



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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against Women**

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**Responses to the list of issues and questions with regard to
the consideration of the fourth periodic report**

Slovenia*

* The present report is being issued without formal editing.



Responses of the Republic of Slovenia to the list of issues and questions with regard to the consideration of the fourth periodic report (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.

Making widely known the Convention and its Optional Protocol and the General recommendations of the Committee

Measures are being taken in order to make widely known the Convention and its Optional Protocol, on many levels and in many ways: On its website (http://www.mzz.gov.si/si/zunanja_politika/clovekove_pravice/najpomemnejši_mednarodnopravni_dokumenti_s_podrocja_clovekovih_pravico) the Ministry of Foreign Affairs has published all relevant international legal instruments pertaining to human rights, to which the Republic of Slovenia is a Contracting Party, among others the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol, the most recent periodic report on the implementation of the provisions of the Convention and the latest conclusions of the Committee on the Elimination of Discrimination against Women. The text of the Convention, the Optional Protocol, report of the Republic of Slovenia on the implementation of the Convention and opinions and recommendations of the Committee on the Elimination of Discrimination against Women are available to the general public via the website of the Government Office of the Republic of Slovenia for Equal Opportunities: http://www.uem.gov.si/si/zakonodaja_in_dokumenti/enake_moznosti_zensk_in_moskih/.

All reports submitted by the Republic of Slovenia to the Committee on the Elimination of Discrimination against Women for review were printed in special publications of the Office for Equal Opportunities and sent to ministries and government agencies, and some were also sent to NGOs. In addition, in 1997 the Office for Equal Opportunities also published the text of the Convention in the 5th volume of the collection “Equal Opportunities for Women and Men”, and in 2007 it was also published in the manual “Pathway to Gender Equality” which contains guidelines and documents for implementing gender equality policies, which include excerpts from legislative and political documents, including the text of the Convention and its Optional Protocol. Other publications also contain information about the Convention and Optional Protocol, including the text of both – one example is the basic manual on women’s rights entitled “The Human Rights of Women”, published in 2004 by Amnesty International Slovenia and the Peace Institute.

Judges learn about Slovenian legislation and international legal instruments to which the Republic of Slovenia is a party, including the Convention on the Elimination of All Forms of Discrimination

against Women, at schools for judges, seminars and other forms of regular institutional training. In addition to this, judges and legal practitioners learn about the Convention and its Optional Protocol, general recommendations of the Committee and Slovenian laws which govern the subject matter and domain covered by the Convention, at their own initiative, as this is the established manner of ensuring professionalism.

Because the Convention and the relevant laws prohibiting discrimination of women and promoting and ensuring gender equality were not applied as a legal basis for passing decisions in case-law, the Government of the Republic of Slovenia has committed to raising the awareness of judges about the prohibition of gender discrimination and ensuring gender equality. On 8 May 2008 the Government passed the second periodic plan for 2008 and 2009, whereby it ensures implementation of the Resolution on the National Programme for Equal Opportunities for Women and Men 2005–2013. Among other things, the Plan declares that the Office for Equal Opportunities and an advocate for equal opportunities for women and men and the principle of equality, in collaboration with the Ministry of Justice, will organize lectures in the context of the schools for judges programme. The contents will also include disseminating information about the Convention and its Optional Protocol, and general recommendations of the Committee.

Referencing the Convention in court proceedings

In accordance with the request for information on court proceedings, in which the courts made reference to the Convention, the Office for Equal Opportunities addressed a request to the courts (higher courts, district courts, the Labour and Social Court, and the Administrative Court) to provide such information. All courts have responded, and the responses indicate that during the June 2005–April 2008 period, with the exception of one court proceeding, the Convention was not directly applied as a legal basis in judicial consideration and parties did not refer to it before these courts. Only one case of a party's invoking the Convention before the court was recorded, in a case involving the granting of refugee status within the Republic of Slovenia, in a court proceeding before the Administrative Court of the Republic of Slovenia, when the defendant (Ministry of the Interior) made reference to the national report of Bosnia and Herzegovina on implementation of the Convention in an administrative act which was the subject of the dispute. On the basis of this national report, the plaintiff established that no discrimination of women occurred in the aforementioned country in the area of healthcare and education. In the administrative judicial proceedings regarding the plaintiff's application to grant its refugee status, the plaintiff disputed the allegations of the national report of Bosnia and Herzegovina, but made no reference to the Convention in its lawsuit or in the course of the judicial proceedings.

The courts estimate that in lawsuits brought before courts parties do not refer to the Convention because the Republic of Slovenia has established numerous normative acts (the Constitution and relevant laws) to implement the Convention, which present a clear basis upon which the parties and courts (in addition to constitutional provisions) may exercise the legal protection guaranteed by the Convention. For example, in the aforementioned period the Administrative Court of the Republic of Slovenia deliberated on a number of administrative disputes which fall into the domain covered by the

Convention according to the subject matter involved. These involved disputes claiming violation of the Local Elections Act (OJ RS No. 72/93, last amendment OJ RS No. 45/2008) on the minimum quotas of women and men on candidate lists for municipal council elections. There were nine such cases pertaining to the 2006 local elections. In five of these the court granted the complaints and made the disputed candidate lists compliant with the law.

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.

On 10 November 2006 the Permanent Representation of the Republic of Slovenia to the United Nations in New York submitted to the United Nations Secretary General a document on the adoption of the amendment of the first paragraph of article 20 of the Convention on the Elimination of All Forms of Discrimination against Women.

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).

Exercise of the Implementation of the Principle of Equal Treatment Act

Implementation of the Principle of Equal Treatment Act (OJ RS No. 93/2007-UPB1) in 2004 contributed to progress in including the principle of prohibition of discrimination in relevant legislation (e.g. Religious Freedom Act (OJ RS No. 14/2007), Roma Community Act (OJ RS No. 33/2007), Act Amending Employment Relationship Act (OJ RS No. 103/2007), Insurance Act (OJ RS No. 13/2000, last amendment OJ RS No. 102/2007)). Awareness of the prohibition of discrimination on the basis of gender or any other personal circumstance has increased, which can be seen in the increased attention which the media devote to subjects involving prohibition of discrimination. In this regard the Office for Equal Opportunities played an important role, as well as the Advocate for Equal Opportunities for Women and Men and the Advocate of the Principle of Equality (hereinafter referred to as: "Advocate") and the Government Council for the Implementation of the Principle of Equal Treatment (hereinafter referred to as: "Council"). The Council is a key body which serves as a medium for dialogue between the state and NGOs, and provides the opportunity for exchange of information on projects and other activities taking place in the area of fighting discrimination or implementing the principle of equal treatment.

With regard to fighting discrimination, the Office for Equal Opportunities and the Advocate also collaborate with the relevant inspectorates. They advise inspectorates on carrying out consistent and correct supervision to prevent discrimination and potential increase of alleged violations of the principle of prohibition of gender discrimination in individual fields.

With the purpose of raising awareness on ensuring equal opportunities for both genders the Office for Equal Opportunities and the Training Centre for Law Practitioners organized an expert convention in October 2007 regarding the assignment of children in divorce cases. The convention was intended for judges, court experts, expert witnesses and social workers. Among other topics discussed, study results were presented at the meeting, containing an analysis of the grounds for decisions placing children in the care of either the mother or father, and decisions regarding contacts between children and the parents. At the convention recommendations were adopted urging all those involved in this type of proceedings to pay special attention to equal treatment of fathers and mothers. In deciding about placing children in the care of parents and in arranging contacts with children, fathers should be treated equally as mothers, taking into consideration the changed role of fathers in the care and upbringing of children and family obligations. More such seminars are planned for the future.

Another result of active policy in the area of prevention and elimination of discrimination is the research project entitled: "Consequences of discrimination on the social, political and social inclusion of young people in Slovenia: an analysis by gender, sexual orientation and ethnicity". The project was begun on 1 October 2006 and is scheduled to end on 30 September 2008. Its purpose is to produce recommendations for future creation and improvement of anti-discrimination policies in the areas of social protection, reducing social exclusion and social risk, social disadvantage and preventing discrimination based on personal circumstances included in the analysis. The project with a total worth of EUR 33,383.41 is financed by the Office for Equal Opportunities, Government Office for Growth and the Slovenian Research Agency, and it is implemented by the University of Ljubljana.

Implementation of periodic plans adopted for the implementation of the National Programme for Equal Opportunities for Women and Men, 2005-2013

The Government adopted the first 2006–2007 periodic plan for implementation of the National Programme for Equal Opportunities for Women and Men in 2006. The plan was prepared by an interdepartmental taskforce appointed to prepare the plan, monitor its implementation and report about the execution of activities in individual areas of the national programme.

The periodic plan set the priority tasks and activities to achieve the goals of the national programme for the first biannual period. It details the manner of carrying out individual activities, meaning that it sets specific operators of activities and defines the expected results/changes in individual departments. The periodic plan also sets out the financial assets needed to carry out the tasks and activities (approx. EUR 2,845,000) and the timeframe for their execution.

The Government of RS reviewed the Report on Implementation of the National Programme for Equal Opportunities for Women and Men for the period and approved it on 8 May 2008, and sent it to the National Assembly. The Report was prepared by the Office for Equal Opportunities on the basis of reports prepared by ministries and government agencies.

The report confirms that the activities carried out have contributed to progress towards actual gender equality, especially with regard to employment of women, reducing gender pay gap, increasing the number of men taking paternity leave and achieving political involvement of women on the local

level. There has also been improvement in the department of institutional capabilities for gender mainstreaming, especially in the form of educational seminars for public servants and staff employed in local self-governance communities, and in the form of developing guidelines for gender equality in local development. The activities carried out have also strengthened the cooperation and coordination between government and local coordinators for equal opportunities of women and men. The effects are not yet fully visible, but some effects of systematic efforts towards increasing capabilities can already be seen in practice.

For example, the Ministry of Defence, which was not in itself an operator of activities specified in the first periodic plan, has carried out a number of activities of significance for encouraging gender equality. Members of the Slovenian Armed Forces have signed a zero-tolerance declaration regarding sexual harassment, and the General Headquarters issued an order imposing the duty to act in accordance with the signed declaration. In addition to this, a standard operating procedure was initiated in cases of alleged undesirable conduct within the Slovenian Armed Forces. Furthermore, the Act on Service in the Slovenian Armed Forces was also passed, which contains provisions on the subject of gender equality aimed at ensuring equal opportunities for members of the Slovenian Armed Forces of both sexes, and the Rules of Services in the Slovenian Armed Forces were also amended accordingly.

In accordance with the periodic plan, several other activities were also put in place in order to facilitate the reconciliation of work and family life, including organization of regular annual Family-Friendly Enterprise Awards. The first certificates for companies, public institutions and NGOs and associations with 10 to 3000 employees registered and based in the Republic of Slovenia were awarded in May 2007. Introduction of the "Family-Friendly Enterprise" certificate is an audit procedure which provides advice to employers as to what tools to use in order to manage human resources more efficiently in the context of reconciliation of family and work lives of employees, and assess the efficient use of such tools.

In order to increase the competitiveness of women on the labour market and to create new jobs for structurally more difficult-to-employ groups on the labour market, a pilot project was launched, providing home assistance (with household tasks and childcare), and two empirical studies were carried out on households with small children and among older unemployed women with lower levels of education. The studies showed that most of the mothers with small children involved in the study need home assistance and that 60 per cent of older unemployed women would be prepared to participate in the home assistance system for a suitable fee, if given the opportunity to offer their services through an agency.

Activities were also carried out to reach goals in other areas, including the strengthening of the role of women in science and culture, reducing differences between the sexes in the context of programmes and projects aimed at preserving and improving health, gender equality in development of agriculture and rural areas, and preventing violence against women, trafficking and sexual exploitation.

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 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.

Since 2003 the Office for Equal Opportunities has employed an Advocate for Equal Opportunities for Women and Men. She is authorized to examine cases of alleged gender discrimination. Another purpose of the Advocate for Equal Opportunities for Women and Men is to contribute to greater awareness and knowledge about gender equality rights.

In 2005 the Advocate of the Principle of Equality also assumed her function. Her role is to examine cases of alleged discrimination due to personal circumstances (nationality, racial or ethnic origin, religious or other belief, disability, age, sexual orientation or other personal circumstance). Implementation of the Principle of Equal Treatment Act (OJ RS No. 93/2007-UPB1; hereinafter referred to as: "ZUNEO") gives the Advocate of the Principle of Equality certain additional competencies. Article 16 of the ZUNEO thus allows the Advocate, even before the case is reviewed, to request in writing that the entity where the alleged violation took place takes necessary steps to protect the discriminated person from victimization, or eliminate the consequences thereof. Another new competence granted to the Advocate is the power to refer the case to the relevant inspection body (Articles 20 and 21 of the ZUNEO). The Advocate shall send the opinion to the inspection authorities in the event of non-cooperation from the entity suspected of violation, if it does not eliminate the irregularities found in accordance with her recommendations, or if it fails to inform her of measures taken within the timeframe specified. The inspector is required to review the Advocate's opinion and move for initiation of misdemeanour proceedings if he or she finds that all indications for discrimination are present.

The percentage of complaints sent by women decreased after 2005, when the Advocate of the Principle of Equality came into office (2003 – 63.4 per cent, 2004 – 66.7 per cent, 2005 – 34.7 per cent, 2006 – 46.5 per cent and 2007 – 31.4 per cent), while their absolute number remains similar (between 15 and 20).

Most complaints sent by women in 2006 and 2007 involved labour relations and employment issues. In this period the Advocate issued seven opinions confirming gender discrimination against women. In three cases sexual harassment in the workplace was confirmed, there were two confirmed cases of employment discrimination, and one confirmed case of discrimination in promotion, and one confirmed case of discrimination in awarding women and men in sporting competitions. In all cases the Advocate imposed an order upon the violators to immediately eliminate the violations and take necessary steps to ensure that no discrimination against women would take place in the future. In one case of sexual harassment in the workplace the Advocate's opinion was disregarded, resulting in the matter being forwarded to the Labour Inspectorate for further processing.

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.

On 25 July 2007 the amended Implementation of the Principle of Equal Treatment Act (OJ RS No. 61/2007) came into force, which, among other things, revoked the manner of adopting special measures for creating equal opportunities for women and men as laid down in Articles 8 and 9 of the Equal Opportunities for Women and Men Act (OJ RS No. 59/2002). In accordance with the new Article 10 a of the ZUNEO, special measures aimed at ensuring actual gender equality may be taken by government authorities, employers, educational institutions, political parties, civil society organizations and other entities. The aforementioned entities must specify the purpose and grounds for adopting special measures in relevant acts implementing such special measures.

With the new regulation, entities are thus no longer required to prepare an action plan and propose it to the Office for Equal Opportunities for approval. Practice has shown that the manner of taking special measures as specified in the Equal Opportunities for Women and Men Act was not encouraging, as no special measures were proposed to the Office for Equal Opportunities for approval since the Act's coming into force. We expect that the new, easier manner of taking temporary special measures will encourage the introduction of such measures also in the area of ensuring gender equality.

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 underway 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).

Specifying the minimum representation of women and men on candidate lists for elections in the National Assembly

The National Assembly of the Republic of Slovenia adopted the Act, amending National Assembly Elections Act in July 2006 (OJ RS No. 78/2006). The provision requiring balanced representation of both sexes on the candidate lists (sixth and seventh paragraph of Article 43) requires that on the candidate list containing at least four candidates of either sex, either sex must have at least 35 per cent representation of the actual total number of candidates on the list. In case of candidate lists containing only three candidates, at least one representative of either sex must be included.

Article 56 of the new law further requires that the elections committee refuse candidate lists which do not comply with the Act, Like the Act Amending Local Elections Act (OJ RS No. 72/2005), the new law on elections into the National Assembly contains a transitional provision stating that the first

elections into the National Assembly to be carried out after the enactment of the law may have lower gender quotas, namely a minimum of 25 per cent representation of sexes.

The effect of the Act Amending the Local Elections Act (OJ RS No. 72/2005) on the representation of women in municipal councils after 2006 local elections

The amendment of the law on local elections which required that each sex is entitled to no less than 20 per cent candidate spots has improved representation of female candidates on candidate lists in the 2006 local elections. Compared to the 2002 local elections, the share of women on candidate lists increased by 11.6 percentage points (from 21.2 per cent to 32.8 per cent). On most candidate lists the representation of women exceeded 30 per cent, which happened only in exceptional cases in the past. The larger share of female candidates also contributed to the share of elected female council members, increasing from 13.1 per cent in 2002 to 21.5 per cent after the 2006 elections.

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).

Through implementation of the Decree regulating the criteria for implementation of the principle of balanced representation of women and men in composition of working bodies and in appointing and nominating government representatives (OJ RS No. 103/2004), the representation of women in working bodies has been increasing. The average representation of women in government bodies (taskforces, working bodies and government councils) in 2008 is 41 per cent. In public institutions the average share of women among representatives of the government also exceeds the threshold defined in Slovenian legislation as the gender balance threshold, as they have 49 per cent representation in 2008. However, the goal of reaching at least 40 per cent representation of women and men has still not been reached in the department of female representation in government representatives in agencies and funds, as there are only 31 per cent women representing the government in agencies, and 37 per cent in funds.

The proponents of deviating from the 40 per cent gender representation quota in the composition of government bodies, taskforces and government councils, and representatives of the government in entities governed by public law, most often support their position with objective reasons such as the fact that they do not have enough available persons of a particular sex which meet the required professional and other criteria. In bodies where membership is specified by function, deviations from the balanced representation principle are the result of an insufficient number of women in ministerial functions and state secretary positions.

8. Please provide information, in line with the request of the Committee in its previous concluding comments, on the situation 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 (A/58/38, para 223).¹ Please also elaborate on the implementation of the regional project "Roma Women Can Do It" mentioned in para. 95 of the report, and its impact on the participation of Roma women in the public and political life.

Roma women

Great differences have formed between members of the Roma community in Slovenia, owing to historical and other circumstances based on tradition, specific way of life different from the majority population, and level of integration in the social environment. The circumstances in which representatives of the Roma community live also vary according to geographic region. The greatest differences can be seen between the traditionally settled Roma living in south-eastern Slovenia and Prekmurje, and the recently immigrated Roma population coming mainly from Kosovo and Macedonia. Most immigrant Roma people are Muslims, which affects their traditions and the role of women within the family. In the Maribor metropolitan area, where most immigrant Roma people live according to data of the Social Services Centre, Roma are organized into two associations. Many of them live in welfare housing and are employed. School-aged children are dispersed in different schools, and they attend school more or less regularly. Literacy among the older population, especially women, is extremely low, and they often have trouble understanding the Slovenian language. In cooperation with the Maribor Adult Education Centre, around 40 women have already joined the literacy programme and finished elementary school for adults, and the number of adults participating in short educational programmes is also increasing.

We estimate that in Slovenia, like in most parts of Europe, Roma women still live in patriarchal family units. As a result of such male-dominant traditions women do not enjoy full freedom of choice in issues which involve the most basic decisions in their lives, and are thus prevented from fully enjoying their basic human rights. The Roma women are exposed to double discrimination – on the basis of ethnic background and on the basis of their gender.

The legal bases for regulating the status of representatives of the Roma community in Slovenia are provided in Article 65 of the Slovenian Constitution,² 13 departmental laws³ and an umbrella law, i.e. the Roma Community Act (OJ RS No. 33/2007). Another important document is the still relevant “Programme of Measures to Assist the Roma Population” adopted in 1995, which introduces measures to improve the status of the Roma community in key areas, such as residential issues, educational issues, employment issues, care for the family, social and healthcare issues, cultural development of the Roma community, informing and organizing the Roma community. We should

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

² Article 65 of the Slovenian Constitution stipulates that the status and special rights of the Romany community living in Slovenia shall be regulated by law.

³ The Local Self-Government Act, Local Elections Act, Voting Rights Register Act, Organization and Financing of Education Act, Kindergarten Act, Elementary School Act, Media Act, Library Act, Act on Enforcing Public Interest in the Field of Culture, Promotion of Balanced Regional Development Act, Radiotelevizija Slovenija Act, Financing of Municipalities Act; the new Cultural Heritage Protection Act passed by the National Assembly of the Republic of Slovenia on 1 February 2008.

also point out various resolutions passed by the Government, stipulating that ministries and government agencies must devote special attention to Roma issues within the limits of their competence, and involve them in national programmes in their field of activity.

The situation of Roma women in the process of education is specific, as statistical data show that Roma women are generally less educated than their male counterparts. It often happens that girls drop out of school in the later years of elementary school and get married. In the field of education, in May/June 2004 the competent expert councils adopted the "Strategy for education of the Roma population in the Republic of Slovenia". The document serves as a basis for future measures in the field of educating the Roma population, and includes an analysis of the current situation and measures taken by the competent ministry, an overview of key unsolved cases and recommendations for their resolution (e.g. enrolment of Roma children in kindergartens, continuing professional education of teachers, offering the elective subject Roma Culture in elementary schools etc.). In the drafting of this document, the Slovenian Roma Federation (ZRS) was involved through representatives, and it is still actively participating in the implementation of this document.

On the national level, the Women's Forum within the Slovenian Roma Federation organized a conference on ways to improve the status of Roma women in Slovenia, which took place on 7 June 2008.

"Roma women can do it" project

Within the scope of activities of the gender equality taskforce with the Stability Pact, the "Roma women can do it" project was carried out in June 2003. Its purpose was to empower Roma women and encourage them to become more involved in public and political activities. It took place in five Slovenian cities, regional centers where the majority of the Roma population live. The seminars focused on making social connections between Roma women, exchange of experience, finding solutions and ways to achieve agreed goals through mutual cooperation. This project meant a step forward in opening dialogue between male and female Roma people and representatives of the majority population about finding ways to fight prejudice and solve problems together, building mutual trust, respect and equality.

The key goals of the project were: to encourage Roma women to join forces and enter the public and political sphere with more confidence, to change the negative image of the Roma population and Roma women in public, establish cooperation between Roma and non-Roma activists, and building dialogue between Roma women and local and national authorities. The project involved 85 Roma women. The project also laid down a long-term plan, and it is therefore important to point out that it opened up the possibility of international collaborations and comparisons. Another concrete achievement is the fact that both facilitators are active in the department of protecting the rights of Roma women, and that they have used the knowledge gained in the project in their work. One of them is the Secretary of the Slovenian Roma Community Council, and the other is the president of the Roma Federation.

The conclusions of the “Roma women can do it” project were published in print and in scientific journals, and presented in areas populated by the Roma people. This has contributed to increasing the participation of Roma women, who now have a greater presence in public life both within the Roma community and in the majority population (Roma women are employed in various positions, such as editor of a weekly radio show for the Roma population on the national radio, president of one of the tourist societies, and a police officer in a local precinct where a Roma population lives). One of the heralds of progress in including Roma women in political life have been two Roma municipal councilwomen, who were elected in municipalities entitled under the Local Self-Government Act to have the right to a Roma representative in the municipal council (regions with indigenous Roma populations).

Rural women

A comparison of statistical data provided by the Statistical Office of the Republic of Slovenia collected in the first half of 2005 and 2007 shows that in 2007⁴ the average Slovenian rural woman is four years older than in 2005 (54 years of age), has completed elementary education, and has, together with other members of the household, worked on more or less the same-size of farmland (15.57 acres) as two years before and reared less large livestock than in 2005 (5.5 animals). She has needed an average of 2 hours less time to do this work compared to 2005 (40 hours), which is approximately an hour more than women worked in Slovenia, on average.

Over two-thirds of women who worked in agriculture in 2007 report that they have the status of an assisting family member, meaning that they are not receiving regular payment for their work. Two-fifths of younger women (45 years or less) who worked in agriculture were employed on a full-time basis or worked on the homestead, and one-fifth were unemployed, one-fifth were housewives, and one-fifth were secondary school or college students. The aforementioned statuses intertwine to a great degree, as many unemployed persons help on the family homestead while looking for work. Almost three-quarters of the rural women over the age of 45 were housewives or retirees.

Younger women working in agriculture show a desire for education, as almost one fifth of them are enrolled in regular education, and over one-half of younger women have completed secondary education as of 2007. The educational level of older rural women is still relatively low, however, and has even decreased compared to 2005 data.

In 2006 the Government of RS adopted the “National Programme for Gender Mainstreaming in Agriculture and the Development of Rural Regions in Slovenia”. This strategic document lays down the key guidelines, goals, measures and activities and facilitators of policies to ensure equal opportunities of women and men of different age and social groups from the rural regions and carry out the planned activities. The key goal of the National Programme is to help ensure food safety and sustainable development of rural areas, especially by involving rural women in development programmes and activities.

⁴ Sources: Statistical Office of the Republic of Slovenia, Rural women in Slovenia, 14 October 2005 and 12 October 2007.

The actions of the agricultural policies are being implemented on the basis of the “Rural Development Programme 2007–2013”. The programme specifically highlights equal opportunities for women and men as a point of focus. One of the measures to improve the role and status of rural women is a special benefit for women filing applications to help young female caretakers taking over farms, who receive a higher number of points and consequently higher financial support based on assessment of their applications. This incentive is aimed at eliminating the lack of women applying for financial assistance. The rural development programme also contemplates more active involvement of farmer women’s associations in programmes, as well as involving the Rural Women’s Association as an established social partner in the process of adopting important decisions involving rural development.

There are approximately 150 rural women’s societies active in Slovenia. In 2007 the activity of almost one-half of societies which aim to improve working and living conditions of rural women received financial aid from the Ministry of Agriculture, Forestry and Food. One of the important effects of the involvement of these societies and rural women is their improving social inclusion. In the context of activities to carry out the national programme for equal opportunities of women and men in 2006 and 2007, special attention was dedicated to raising awareness about protecting and improving the health of rural women. For this purpose the Ministry of Agriculture, Forestry and Food co-financed some round-table discussions in 2007, on the subject of protecting and improving the health of rural women, which were organized by the Rural Women’s Association in cooperation with rural women’s societies and the agricultural counselling services working in the field and various experts. The participating women also received various publications involving women’s health.

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.

On 21 February 2006 the new Protection of Public Order Act (OJ RS No. 70/2006) came into force. Article 6 of the Act classifies as a misdemeanour any violent and reckless action against family members. This type of violation involves a stricter punishment than other misdemeanours. Since the enactment of the Act, as of 31 December 2006, 2,570 such misdemeanours were reported, and 5,188 in 2007. This type of misdemeanour involves a fine.

In 2007, the police also dealt with 2,851 criminal offences in the field of domestic violence committed against 1,974 women of over 18 years of age. In comparison with 2006, the number of female victims has increased by 15.6 per cent. The victims of criminal offences committed against the life and body in the family are most frequently female (including the children), while the perpetrators of such offences are mostly male. On the average, 82 per cent of the persons suspected of crime offences committed in the family in the past few years have been male.

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 (A/58/38, para. 207).⁵ The report refers to a research project "Advanced Guidelines in the 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.

The current Penal Code (OJ RS No. 63/1994, last amendment OJ RS No. 55/2008) treats domestic violence (against women, children and men) under general provisions of violent acts referred to in Article 299. The Act dictates that whoever insults another, or treats him or her badly or violently or endangers his or her security, thereby provoking public endangerment indignation or fright or indignation or fright within families, shall be sentenced to imprisonment for not more than two years.

In May 2008 a new Penal Code was adopted (OJ RS No. 55/2008), which will come into force on 1 November 2008 and which introduces a separate categorization of domestic violence. Article 191 of the new Penal Code therefore defines the separate criminal offence of "Domestic Violence". The aforementioned article defines a prison sentence of up to five years for anyone (regardless of gender) in a family environment or another long-term cohabitant arrangement who mistreats another, performs battery or inflicts pain upon another, or subjects another to humiliation, attempts to drive another away from their common home under threat of direct attack on life or limb, stalks another or forces another to work or not work, or attempts any other violent restriction of another's equal rights, effectively pushing another into a subordinate position.

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).

On 1 February 2008 the National Assembly of the Republic of Slovenia finally ratified and adopted the Domestic Violence Prevention Act (OJ RS No. 16/2008). The Domestic Violence Prevention Act is the first act in Slovenia to clearly define the different forms of domestic violence. Article 3 of the Act defines domestic violence as use of any physical, sexual, psychological or economic violence, or omission of due care for a family member referred to in the preceding article, regardless of age or gender. The Act defines the role, responsibilities, network and involvement of different state bodies and NGOs in the treatment of domestic violence, and lays down the available measures to protect victims of domestic violence. The Act also introduces the duty to report perceived violence. The first paragraph of Article 6 states that public authorities and organizations and NGOs which, in the course of their work, become aware of circumstances which indicate that domestic violence may be taking place, are required by law to inform the Social Services Centre, except where the victim explicitly

⁵ See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 38*, para. 207.

opposes such course of action and where the incident involved does not show indications of a crime which is subject to prosecution *ex officio*. Furthermore, the Act lays down the general duty to report cases where violence against children is suspected, as anyone, particularly a healthcare professional and staff in childcare and educational institutions, is obligated to inform, without delay, the Social Services Centre, the police, or the state prosecutor's office, when they suspect that a child is the victim of violence (second paragraph of Article 6). Every victim will henceforth have the right to an escort, who will offer emotional support, and the right to free legal aid. The Act also states that Social Services Centres will need to keep records on domestic violence. Thus far, such records were only maintained by the police. As Social Services Centres did not have access to such information, they were unable to provide adequate aid and protection to those in need. The Act also foresees regular professional training of all those working with violence, and it prescribes a multidisciplinary approach to working with the victim.

Measures to ensure the victim's safety (Article 18 to 24) form an important part of the Act, as well. Prohibitions which courts may impose under Article 19 resemble a restraining order under the Police Act, which a police officer may impose *ex officio*. Article 19 enables the victim to propose to the court an adequate prohibition, either because the restraining order has not yet been imposed by the police (because the police deemed that the conditions were not met or because the victim of the crime did not involve the police in the intervention), or because such restraining order imposed by the police has already expired. Introduction of the prohibition under Article 19 hopes to achieve comprehensive protection for victims of domestic violence. Existing regulations of the Code of Obligations allow victims of violence to request compensation of property and non-property damages (for physical and emotional suffering and fear; cf. Art. 179 of the Code of Obligations – OJ RS No. 97/2007-UPB1) in the form of pecuniary damages. At the same time, victims may demand the perpetrator to cease with violating their personal rights (including the right to a private and family life and the right to dignity; cf. Art. 134 of the Code of Obligations – OJ RS No. 97/2007-UPB1). Experience from Slovenia and other countries has shown that in practice such demands (for restitution or ceasing violation of personal rights) are not suitable for domestic violence, and are thus seldom used. As a rule, the victim wants above all for the perpetrator to stop committing violent acts. This can only be achieved if we allow courts to impose measures which communicate to the perpetrator the limits of a person's privacy, which should not be infringed upon.

In practice, a complaint under this Article can be lodged by any person physically harmed by the perpetrator, or any person whose health, dignity or other personal rights have suffered as a consequence of such violence. Unlawful threats, trespassing and other forms of harassment will provide sufficient grounds. The measures imposed by courts are time-limited to a maximum of six months, and the victim may propose such measures to be extended by a maximum of six months.

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 mid-term action plan for the police (2003 - 2007) referred to in paragraph 46 of the report and their impact.

In 2001 the police dealt with 2,566 cases of domestic violence in which women were the victims of violence. The percentage of women who were victims of violence was 15.5 per cent, with children and men accounting for the remaining 84.5 per cent of cases. In 2004 the percentage of women who were victims of violence was 26.7 per cent, which means that there were 4,443 cases in which women were victims of violence. Children and men were victims in 73.3 per cent of cases.

The police and other institutions and organizations trained 40 facilitators to introduce knowledge in the areas of recognition, prevention and investigation of family violence. In 2006 they began holding training courses for all police officers at police departments. By the end of 2007, all police officers had completed the introductory programme, and we are currently planning to hold further training courses. The programme gives police officers information about preventing and investigating violence against women, children and other family members. The emphasis is on understanding the problem, recognition and support and assistance for victims of violence.

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.

The Domestic Violence Prevention Act (OJ RS No. 16/2008) prescribes and regulates the collection of data from all state authorities which deal with domestic violence and violence against women. The law prescribes that regional social work centres shall keep databases relating to domestic violence and violence against women and children as the most frequent victims. In addition to the general data these records also include data on official interventions into families and procedures involving violent situations.

From 2003 to 2007 the police dealt with 25 cases of women who were murdered by husbands, partners or former partners. The precise data can be seen in the table below.

Year	2003	2004	2005	2006	2007
Number of women murdered	5	7	3	3	7

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 (A/58/38, para. 207).⁶

In 2006/2007 the Ministry of Labour, Family and Social Affairs co-financed programmes involving safe houses, shelters, sanctuaries and maternity shelters, and other programmes relating to the prevention of violence. The programmes provide a total of approximately 305 beds. The Resolution on the National Social Security Programme 2006–2010 foresees an expansion of the network in all statistical regions to around 350 beds.

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.

In 2007, non-governmental organizations that operate in the field of violence against women published a special supplement to a daily newspaper (circulation 120,000) entitled: “Violence! What can I do?”, which was co-financed by the Office for Equal Opportunities. The supplement deals with violence against women in the family, presents the development of violent relationships, describes what victims can do, explains the obligations of institutions, provides information about sexual harassment at the workplace and human trafficking, and gives a list of non-governmental organizations and safe houses. It was published during the international days of actions against violence against women.

In the period from 25 November 2006 to the summer of 2008, the following activities, which were financed in whole or in part by the ministries and the Office for Equal Opportunities, were carried out in Slovenia, which has joined the Council of Europe’s campaign against violence against women including domestic violence:

- a campaign poster was published in the Slovenian language;
- projects relating to violence against women were co-financed (violence against women was the priority topic in the Office for Equal Opportunities’ call for applications for co-financing NGO projects in 2007); the Office co-financed 8 projects: violence against physically disabled women, advocacy, awareness raising, work with the media, info line for victims (information and legal counselling) and a project which focused on gynaecology offices;
- a round-table discussion was held entitled “Violence against Women – A Unified Strategy of the Work of Institutions. From Practice to Law”. At the round-table, the regional domestic violence coordinator, a representative of the police, the chair of the Working Group for Non-Violence in Healthcare, a school counsellor and a representative of an NGO discussed problems which their organizations encounter when dealing with violence against women and searched for ways for institutions to work in a uniform and harmonised manner when dealing with victims and perpetrators. In the second half, a legal expert, representatives of the Ministry of Labour, Family and Social Affairs

⁶ Ibid., para. 207.

and NGOs and a public prosecutor discussed the key elements that have to be included in the Domestic Violence Prevention Act in order to provide the highest level of protection for victims and deal with the issues thoroughly;

- a supplement about violence against women was co-financed (see above);
- a pamphlet was published (an excerpt from the aforementioned Supplement) in the Utrip magazine (the professional journal of the Nurses and Midwives Association of Slovenia) which included a test to determine whether a woman was a victim of violence, which was distributed to healthcare centres, non-governmental organizations and the Association of Country Women of Slovenia;
- in order to raise awareness as part of the international days of campaigns against violence against women, t-shirts were printed bearing the text Stop Violence Against Women and distributed to members of parliament (the Domestic Violence Prevention Act was undergoing the procedure of discussion and adoption in the National Assembly at that time), ministers, equal opportunity coordinators at government and local level, NGOs, the police and participants at a conference which was held on 7 March 2008 and organized in cooperation between NGOs and the Commission for Petitions and for Human Rights and Equal Opportunities of the National Assembly of the Republic of Slovenia.

The beginning of the first national research programme on violence against women is planned for this year, which will be carried out on the initiative of the Office for Equal Opportunities and the Ministry of Internal Affairs/Police within the framework of the Target Research Programme “The Competitiveness of Slovenia 2006–2013”. Funding for its implementation will be provided by the Public Agency for Research Activities of the Republic of Slovenia and both initiators. A research project entitled “Analysis of the System of Prevention, Processing and Frequency of Violence in the Private Sphere and Partnership Relations” is designed to provide a thorough analysis of the system of the efficiency of the operations of organizations involved in the field of violence in the private sphere (with an emphasis on violence in partnership relations), provide a proposal for improving the system of operation of these organizations, generate data on the frequency of violence in the private sphere and an analysis of the needs of victims of violence.

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 para. 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.

The English translation of Article 185 of the Penal Code⁷ reads:

⁷ The Penal Code (OJ RS No. 63/1994, last amendment OJ RS No. 55/2008 – KZ) will cease to be in effect on 1 November 2008, when the new Penal Code (OJ RS No. 55/2008 – KZ-1) will enter into force, Article 175 of which contains a provision identical to that of Article 185 of the currently valid Penal Code.

“Article 185 - Exploitation through prostitution

(1) Whoever participates for exploitative purposes in the prostitution of another or instructs, obtains or encourages another to engage in prostitution with force, threats or deception shall be given a prison sentence of between three months and five years.

(2) If an offence from the preceding paragraph is committed against a minor, against more than one person or as part of a criminal association, the perpetrator shall be given a prison sentence of between one and ten years.”

In 2005 the Police dealt with 10 criminal offences of abuse of prostitution pursuant to Article 185 of the Penal Code, and issued four reports to public prosecutor’s offices in connection with such types of criminal offences. A report was also issued on a criminal offence of exploitation of prostitution pursuant to Article 186 of the Penal Code, as a result of the amendment to criminal information given before the amendment of the Penal Code in 2004. Information was given against 13 suspects, and 8 victims were identified. No sentences were passed for criminal offences of exploitation of prostitution in 2005.

In 2006 the Police dealt with 18 criminal offences of exploitation of prostitution pursuant to Article 185 of the Penal Code, criminal information was given against 65 suspects and 28 victims were identified. Three reports were issued to public prosecutor’s offices. 8 criminal offences were dealt with as consequences of organized crime.

The district public prosecutor’s office and the Group of Public Prosecutors for the Prosecution of Organized Crime received 8 statements of criminal information against 21 persons due to criminal offences of exploitation of prostitution. They also dealt with one report in which the data and evidence gathered was not sufficient for the submission of criminal information.

In 2006, seven defendants were charged with the criminal offence of exploitation of prostitution or as accessories to that criminal offence. The first on the list of defendants was sentenced to five years’ imprisonment, two of the defendants were sentenced to two years’ imprisonment each, one was sentenced to a prison term of 1 year and 10 months, and the remaining three received conditional prison sentences.

In 2007 the police dealt with four criminal offences of exploitation of prostitution pursuant to Article 185 of the Penal Code, criminal information was given against seven persons, and three victims of these criminal offences were identified. Two persons were sentenced for criminal offences of exploitation of prostitution in 2007 (cases processed by district public prosecutors from previous years).

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 para. 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.

The English translation of Article 387 of the Penal Code⁸ reads:

“Article 387a - Trafficking in human beings

(1) Whoever purchases another person, takes possession of them, accommodates them, transports them, sells them, delivers them or uses them in any other way, or acts as a broker in such operations, for the purpose of prostitution or another form of sexual exploitation, forced labour, enslavement, service or trafficking in organs, human tissue or blood shall be given a prison sentence of between one and ten years.

(2) If an offence from the preceding paragraph was committed against a minor or with force, threats, deception, kidnapping or exploitation of a subordinate or dependent position, or in order to force a victim to become pregnant or be artificially inseminated, shall be given a prison sentence of at least three years.

(3) Whoever carries out an offence from the first or second paragraphs of this article as a member of a criminal association for the commission of such offences, or if a large pecuniary benefit was gained through commission of the offence, the perpetrator shall be subject to the same penalty as specified in the preceding paragraph.”

In 2005 the Police dealt with three cases of criminal offences of trafficking in human beings pursuant to Article 387.a of the Penal Code. Criminal information was submitted against four suspects, and the same number of victims (4) were identified. The Police also submitted two reports to the public prosecutor for the criminal offence concerned, whereby they dealt with two suspects and two victims.

The criminal legislation adopted in 2004 prescribed that in 2005, district public prosecutor’s offices, with respect to the relatedness of the content with the criminal offence of trafficking in human beings pursuant to Article 387.a of the Penal Code, also monitored enslavement pursuant to Article 378 of the Penal Code. In 2005 three statements of criminal information were submitted against six persons for the criminal offence of trafficking in human beings. All six victims were adult women. One of the statements was rejected, while investigations were called for in two cases against 5 persons. After the completion of the investigations a charge was filed and a suspended sentence was later handed down, against which the district public prosecutor filed an appeal. The matter was not resolved in 2005. An investigation was carried out in one case.

In 2006 the Police dealt with three cases of criminal offences of trafficking in human beings pursuant to Article 387.a of the Penal Code. Criminal information was submitted against 11 suspects and 16 victims were identified. Three reports were issued to public prosecutor’s offices. One criminal offence was dealt with as a consequence of organized crime. Public prosecutor’s offices and the Group of Public Prosecutors for the Prosecution of Organized Crime received six statements of criminal information in 2006 against eight persons to the detriment of 18 female victims. The prosecutor’s offices passed decisions in four cases, whereby in one case the criminal information was rejected, in two cases an investigation was called for and in one case charges were filed against two defendants.

In 2007 the Police dealt with three criminal offences of trafficking in human beings pursuant to

⁸ The Penal Code (OJ RS No. 63/1994, last amendment OJ RS No. 55/2008 – KZ) will cease to be in effect on 1 November 2008, when the new Penal Code (OJ RS No. 55/2008 – KZ-1) will enter into force, Article 113 of which contains a provision identical to that of Article 387.a. of the currently valid Penal Code.

Article 387.a of the Penal Code, information was submitted against six suspects and 5 victims were identified. The Police also submitted two reports to public prosecutor's offices. In 2007 public prosecutor's offices received four statements of criminal information against six persons for the criminal offence of trafficking in human beings pursuant to Article 387.a of the Penal Code. In one case the criminal offence from the criminal information originally submitted due to the criminal offence of enslavement pursuant to Article 387 of the Penal Code was reclassified as a criminal offence of trafficking in human beings. Investigations were called for against two persons, the criminal information against three persons was rejected, and in one case extensive supplementation of the criminal information was demanded. Charges were filed against two defendants after investigations were carried out in cases that were carried over from previous periods.

No sentences were handed down in the period 2005–2007 for the criminal offence of trafficking in human beings pursuant to Article 387.a of the Penal Code.

In order to increase the efficiency of the processing of criminal offences of trafficking in human beings, the Supreme Public Prosecutor's office of the Republic of Slovenia authorized the Supreme Public Prosecutor to monitor, direct and coordinate work, and the individual district public prosecutor's offices and the Group of Public Prosecutors for the Prosecution of Organized Crime authorized individual public prosecutors to deal with criminal offences in this area. Good cooperation between the public prosecutors, regular reporting by the district public prosecutors on criminal offences in which they direct the pre-trial procedure or direct the criminal proceedings, and the coordination and monitoring of their work by the supreme public prosecutor leads to the formation of a uniform prosecution policy in this area.

Despite the improvement of the work methods of the public prosecutors, monitoring of individual criminal offences over longer periods of time showed that these types of conduct cannot be defined as the criminal offence of trafficking in human beings pursuant to Article 387.a of the Penal Code, but as related criminal offences, most often the criminal offence of exploitation of prostitution pursuant to Article 185 of the Penal Code.

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 para. 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.

The programme of providing help to victims of trafficking in human beings set out in the Action Plan of the Interdepartmental Working Group for the Fight Against Trafficking in Human Beings, which was approved by the Government of the Republic of Slovenia in July 2004, was implemented by the Ključ Society in 2005, while in 2006, 2007 and 2008 it was implemented by Caritas Slovenia. Both organizations were selected to implement the programme of supplying and assisting victims on the basis of annual public calls for applications by the presiding ministries and received funding for the agreed programme from the budgets of the presiding ministries.

The programme is divided into two projects. The implementation of the project “Providing help to victims of trafficking in human beings in the Republic of Slovenia – emergency relocation” offered victims of trafficking in human beings help with physical, psychological and social rehabilitation, which included the provision of initial and emergency removal from their current circumstances, primarily through suitable relocation, provision of food and care, psycho-social assistance, help in providing healthcare, translating and interpreting, counselling and provision of information about rights, support in proceedings before courts and prosecuting authorities, providing security when required, help in arranging status and obtaining documents for residing in the Republic of Slovenia, enrolment in education and other measures required for socialization and revitalization.

Victims who decided to cooperate in criminal proceedings in cases of trafficking in human beings were included in the second project, “Providing help to victims of trafficking in human beings in the Republic of Slovenia – relocation to safe areas”, which in addition to the above described services also includes help in arranging status in the Republic of Slovenia pursuant to the Aliens Act and relocation to a safe place.

In 2005 the Ključ Society provided various forms of assistance to 16 potential victims of trafficking in human beings. In December 2005 the Ključ Society obtained a temporary occupancy permit for a foreign woman who was removed to a safe house. The permit was issued by the Police on the basis of Article 38 of the Aliens Act in a procedure for arranging emergency relocation and initial forms of assistance to the victim.

In the period from 22 May 06 to 31 December 06, Caritas Slovenia dealt with 21 persons as part of the project of providing help to victims of trafficking in human beings, and in 2006 the Ključ Society offered various forms of help to 19 persons who were suspected of being victims of trafficking in human beings. All of this assistance was short-term, so that in 2006 none of the suspected victims were removed to safe houses, nor were any of them granted temporary occupancy permits or temporary residence permits.

In 2007 the Ključ Society relocated three female victims of trafficking in human beings to safe houses who had previously been in emergency relocation facilities. The victims were Slovenian citizens, so it was not necessary to rearrange their status. In 2007, Caritas Slovenia offered emergency relocation to three men who were the victims of the criminal offence of enslavement and who were escorted to their country of origin at their own request.

The International Organization for Migration Ljubljana, which signed a Memorandum on Cooperation in the Programme of Voluntary Returning of Migrants with the Government of the Republic of Slovenia cooperates in returning victims of trafficking in human beings.

At the end of 2007 the presiding ministries drew up the first public call for applications for providing help to victims of trafficking in human beings for a two-year period (2008–2009). The Action Plan for the Fight Against Trafficking in Human Beings 2008–2009, which the Government adopted in July 2007, also envisages all of the stated forms of assistance and support for victims. The contractors selected on the basis of the call for applications in 2007 have also been authorized to increase

awareness among target populations of youth and foreigners. Increasing awareness among risk groups of foreigners is carried out as part of the project Providing help to victims – relocation to safe areas, while increasing awareness among youth groups is carried out as part of the project Providing help to victims – emergency relocation.

Article 38.a of the Aliens Act (OJ RS, No.107/06-UPB and No. 44/08) added new grounds for issuing a permit for temporary residence to aliens, nationals of the third countries, who are victims of trafficking in human beings and who participate in the criminal proceedings involving trafficking in human beings as witnesses. The issuing of the first temporary residence permit to a victim of trafficking in human beings is regulated in a manner different from that for other aliens both in terms of the issuing procedure of a permit and in terms of its issuing conditions, which among other things include a certificate of the competent police authority on the witnessing of the victim. A permit for temporary residence may be extended throughout the entire period of the criminal proceedings provided the legislative conditions are duly complied with. Even in the period preceding the issuing of the permit for temporary residence, a victim of trafficking in human beings is allowed to stay in the Republic of Slovenia either on his/her request or *ex officio*. Likewise, even before the conclusion of the criminal proceedings, the victim may be supplied with a permit for temporary residence on other grounds in compliance with the law.

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 (A/58/38, para. 209).⁹ Please provide information in the measures taken or envisaged to address the transit of potential victims through the country (para. 74).

Measures to enhance international, regional and bilateral cooperation

In the international sphere the Slovenian police participate in working groups in the fight against trafficking in human beings within Interpol and Europol. Among the more significant programmes on the regional level is regular cooperation with the SECI (Southeast European Co-operative Initiative) Centre. The Slovenian police are also part of the regional system of education on the topic of the fight against trafficking in human beings, coordinated by the ICMPD (International Centre for Migration Policy Development). They participated with the public prosecutor's office and the Ključ Society NGO on the UNIDEM project, which is run by an Italian non-governmental organization. The project includes various Mediterranean countries.

The Slovenian police work closely on bilateral projects in this field with the Croatian police, with whom they regularly exchange information on specific cases. Every year a group training seminar is held for criminal investigators from the Republic of Slovenia and the Republic of Croatia who work in this field.

⁹ See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 38*, para. 209.

The project “Introduction of mechanisms for recognizing, providing assistance to and protecting victims of trafficking in human beings and/or sex and gender based violence in asylum procedures in Slovenia” (the PATS project) is also of regional significance. The project was developed in cooperation between the Asylum Section of the Ministry of Internal Affairs, the Ključ Society non-governmental organization, the Centre for Psychosocial Assistance to Refugees at Slovenian Philanthropy and the United Nations High Commissioner for Refugees (UNHCR). It is designed to recognize potential victims of trafficking in human beings among asylum seekers, and is carried out at the Asylum Centre of the Ministry of Internal Affairs, and since 2007 also at the Centre for Aliens. In 2007 two clients of the PATS project came under the auspices of the project of providing help to victims of trafficking in human beings. Since the UNHCR with the help of the regional office in Budapest, Hungary, recognised the PATS project as a unique model which also takes the migration and asylum aspects into account in the prevention of human trafficking, and since one of the Republic of Slovenia’s foreign policy objectives is to provide support to the countries of Southeast Europe in the democratization process, with the support of the Slovenian Ministry of Foreign Affairs and the UNHCR the project was expanded to Croatia and Bosnia and Herzegovina.

Raising awareness and providing information to the general public and target groups

Numerous activities were carried out in order to raise awareness and provide information to the general public and target groups:

- a promotional spot promoting the prevention of human trafficking was broadcast on two television programmes, aimed at the target group of users of prostitution services;
- a documentary film was made about the work of the Ključ Society, aimed at raising the awareness of professionals;
- a radio advertisement was made about situational examples of a conversation with person in a crisis situation when they call an advice line for victims of human trafficking;
- preventive materials in the form of postcards were printed, reprinted and distributed;
- publications were issued and distributed, including the publication “People are Not For Sale – selected international documents on taking action against sexual exploitation and child abuse”, which was distributed to police departments, elementary and secondary schools, social work centres, non-governmental organizations and the media, and proceedings with papers presented at conferences and round-tables; various professional articles were published;
- numerous conferences and round-tables were held, including a conference on the implementation of the Council of Europe’s Convention on Action against Trafficking in Human Beings;
- guest lectures in professional subjects for fourth-year university students;
- lectures for youth, their parents and school personnel;
- research projects which focused among other things on recognizing the possibility of employing victims of human trafficking and the establishment and monitoring of internationally comparable indices of human trafficking.

Qualifying and training professionals

In order to enhance the capabilities of various groups of professionals, regular training courses are held for ministry personnel and other target groups of professionals whose jobs relate to actions against human trafficking. The carrying out of activities of providing information, educating and raising awareness of professionals included in actions against human trafficking also included non-governmental organizations which are involved in prevention of human trafficking and protection and assisting victims. The activities included primarily the following:

- training of facilitators for training police officers, training of police officers at local police stations and education of police staff who were assigned to the (UNMIK) International Peacekeeping Mission in Kosovo;
- training for consular staff to increase their ability to recognize potential victims of human trafficking in visa issuing procedures;
- training of newly hired officials at the Ministry of Defence;
- training of employees at the Asylum Centre;
- education for workers in safe houses, shelters, maternity shelters and related organizations, and social workers at social work centres and related services;
- raising awareness and sensitizing of representatives of parish Caritas units, nuns and priests;
- training of volunteers, professional associates and professionals involved in programmes of providing help to victims of trafficking in human beings.

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.

Activities in support of active fatherhood and the eradication of traditional gender role stereotypes in society included research activities, awareness-raising and providing information using communications strategies, including this content in educational programmes on marriage and parenthood and in school curricula, and training pedagogical and counselling staff.

Research activities

In order to establish new trends in parenting and fatherhood and to draw up proposals for improving family policies in this field, the Office for Equal Opportunities in cooperation with the Slovenian Research Agency as part of the Target Research Programme co-financed a project entitled "New Trends in Parenting – an analysis of fatherhood and proposals for improving family policies in this

field for the period 2005–2007”, which was carried out by the Faculty of Social Sciences. As part of the research a qualitative analysis was carried out in 2005 of discourses and representations of the so-called phenomenon of “new fatherhood” in Slovenian parenting magazines. Through the analysis it was established that the phenomenon of new fatherhood is appearing in Slovenia, but not as a fully realized, completed phenomenon, but as an emerging phenomenon.

In 2006 an analysis was carried out of the discourse of judicial decisions on placing children in the care of one of their parents. The findings from the study of the discourse supplement the findings from 2005 on the phenomenon of new fatherhood. In the conceptualization of active fatherhood a dual situation is arising in Slovenia, where on one hand we have the social promotion of new, active fatherhood and demands for parenting activities by fathers, and on the other hand in certain aspects the stereotypical concepts of parenting roles predominate, which favour motherhood as the primary care-providing role.

In 2007 an analysis of five target groups of mothers and fathers (separated by sex) was carried out on the topic of reconciling work and family life in companies with preschool children and influences on the phenomenon of new fatherhood and on fathers’ identity. The main purpose of the target groups was to determine the fathers’ views on the problems of reconciling family life and work obligations, on how they understand the influence of the environment on decisions to take a more active care-giving role and on the ways and extent to which they focus on providing care for their children. It was found that men do not view reconciling work and family life as a problem, but more as a lack of time, which they attempt to compensate for through being active in family life on weekends. For this reason as well they remain in the role of the father who jumps in when there is nobody else (partner or grandparents) who could e.g. stay at home with a sick child or drive a child to afternoon activities. Proposals for improving family policy in this area were drawn up with respect to the research.

Raising awareness and providing information using communications strategies

In order to increase men’s awareness of the importance of active fatherhood and to increase the number of men taking paternity leave and childcare leave, the Office for Equal Opportunities as part of the international project “Men at Work: Achieving Gender Equality”, which was co-financed by the European Community Gender Equality Programme, carried out a media campaign entitled “Daddy, be active!”. The campaign included a series of radio broadcasts and a documentary/educational film. Thirteen radio stations broadcast shows on fatherhood which among other things dealt with fathers’ rights, reconciliation of work and private life, psychological aspects of active fatherhood and the views of mothers, families and the wider environment on active fatherhood. The media campaign on active fatherhood continued with a documentary/educational film called “Daddy, be active!”, which was broadcast on national television in 2007. The film was intended for a wide audience, and at the same time it was planned to be used in awareness-raising among employers and unions, as a teaching aid in schools, for use in parenting schools and other programmes for parents and so forth. The film was distributed in DVD form to various organisations that can play a part in promoting active fatherhood and changing the traditional roles of women and men in the family and in society.

In order to increase men's awareness of the importance of active fatherhood and to increase the number of men taking paternity leave and childcare leave, a media campaign was carried out on national television in which a television spot called "Daddy, be active!" was broadcast.

The Office for Equal Opportunities in cooperation with six urban municipalities held "Daddy Runs" in September and October 2006 which were designed to encourage fathers to spend time with their children and to raise awareness of fathers' rights and the positive aspects of active fatherhood for children and parents. At the initiative of the Office for Equal Opportunities the "daddy counter" mechanism was established, in which 14 ministries participated throughout 2006. The ministries prepared monthly data on employed men on paternity leave and childcare leave, which the Office published on its website. The objective of the "daddy counter" mechanism was to determine how many employed men from the individual ministries and their component bodies took paternity leave and/or shared childcare leave with the mothers.

The activities carried out contributed to higher awareness among men about the importance of active fatherhood, which is also confirmed by an increased number of men taking paternity leave (73.8 per cent in 2006), especially in view of the growing number of births and consequently of fathers who are entitled to paternity leave. In addition, the Ministry of Labour, Family and Social Affairs prepared a media promotion of equal distribution of family work and parenting between partners. The promotion was based on the drawing up of suitable written materials and providing information to as wide a population as possible. The activities were carried out as part of a public call for applications for family support programmes – schools for parents, family and youth centres.

Learning for more responsible and higher quality partnership, parenthood and family life

The Ministry of Labour, Family and Social Affairs financed educational programmes for marriage and parenthood and training programmes for family mediation. The purpose of these programmes was to encourage counselling programmes and special projects and training courses that contribute to more responsible and higher quality parenthood and partnership, and to overcoming traditional models of the social roles of women and men in family and partner relations. The activities were carried out as part of a public call for applications for family support programmes – schools for parents, family and youth centres, prevention of family violence. Two content themes were developed as part of the public call for applications for Family Support Programmes, programmes for parents and programmes for personal growth and development of children and youths. Participants in these programmes enhance their awareness of social gender roles and family dynamics, discuss the problems and challenges of parenthood and the specific roles of each parent with regard to gender.

In order to monitor and develop curricula from the point of view of education for equal and responsible partnership, parenthood and family life, and the inclusion of these contents in the training of pedagogical and counselling personnel, seminars for educating and training teachers were held within the framework of the regular annual work plans of the National Education Institute. The objective of the seminar "Sex education: I am me and you are you" was to inform teachers and counsellors at elementary and secondary schools about the possibility of interdisciplinary linking of the content of sex education with an emphasis on youths, and its characteristics and work methods.

Sex education in school should be used to increase the level of quality of communication and interpersonal relations, and to help form viewpoints and beliefs which young people need in order to make conscious and responsible decisions about their sex lives.

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 para. 61 on the general attitude towards sexual harassment.

In 2007 the Office for Equal Opportunities in cooperation with 13 trade unions carried out a research project entitled "Sexual and other harassment at work". The purpose of the research was to assess the frequency of sexual and other forms of harassment at work in Slovenia. The results of the research indicated that nearly every third woman is a victim of verbal sexual harassment, and every sixth a victim of physical and non-verbal sexual harassment. The research also showed that nearly half of these women do not tell anyone about the harassment. The findings from an analysis of the questionnaires used during the research project indicated that women did not trust anybody in connection with harassment, since they were above all convinced that even if they did report it nothing would change, since they hoped that the harassment would end quickly and they believed that nobody could help them.

In 2007, the Office for Equal Opportunities presented the results of the research at a conference entitled "Women on the labour market: statistics and facts". At the conference, the Chief Labour Inspector of the Republic of Slovenia presented the concrete measures taken by labour inspectors after receiving a report that sexual harassment was occurring within an organization.

In order to increase the monitoring of the frequency of sexual harassment at work and the level of awareness of employees, the Labour Inspectorate of the Republic of Slovenia verifies the implementation of the provisions of Article 45 of the Employment Relationships Act (OJ RS No. 42/2002, last amendment OJ RS No. 103/2007), which prescribes the protection of the dignity of employees at work and prohibits sexual harassment. In 2006 the Inspectorate did not establish any offences relating to sexual harassment at work, while in 2007 two offences were established. Labour inspectors also offer expert assistance to employers and employees relating to compliance with laws and regulations, collective contracts and general acts within their jurisdiction. Within the framework of these activities they also respond to women who are alleged victims of sexual harassment, by telephone, orally during the Inspectorate's office hours, or in writing. They explain which regulations were violated by the actions of the harasser and where they can turn to if they wish to initiate proceedings against the offender.

In addition, labour inspectors frequently verify the presence of discrimination or harassment at work through extraordinary inspections in targeted campaigns by the Inspectorate. However, they discover very few cases of discrimination in this way, since cases of sexual harassment are very difficult to determine without precise statements in the report about the action, the victim or the harasser. Even in cases where discrimination or harassment cannot be established or proved in the inspection, the inspectors inform the employers about the implementation of the provisions of the labour laws, the implementation of preventive measures and behaviour through which the consequences of the occurrence of harassment can be eradicated if they occur at the employer's place of business.

In 2007 the Act Amending the Employment Relationships Act (OJ RS No. 103/07) introduced new elements important for protection against sexual harassment at work. The new provision of Article 6.a precisely defines sexual and other harassment as any form of unwanted verbal, non-verbal or physical conduct or behaviour of a sexual nature, which has the effect or purpose of violating the dignity of a person, in particular where this creates an intimidating, hostile, degrading, humiliating or offensive environment. The Act now explicitly prescribes that sexual and other harassment constitute discrimination pursuant to the provisions of the Employment Relationships Act. Pursuant to Article 6.a(3) of the Act, rejection of actions and behaviour which constitute sexual or other harassment on the part of an affected candidate or worker may not serve as grounds for discrimination in employment and work. The amended Article 45 of the Employment Relationships Act prescribes that employers shall be bound to provide such a working environment in which none of the workers is subjected to sexual or other harassment or workplace bullying on the part of the employer, a superior or co-workers. To this end each employer must take appropriate steps to protect workers from sexual and other harassment or from bullying in the workplace. The amended Act also explicitly states that employers shall be materially liable to employees in accordance with the general principles of civil law in cases where they fail to provide protection against sexual and other harassment or workplace bullying.

The Office for Equal Opportunities has developed a tool for employers to monitor the frequency of and deal with harassment. On the Office's website employers can access content and information relating to sexual and other forms of harassment. In addition to definitions and forms of harassment, the website also offers conduct guidelines for victims of harassment, witnesses of harassment and employers. They include a proposal that employers adopt statements of policy against sexual harassment. The statement, which clearly states the organization's commitment to creating a work environment that provides for the dignity of all employees, and that each case of sexual and other harassment will receive a sanction, is signed by the responsible manager. It also encourages employers to appoint counsellors to whom employees can turn if they encounter sexual harassment. Some trade unions are very active in encouraging employers to adopt such statements.

In accordance with the Free Legal Aid Act (OJ RS No. 48/2001, last amendment OJ RS No. 23/2008), women whose financial census data does not exceed EUR 538.54 gross per month may request free legal aid from the courts, which includes coverage of the costs of the judicial procedure and payment of counsel, and in this way they can file a lawsuit regardless of their poor material circumstances.

According to data sent by the courts, in 2007 four cases of sexual harassment at work were heard at labour courts, in which a court settlement was ordered in one case, and the other three cases had not been concluded at the time of the writing of these responses.

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.

The unemployment growth rate for women in Slovenia in 2006 was 0.8 per cent and rose to 2 per cent in 2007. In comparison with 2006 the rate of employment among women also grew in 2007, from 61.8 per cent to 62.6 per cent. The employment rate of women from 55 to 64 years of age is still relatively low, but rose from 21 per cent in 2006 to 22.2 per cent in 2007. The percentage of women with temporary employment also rose slightly, from 11.1 per cent in 2006 to 11.6 per cent in 2007.

The unemployment structure of women with regard to age groups also changed in comparison with 2002 or 2004. While in 2002 and 2004 the highest registered unemployment among women was among those in the 25 to 30 age group, in 2007 the highest levels of unemployment were among women in the 50 to 59 and 40 to 49 age groups.

The structure of unemployment among women according to education level also changed. In 2004 the highest level of unemployment among women was among those with post-secondary or university education, while in 2007 the highest level was recorded among women with vocational and secondary level education.

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.

In order to reduce unemployment among women (in 2006 unemployment among women in Slovenia was 7.2 per cent, in 2007 5.8 per cent), strategic documents have been adopted in Slovenia such as the Active Employment Policy Measures Programme and the Human Resources Development Programme. The most recent such documents have been adopted for the period 2007–2013. By implementing the Active Employment Policy Measures Programme we are meeting the objectives of the Lisbon Strategy and the optimal implementation of the European Employment Strategy. One of the main challenges in the field of employment and unemployment which we are facing in Slovenia is unemployment among women, to which we have responded with the envisaged measures of the active employment policy. Women are preferentially included in programmes that impact vertical and horizontal employment segregation, especially those who are the hardest to employ and cannot find employment on the labour market without mediation.

In 2007, 64.1 per cent of all people included in employment measures co-financed through integral parts of the budget and European Union funds were women (in 2006 65.2 per cent). The highest percentage of women, 71.1 per cent, were involved in programmes which are part of Vocational orientation and employment assistance (in 2006 60.8 per cent). Women accounted for 63.2 per cent of

all unemployed persons involved in training and educational programmes for the unemployed (in 2006 only 49.7 per cent). The percentage of women among unemployed persons involved in programmes designed to promote self-employment, new hiring of long-term unemployed persons receiving social assistance, and new hiring of elderly persons also increased, from 37.7 per cent in 2006 to 46.3 per cent in 2007. The fourth measure of the active employment policy is aimed at the direct creation of new jobs. It is carried out through a public works programme and employment programme projects at non-profit employers. Unemployed women accounted for 60.1 per cent of all persons involved in 2007 (in 2006 57 per cent).

Special activities were also carried out in 2006 and 2007 aimed at raising the level of employment of long-term unemployed women and raising the level of self-employment of women and entrepreneurship among women.

The programme of providing assistance for long-term unemployed women in finding their first employment was carried out by the Ministry of Labour, Family and Social Affairs in the framework of the measures of the European Social Fund. It was intended to co-finance the employment of unemployed women who had applied for employment for more than two years in the records of unemployed persons at the Employment Service of Slovenia, or had been without regular employment for more than two years and had been involved in local employment programmes (public works). The programme provided subsidies to employers for employing unemployed women from these target groups, for at least one year of employment and for at most one and a half years of employment. At the end of 2006, 417 women were included in the programme.

In 2006 the women's entrepreneurship programme was carried out by the Ministry of the Economy in cooperation with the Public Agency for Entrepreneurship and Foreign Investments. 1,600 women were involved in the programme. Several other activities were carried out in order to encourage women to decide to embark on entrepreneurial careers, which were co-financed by the Ministry of the Economy and various other ministries. They included motivational workshops for potential female entrepreneurs, specialized training in accounting and taxes, labour law and employment, and seeking for entrepreneurial opportunities, and a system was established for providing information and consultancy to entrepreneurs via the telephone and email. The Slovene Enterprise Fund stimulated the inclusion of women in entrepreneurship through subsidizing interest rates on long-term direct investment loans to new companies in which women had controlling interests higher than 50 per cent.

In order to reduce vertical and horizontal segregation, in 2006 and 2007 the Ministry of Education and Sport co-financed a project called "Systemic opportunities for the development of career orientations in gymnasiums". The project's objective was to research the psychological, social and economic factors and motifs that impact career choices and the selection of courses of study by gymnasium students, and to design a model of systemic organization of effective career orientations in scientific and technical academic disciplines. The final conclusions and analyses will be made at the end of 2008. Many other activities were carried out in order to eradicate differences between "women's" and "men's" careers and to reduce gender-based segregation, including the upgrading of curricula and the modernization of the approach to teaching scientific subjects and activities promoting scientific and technical careers.

The gap between women's and men's salaries is decreasing. In comparison with the year 2000, when women earned 12.2 per cent less than men on average, by 2006 the wage differential had been reduced by 4.2 percentage points (women in 2006 earned just 8 per cent less than men).

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.

The right and access to healthcare, both curative and preventive, are guaranteed and in principle accessible to Roma girls to the same extent as other children. Despite this there are inequalities in health among the different regions in Slovenia and among the different social and ethnic communities. The results of the research project "Risk factors for non-communicable diseases in adult members of the Roma community" (Murska Sobota Healthcare Institute, 2007)¹⁰ indicated a lower average level of education, a high level of unemployment, poor socioeconomic conditions, insufficient participation in preventive programmes and the presence of chronic diseases, which contribute to the health inequality of the Roma. The research forms a basis for the preparation of programmes and projects for improving health or reducing health inequalities.

In order to eradicate health inequalities in the Pomurje region, the region where the highest number of Roma live, the "Strategy for improving health and action plan for reducing health inequalities in the Pomurje region" was developed and adopted. The general objective of the strategic plan is to improve the health conditions of the regional population and thus reduce the differences in health among the regions, and in addition the plan also deals with health inequalities within the region. The health improvement programme, which is aimed primarily at individuals and vulnerable population groups, is an attempt to address health inequalities. The strategy is based on an analysis of the current situation and on the region's priority tasks, and is part of the Regional Development Programme 2007–2013.¹¹

The Murska Sobota Healthcare Institute is already implementing a programme called "Reducing Health Inequalities", which relates to these objectives. The Roma are one of the priority vulnerable groups. Therefore the problem of the health of the Roma has been part of the national healthcare programme since 2006; a Roma is employed as part of the public health team and they work closely with the Roma Association of Slovenia, and since the adoption of the Roma Community Act also with the Council of the Roma Community of the Republic of Slovenia. The development of "culturologically" comparable programmes for improving health has been initiated, which will be

¹⁰ The research project "Risk factors for non-communicable diseases in adult members of the Roma community (Pomurje)" is the first Slovenian research project of the health-related lifestyle aspects of smoking, nutritional and exercise habits, habits related to alcohol consumption, behaviour related to traffic safety etc. in the Roma population. The questionnaire was used that the World Health Organization uses in its CINDI programme (Countrywide Integrated Noncommunicable Disease Intervention), with the help of which the national research project is being carried out in the Republic of Slovenia.

¹¹ The Strategy is also available in English at <http://www.zzv-ms.si>.

possible to implement in other Roma communities (on the national level) after the pilot programme has been completed.

Activities designed to improve women's health are in their second year, and include reproductive health and healthy lifestyles. A project is being carried out in cooperation with cross-border partners which includes encouraging physical exercise (the Roma Olympics). A large number of activities are being carried out in the field of awareness-raising via the media (e.g. Roma television and radio shows). Within the framework of the implementation of the strategic objectives of the "Strategy for improving health and action plan for reducing health inequalities in the Pomurje region", increased opportunities for improving the health of the Roma community are planned, with an emphasis on the target groups of girls and women.

One of the positive measures which benefits the Roma community worth mentioning is the drawing up and adoption of the "Programme for Children and Youth 2006–2016", whose objectives within the special programme field of "special social care" include care for children and youths from ethnic communities (Roma), aimed at improving their social position and guaranteeing their social inclusion in the wider society, including through appropriate health care.

25. In its previous concluding comments the Committee recommended that the State party takes urgent measures to reduce the maternal mortality rate A/58/38, para. 215).¹² 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.

The working group for discussing data on maternal deaths, established in 2004, is operating and meeting regularly. Cases of maternal death are discovered and analyzed, and a joint report with proposed clinical and public health measures for reducing maternal mortality is issued every three years. Reports on maternal mortality have been published for the periods 2000–2002 and 2003–2005, which contain recommendations and proposals for controlling maternal mortality.

The maternal death rate in the period 2003–2005 was 9.4 women per 100,000 children born live, and was lower than in the preceding three-year period and comparable with the figures from the developed world. Despite these figures it is too early to make a comprehensive evaluation of the results. In addition in the case of maternal deaths we are dealing with a low absolute number of cases, and therefore the annual rates fluctuate substantially and a great deal of care is required to evaluate trends. In general it holds that the data on maternal mortality, which are based only on data on vital statistics, are underestimated in the majority of countries. Due to the complex methodology of processing data on the deaths of women in the fertile period in Slovenia, we believe that the data which represent them are very close to the actual situation.

¹² See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 38*, para. 215.

The more important recommendations and measures proposed by the Working Group on the Prevention of Maternal Mortality include:

- recommendations relating to the problem of mental disturbances during pregnancy, birth and in the post-natal period, which among other things recommend close cooperation between the obstetrician, psychiatrist and family doctor, and the patronage service which manages already known mental patients, as well as women with the initial manifestations of symptoms of mental illness during pregnancy, birth and the post-natal period;
- recommendations for reducing maternal mortality due to post-natal bleeding, which emphasize the importance of taking into account the professional guidelines for monitoring the status and taking measures for women in labour and in the post-natal period with natal or post-natal bleeding, or after surgical procedures during or after birth;
- recommendations for monitoring pregnancies of chronic patients, which are important primarily due to the rising average age of women giving birth and the consequent increase in chronically ill women among them;
- recommendations in connection with unfavourable socioeconomic factors, intended to reduce risks for women from socially marginal layers of society and women who either due to a lack of awareness and social exclusion or their lack of official status (e.g. refugees, immigrants) and the consequent lack of health insurance do not take advantage of reproductive health-care services.

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.

According to the latest research, more than 80 per cent of the population of Slovenia are non-smokers. Among adults, 19.3 per cent of men and 16.2 per cent of women are smokers. The research project "Health Behaviour in School-aged Children" (HBSC) from 2002 and 2006, which was conducted among 11, 13 and 15-year-old boys and girls in school, indicated that tobacco use among minors has fallen. There is also a statistically significantly lower number of first attempts at smoking, a statistically significantly lower percentage of regular smokers and a statistically significantly higher average age when the first cigarette is smoked.

Policy in the field of restricting the use of tobacco products in Slovenia takes into account the provisions of the World Health Organization Framework Convention on Tobacco Control, which was ratified by Slovenia in March 2005, and is based on the Restriction of the Use of Tobacco Products Act (OJ RS No. 93/2007-UPB3), which completely prohibits smoking in all work and public areas, including restaurants and bars. The legislation also incorporates Directive 2001/37/EC and Directive 2003/33/EC, which set the highest allowable levels of tar, nicotine and carbon monoxide in cigarettes, and health warnings and other information stated on individual packs of tobacco products, and regulations on advertising and sponsorship of tobacco products. The Act explicitly prohibits the use of wording that indicates in any way that a tobacco product is less harmful (such as e.g. the designations

“mild” and “light”) on all tobacco product packaging, advertising of tobacco products as a whole and by the tobacco industry.

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).

The Faculty of Social Work, the Society for Researching and Actualizing the Psychosocial Needs of Women and the Ministry of Labour, Family and Social Affairs held a one-day international conference on 20 November 2003 entitled “So Pretty, But Disabled! Social work against discrimination against women with disabilities”. The conference papers drew attention to the failure to take the experiences of disabled women in Slovenia and around the world into account, and to the values of non-discrimination, which have to be internalized in order for social inclusion to truly mean the expansion of the norms of normalcy, and not just the creation of new separate spaces for “Slovene disabled”.

Four non-governmental organizations contributed papers to the conference (the Vizija, Zarja, YHD and Sožitje societies), which analyzed the most common forms of disqualification of disabled women, which arise from unequal power relations between disabled and non-disabled people. The analysis showed that women with disabilities experience the greatest amount of discrimination in education, employment and wages, social isolation, physical, sexual and emotional abuse, deprivation of the right to express sexuality, denial of capacity for parenthood and unpaid care services. The poverty which is a consequence of the poor mental health of women and the resulting psychiatric hospitalization is one of the most common unseen truths which disabled women experience. The conference also dealt with the needs of women with disabled children, the needs and experiences of mothers with disabilities, and the special needs of women who care for people with disabilities.

The conclusions of the conference included the following recommendations, which were sent to the Ministry of Labour, Family and Social Affairs during the European Year of People with Disabilities:

- professionals who work in caring professions, politicians and social policy planners and the general public must be informed of the position and rights of women with disabilities;
- the commitment to active non-discrimination has to be strengthened;
- cooperation between the social and medical fields has to be encouraged and established;

- it is necessary to ensure that all existing safe houses will be accessible to all women with disabilities who experience violence, and to increase the provision of information to women about how to seek for help in case of family or institutional violence;
- it is necessary to search for opportunities to train personnel at courts to communicate with people with mental disabilities who have to stand as normal witnesses, especially in cases of violence in institutions;
- it is necessary to support the equality of women with disabilities in leading positions;
- it is necessary to develop new innovative social programmes for assisting women with mental disabilities who have children;
- it is necessary to develop personal assistance for women who have disabilities and wish to have children;
- it is necessary to implement special measures to ensure equal opportunities on the labour market for women with disabilities;
- women who care for people with disabilities must receive suitable wages for their work. In connection with these conclusions, on 30 November 2006 the Government of the Republic of Slovenia adopted the “Action Plan for Persons with Disabilities 2007–2013”, through which the method of resolving issues related to disabilities is formed in a comprehensive manner.

In connection with the eradication of low enrolment of girls with disabilities in school and in order to implement the recommendations of the Children’s Rights Committee, it should be mentioned in connection with this issue that decisions on enrolment in adjusted programmes through decisions on the placement of children with special needs are made by independent expert commissions at the National Education Institute, which issue the relevant opinions on the children’s capacities. Since the adoption of the Placement of Children with Special Needs Act (OJ RS No. 3/2007-UPB1) in 2000 and the amendments and supplements to it in 2006, several by-laws have been passed that regulate this field, particularly with regard to the organization and work methods of the commissions for placement of children with special needs and the criteria for defining the types of children’s disturbances or disabilities, the elementary education of children with special needs at home and additional professional and physical assistance for children and youths with special needs.

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.

Measures to date

Living conditions

In the field of living conditions, the calls for applications issued by the relevant services should be mentioned: in the period between 2002 and 2004 the Ministry of the Economy formed calls for applications through which non-reimbursable funds were distributed to municipalities for the planning of Roma settlements. In 2004, the Public Fund of the Republic of Slovenia for Regional Development and Development of Rural Areas also issued a call for applications for co-financing of projects for basic municipal infrastructure in Roma settlements. An important step was taken in July 2005 when the Government adopted the “Implementing programme to assist municipalities in planning the minimum necessary public infrastructure in Roma settlements”. Funds for these purposes were also provided to the municipalities in 2006, while in 2007 the Government Office for Local Self-Government and Regional Policy (hereinafter: GOLR) made funds available to the municipalities for the period from 2007 to 2009 through a call for applications for co-financing of projects for basic municipal infrastructure in Roma settlements. The GOLR issued a similar call for applications this year, through which the municipalities will be allocated funds for the period from 2008 to 2010.

In addition, in October 2007 the Ministry of the Environment and Spatial Planning issued a call for applications for co-financing the drawing up of detailed municipal plans for planning Roma settlements, which will be repeated this year. The spatial issues of Roma settlements have been discussed since 1 December 2006 by the Expert Group for Resolving the Spatial Issues of Roma Settlements, which was appointed by the Minister of the Environment and Spatial Planning. The Group has drawn up an extensive report entitled “Spatial Problems of Roma Settlements in Slovenia”, in which it defines the existing problems of Roma settlements in Slovenia and proposes concrete measures for their solution in the form of making a selected scenario for planning Roma settlements operational.

Education and training

In May and June of 2004, three Expert Councils in the field of education adopted the “Strategy of Roma Education in the Republic of Slovenia”, which lays down the groundwork, principles, goals and fundamental solutions for better inclusion of Roma in education at all levels. The document’s fundamental principle is the principle of equal opportunity.

In 2005 the Minister of Education and Sport appointed a special group to monitor the implementation of measures from the Strategy and to draw up annual action plans for implementing the measures from the Strategy. Thus the Minister adopts an action plan every year in which the activities of the Ministry of Education, the Roma Federation, public institutions etc. are envisaged. The following activities were carried out in 2007 on the basis of the action plan:

- the elective subject Roma culture was prepared and approved;
- the vocational standard Roma Assistant was prepared and approved;

- intercultural coexistence programmes were prepared and approved (Roma Federation);
- teacher training (National Education Institute, Vocational Education Centre).

The Ministry of Education and Sport allocates a considerable amount of funding for financing research in the field of education and training of Roma.

Employment

The Ministry of Labour, Family and Social Affairs has prepared a series of different measures in the field of employment. The programmes of measures for the active employment policy, which are adopted for each individual calendar year or planning period define the types of measures in the active employment policy including activities, target groups (including Roma), and other details. The Roma, as a vulnerable population group, also received special attention in the “Resolution on the National Social Security Programme 2006–2010”. In addition, the Ministry of Labour, Family and Social Affairs has prepared calls for applications for co-financing programmes in the field of social security and in the field of support for families. It also co-financed two development partnerships within the framework of the EQUAL Initiative, whose activities were intended for members of the Roma community in Slovenia. In 2006, the Government also adopted the “Programme of Public Works for 2007 and 2008”. The target group of unemployed persons who will be included in the public works programme are long-term unemployed people, among whom the Roma are defined as a group with special barriers to employment. The programme is intended to activate unemployed persons, to promote their social inclusion, to maintain or develop work skills and to stimulate the development of new jobs.

Cultural and information provision activities

In the field of cultural activities the “Resolution on the National Cultural Programme” should be mentioned, in which a special chapter is dedicated to objectives and measures for the Roma community in the field of culture. The “Resolution on the National Cultural Programme 2008–2011” which was adopted by the National Assembly of the Republic of Slovenia in April 2008 maintains the encouragement of the cultural development of the Roma community as a cultural priority. The Ministry of Culture has created conditions for cultural activities by the Roma community since 1993, based on expressions of need by members of the Roma community, and ensures conditions for their participation in measures intended for them. Another positive change can be seen in informational activities of the Roma community in the development of radio and television shows for Roma. These have been broadcast for several years on local radio and television stations, but now they will be or already are being prepared and broadcast as part of the programme of the national broadcaster Radiotelevizija Slovenija.

Further planning

The Roma Community Act (OJ RS No. 33/2007) of 2007 comprehensively regulates the position of the Roma community in Slovenia, prescribes the involvement of state authorities and the self-government bodies of local communities in the exercising of the special rights of the Roma

community, regulates the organization of the Roma community at the state and local level and its financing.

The Roma community in Slovenia is organized on two levels. At the local level, the Act prescribes the formation of special working bodies for monitoring the situation of the Roma community, which are formed in the municipalities in which representatives of the Roma community vote in the town or municipal councils. At state level the Council of the Roma Community of the Republic of Slovenia was established on 20 June 2007, which represents the interests of the Roma community in Slovenia in their dealings with state authorities.

The Roma Community Act stipulates that the Republic of Slovenia shall create conditions for and pay special attention to:

- including members of the Roma community in the education and training system, increasing their educational level and a suitable scholarship policy;
- including members of the Roma community in the labour market and employment;
- maintenance and development of the Roma language and cultural, informative and publishing activities of the Roma community;
- resolving the spatial issues of Roma settlements and improving the living conditions of members of the Roma community.

The Act further prescribes that the Government in cooperation with the self-management bodies of local communities and the Council of the Roma Community of the Republic of Slovenia shall adopt a programme of measures for the harmonized exercising of the special rights of members of the Roma community. The programme will determine the obligations and duties arising from the Act which relate primarily to the Republic of Slovenia's concern for the fields listed in the preceding four indents, and it will also include other important areas, for example social security and healthcare for the Roma. In 2007 the government established a working group for the drawing up of the aforementioned measures. The duties and obligations set out in the Government programme of measures will be implemented by the presiding ministry, other state authorities and self-management bodies of the local communities, which will adopt similar programmes and measures to that purpose and allocate the necessary funds in their financial plans. The implementation of the programme of measures will be monitored by a special Government working body, which already exists today in a similar form, i.e. the Government of the Republic of Slovenia Commission for the Protection of the Roma Ethnic Community. The state authorities and self-management bodies of the local communities will have to report to the Commission on the implementation of the Government programme of measures at least once a year.

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 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).

The Marriage and Family Relations Act (OJ RS No. 69/2004-UPB1) prescribes that property held by a spouse upon entering into a marriage relationship shall remain his or her property and that they shall dispose of it independently. Property obtained by a spouse through work during the time of the relationship is in all cases considered joint property. Joint property is divided if the relationship is terminated or dissolved. During the time of the relationship the joint property may be divided by agreement or on the demand of one or the other spouse. When dividing property it is considered that the shares of the spouses in the joint property are equal, while the spouses can prove that they contributed to the joint property in different proportions. When dividing joint property a spouse shall on his/her demand have assigned to his or her share primarily those objects that are intended for the performance of his/her trade or profession and allow him/her to obtain a personal income, and objects intended exclusively for his/her personal use.

However, the Marriage and Family Relations Act does not define which property rights form joint property.
