report refers to a number of programmes introduced to improve the situation of women in the labour market (paras. 138-142). Please provide further information on measures taken or envisaged under these programmes and their possible impact on the vertical and horizontal employment segregation and wage differentials between women and men.

⁵ Ibid., para. 209.

Health

24. Please provide information on measures taken or envisaged to identify and address the causes of the poor health situation of Roma girls and to implement the recommendation of the Committee on the Rights of the Child in its concluding observations (CRC/C/15/Add.230, para. 45), and the impact these measures may have had on the health of Roma girls.

25. In its previous concluding comments the Committee recommended that the State party takes urgent measures to reduce the maternal mortality rate.⁶ The report states that a working group was set up to discuss cases of maternal deaths and is preparing a report on maternal mortality with recommendations for health measures to be taken in the field of reproductive health (para. 144). Please provide information on the status of this report and, if finalized, on the measures and recommendations it contains and on their impact on the maternal mortality rate.

26. Please provide information on any law prohibiting the use of deceptive tobacco advertisements that primarily target women and girls by for example describing tobacco as “light”. Please provide information on proportion of males and females using any tobacco products and proportion of males and females who currently use cigarettes.

Situation of particular groups of women and girls

27. The report (para. 34) refers to a conference organized in 2003 by the Faculty of Social Work in the University of Ljubljana, to draw attention to the obstacles, prejudices and discrimination faced by women with disabilities in everyday life. Please elaborate on the issues discussed in the conference and on the actions taken or programmes started as a result of the conference and their impact. Please also provide information on the measures undertaken or envisaged to address the low enrolment of female children with disabilities in school and to implement the recommendation of the Committee on the Rights of the Child in this context (CRC/C/15/Add.230, para. 43).

28. The report states that in its Decision of October 2004, the Republic of Slovenia decided that Roma living conditions as well as education and employment should receive special attention and support from state resources (para. 176). Please provide information on measures taken or envisaged on the basis of this Decision and on other measures, such as the Implementing programme to assist municipalities in planning the minimum necessary public infrastructure in Roma settlements (2005), to address the situation of Roma women and the impact of these measures.

Marriage and family life

29. Please provide information on current research and findings as to gender differences in the economic consequences of dissolution of relationships. Please provide information on the type of property that is distributed on dissolution of relationships, and indicate, in particular, whether the law recognizes intangible property (i.e. pension funds; severance payments; insurance) as part of the property to be distributed on dissolution. Please also indicate whether the law provides for the distribution of future earning capacity and human capital, or considers enhanced

⁶ Ibid., para. 215.

earning capacity or human capital in any manner upon the distribution of property on dissolution (e.g. through a lump-sum award reflecting the other spouse's estimated share in this type of asset, or by allowing for an award of compensatory spousal payment).
