



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

Distr.: General
25 August 2008

Original: English

**Committee on the Elimination of Discrimination
against Women**
Forty-first session

Summary record of the 848th meeting

Held at Headquarters, New York, on Monday, 14 July 2008, at 3 p.m.

Chairperson: Ms. Šimonović

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined second, third and fourth periodic reports of Slovakia (continued) (CEDAW/C/SVK/4; CEDAW/C/SVK/Q/4 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Slovakia took places at the Committee table.*

2. **The Chairperson** invited the delegation to respond to questions posed during the previous meeting on articles 1 to 6 of the Convention.

Articles 1 to 6 (continued)

3. **Ms. Muríňová** (Slovakia) said, with reference to the case in which the plaintiff in a discrimination case had her suit dismissed and was ordered to pay costs, that the plaintiff could have appealed to a higher court; moreover, a plaintiff in a difficult financial situation could request to be exempted from paying court costs.

4. **Ms. Štrofová** (Slovakia) added that the courts of first instance were district courts; beyond that, cases could proceed through the regional courts and ultimately to the Supreme Court or the Constitutional Court.

5. **Ms. Botšová** (Slovakia) said that the media section of the Office of the Plenipotentiary for the Roma Communities aimed not just to serve the Roma communities but also to sensitize the general public. For example, on national television it was broadcasting a special series on various aspects of Roma life. On the other hand, on national Slovak radio a programme was broadcast specifically for Roma three times a week. It was unfortunate that sometimes journalists displayed a need for greater education about Roma issues. Since there were 12 ethnic nationalities in Slovakia, the Government had a substantial budget for initiatives to promote tolerance generally, such as the Prize for Humanity. The expansion of the statute of the Office of the Plenipotentiary in 2003 had demonstrated the Government's concern to deal with the needs of Roma communities. The priority areas in which the Office of the Plenipotentiary for the Roma Communities was active were education, housing, health and employment; gender equality issues were incorporated in its policies. With assistance from the Catholic,

Evangelical and Greek Orthodox churches, the Office of the Plenipotentiary maintained a continual presence in Roma settlements to provide the services needed on a daily basis. She could not overemphasize the value of the contribution made by the churches and the importance of that social outreach work to the health of the Roma communities and their integration in society.

6. **Ms. Jančulová** (Slovakia) said that in the second round of amendments to the Anti-Discrimination Act a provision had been added in article I, section 8a, to the effect that the adoption of positive actions, in other words, temporary special measures, to eliminate forms of social and economic disadvantage would not be considered discriminatory. Such measures were put into practice by the Ministry of Labour, Social Affairs and Family and other relevant agencies, as well as non-governmental institutions.

7. **The Chairperson**, speaking as a member of the Committee, said that the State party would find it useful to consult the Committee's general recommendation No. 25, which set out what was meant by temporary special measures in article 4, paragraph 1. She understood that the Convention was directly applicable in Slovakia, so that there was a legal basis on which to proceed.

Articles 7 to 9

8. **Ms. Tavares da Silva** said that, despite the Government's stated policy of achieving balanced representation of women in public bodies, the numbers had remained static, at least in elected offices. The Committee would appreciate more detailed information in the next report on the percentage of women in all decision-making positions, including high public administrative posts, academia, research and the controlling bodies of the social partners, with an assessment of progress over time.

9. **Ms. Belmihoub-Zerdani** said that in future she would like to see more men in the delegation, since they, too, should be actively involved in the effort to overcome gender discrimination. Slovakia had made advances under a number of articles of the Convention, but without progress in women's participation in Parliament the necessary amendments to anti-discrimination legislation could not make headway. She would urge the Government not to abandon its efforts in that regard. As the State party had ratified the Convention and the Optional Protocol without

reservations, for which it was to be congratulated, it was obligated under international law to give effect to them. On another point, the information given on women in the judiciary did not include a percentage comparison.

10. **The Chairperson**, speaking as a member of the Committee, asked for updated information on the number of women ambassadors and any plans for increasing the percentage.

11. **Ms. Štrofová** (Slovakia) said that, during her terms as member of Parliament, the parliamentary committee on which she had served had often considered ways and means for increasing the number of women in Parliament. Unfortunately, there was not a strong social demand for greater participation of women, and the use of statutory quotas had so far been ruled out, although some of the political parties were voluntarily applying quotas in drawing up their candidate lists.

12. **Ms. Muríňová** (Slovakia) reported that currently there were 857 female judges, accounting for 42 per cent of lower court judges, 22 per cent of regional court judges and 23 per cent of Supreme Court judges; the President of the Constitutional Court was a woman. Women headed 10 of the 88 diplomatic missions and several foreign cultural institutes; one woman was a consul-general, and there was currently a woman serving in the Permanent Mission of the Slovak Republic to the United Nations.

13. **Ms. Vranová** (Slovakia) said that in the elections in 2005 at the regional level women had accounted for 19 per cent of candidates and 17 per cent of those elected. One quarter of all mayors were women. The Government was providing support for women who wished to become candidates in the form of training to help them acquire the necessary skills and develop their platforms. Women occupied 38 per cent of leading positions in the State service, but only 4 per cent in large companies; they accounted for 47 per cent of scientific researchers, but only 18 per cent of university professors.

14. **Ms. Hanuláková** (Slovakia) said that the Government was well aware that it had an obligation under the Convention to increase women's participation in elected office. Since its efforts to introduce statutory quotas had reached an impasse, it was working on a variety of "soft measures" to achieve the same goals, including training and mentoring of

women candidates, elimination of stereotypes and encouragement of women to participate. With that comprehensive approach it was confident that it could bring about significant change.

15. **Ms. Štrofová** (Slovakia) said that her delegation would take to heart the Committee's encouragement not to accept defeat.

Articles 10 to 14

16. **Ms. Halperin-Kaddari** said that, since the Government was clearly aware that women were being tracked into female-dominated areas and were not moving into the higher levels of academia in sufficient numbers, she would like to know what specific measures it might be taking to combat the problem. In particular, she wished to know whether a gender analysis of textbooks and teaching materials had been undertaken. She had been pleased to read that the number of girls' schools had been cut drastically and would be interested to learn more about the reasons for the change. She would also like to know whether sex education in the schools went beyond a traditional orientation to family life and parenting.

17. **Ms. Zou Xiaoqiao** said that, to judge from the figures given in the report, there had been no improvement in the gender pay gap since the State party's previous report, which suggested that the Government had not taken the Committee's concluding observations seriously. She was happy to hear that overcoming gender segregation and narrowing the gender pay gap had become Government priorities but wondered if it had set specific, time-bound targets and what concrete measures it was taking or contemplating. She would appreciate more detailed information on the proportion of women in different sectors of the economy and in part-time or full-time work, and also on the social insurance programmes applicable to the private sector and to part-time work. Despite the Government's efforts to assist Roma women, their employment rate was extraordinarily low and reflected the serious discrimination they faced in the labour market. She wished to learn more about long-term measures to benefit Roma women, such as professional and vocational training, and about any mechanisms to monitor implementation of the Anti-Discrimination Act.

18. **Ms. Schöpp-Schilling** asked whether the Government had considered revising pay scales upward

in female-dominated areas of the public sector, as other European countries had done.

19. **Ms. Dairiam** asked whether the Government envisaged temporary special measures aimed at encouraging girls to study non-traditional subjects at school. Given that it seemed that the Anti-Discrimination Act did not permit adopting temporary special measures, it would be interesting to know how the Government intended to overcome legal barriers. With respect to employment, the Committee's previous concluding observations had recommended that the Government should establish the principle of equal pay for equal work. Clarification should be provided of the legislation in place aimed at enforcing that principle. In addition, it was unclear whether the National Labour Inspectorate had a mandate to address structural problems such as job segregation and the gender pay gap. Consideration should therefore be given to the possibility of expanding its mandate.

20. **Ms. Štrofová** (Slovakia) said that women could pursue their career ambitions but their family life often suffered as a result.

21. **Ms. Vranová** (Slovakia) said that the Government promoted and enforced the principle of gender equality in the school curriculum, which individual schools could tailor to meet the needs of their pupils. Gender equality had also been incorporated into teacher training courses and by September 2008 there would be no single-sex schools in the country. With respect to stereotypes in school textbooks, the Government had established committees that were responsible for reviewing draft textbooks. However, it was true that some stereotypes remained.

22. The Government had carried out surveys of women's and men's salaries in order to find out specific information on the pay gap in Slovakia. The results showed that women's salaries were lower in the public services, where a large number of women worked. In those sectors, wages depended to a large degree on the State's economic performance. It would be possible to start to reduce the pay gap because Slovakia had seen steady economic growth. In addition, the Government had amended legislation so that it included the principle of equal pay for equal work. Most women did not look for part-time jobs because in most households both parents needed to work. In order to encourage girls to enter non-traditional professions, teachers must encourage them

to study non-traditional subjects. The Government would also work with employers to make technical jobs seem more attractive to girls.

23. **Ms. Botošová** (Slovakia) said that Roma women were disadvantaged in the labour market because they often lacked formal education and qualifications. The Government was trying to prepare and encourage Roma women to enter suitable professions, including in the social and health sectors. It was trying to change the attitude of the Roma people towards education, which did not have a very high standing in their culture. The Government would provide further information and data in its next periodic report.

24. **Ms. Hanuláková** (Slovakia) said that the Act on Civil Service had been amended with a view to improving the conditions of the civil service, where a large number of women worked. There were no legal barriers that prevented the Government from adopting temporary special measures to improve women's salaries. The Government envisaged adopting such measures and was confident that the National Labour Inspectorate was capable of dealing with structural discrimination. Women's participation in the labour market was low owing to their role as mother but the Government would take steps to encourage men to share parenting responsibilities.

25. **Ms. Arocha Domínguez** said that she was concerned by the emphasis on the maternal and family role of women in Slovakia and by the effect of conservative thinking on health practices. Given that health practitioners were able to refuse to prescribe contraceptives on the grounds of moral objections, it would be interesting to know whether there were sufficient staff to offer adequate health-care services to women. Additional information should be provided on the access to contraceptives for women, including young girls, and it would be useful to have data on contraceptive use. It should be clarified whether the Government had established a decentralized agency to monitor the alleged practice of sterilizing Roma women.

26. **Ms. Dairiam** said that the fourth periodic report provided little information on the access of women, and rural women in particular, to health-care services. It would be interesting to know whether there were any barriers that prevented women from gaining access to those services and whether the Government had monitored the use of free services available to pregnant

women. It was important to ensure that all women had access to contraceptive and reproductive health-care services. Given that the report stated that there had been an increase in the number of malignant tumours among women, it would be useful to have data on the different kinds of tumour detected and to know what steps the Government was taking to address the problem. Under article 12 of the Convention, States parties were obliged to adopt a life-cycle approach to women's health. Clarification should be provided of whether the Government had used general recommendation No. 24 to provide comprehensive health-care policies to women. Specific data should be provided on abortion.

27. **Ms. Hayashi** asked whether Roma women had been involved in the investigation into the allegations regarding sterilization and whether they had been consulted before the conclusions of the investigation had been incorporated into a report. It would be interesting to know whether sexual and reproductive health-care services were available to disadvantaged groups. Furthermore, additional information should be provided on the implementation of the National Programme for the Protection of Sexual and Reproductive Health. In particular, it would be useful to know how much funding had been allocated to the programme and whether the Government had established a time frame for implementation.

28. **Ms. Pimentel** said that she was concerned by the sexual and reproductive health-care services provided to women, especially as medical staff could refuse to prescribe contraceptives. The Government should take note of general recommendation No. 24, which would ensure that women's rights were respected in the face of religious and conservative opposition to contraception and abortion. Clarification should be provided of whether all women had access to medically assisted reproduction. Additional information and data should be provided on lesbian women and the specific types of discrimination those women faced.

29. **Ms. Belmihoub-Zerdani** said that she would appreciate more information on the duties, mandate, powers, date of establishment and budget of the position of Plenipotentiary of the Government for Roma Communities, which had not been in existence when the State party had submitted its initial report in 1998. Further clarification on the figure of 90,000 Roma women, cited by the delegation at the morning meeting, would also be welcome.

30. The Ministry of Health had responded to the allegations of forced sterilization of Roma women by having its own employees conduct an inquiry, which compromised the legitimacy of the investigation. Despite the Government's denial of the allegations, she wondered whether its adoption of measures — such as the recognition of forced sterilization as a crime under the new Penal Code and the introduction of a mandatory 30-day waiting period between the time of informed consent to sterilization and the actual procedure — “to prevent similar suspicions from occurring in the future”, did not in fact constitute an acknowledgement of the veracity of the claims. Were that the case, Roma women would have been justified in seeking recourse before Slovakian courts and would also be entitled to do so before the European Commission and the Committee itself, pursuant to the Optional Protocol to the Convention.

31. **Mr. Hlinka** (Slovakia) said that in January 2003 the Government had initiated a criminal prosecution against an unidentified perpetrator, who had been charged with the crime of genocide. As a means of guaranteeing neutrality, the members of the investigative team — four of whom were women, including the head of the team — had been selected from a region different from that of the alleged victims. However, the investigation had been complicated by the fact that the non-governmental organizations (NGOs) that had initially reported the alleged forced sterilizations of Roma women had refused to give a statement to the police in order to protect their sources. Therefore, the police had decided to reissue its call for testimonies of Roma women who felt they had been victimized. Most of those who had come forward had testified that the sterilizations had been carried out with their consent, and the investigation had proceeded to address the remainder of cases. In addition, inspections of 67 departments of obstetrics and gynaecology had been carried out by a group composed of Ministry of Health representatives and experts in the relevant fields. The expert group's findings, which had been forwarded to the Commission for Equal Opportunities and the Status of Women, an advisory body for the National Council Committee for Human Rights, Nationalities and the Status of Women, had not proven any wrongdoing. As the results of the overall investigation indicated that the sterilizations had been performed legitimately and that no crime had been committed, the criminal prosecution had been suspended in October 2003.

32. In 2005, additional complaints had been filed before the Constitutional Court on the grounds of breach of constitutional rights. Although those complaints had been initially rejected by the Prosecutor's Office, in 2006 the Constitutional Court, finding an error in the administrative part of the procedure, had reversed that decision and awarded compensation to three complainants. A new investigative team had been established, and as its findings had confirmed that no crime had been committed, the prosecution had been suspended in December 2007. In February 2008 the district prosecutor's office had refused a complaint on the grounds that all available data had been collected during the previous investigation. He assured the Committee that the investigation had been conducted in full compliance with legal and human rights norms, and asked it to respect the result, which had not been questioned by any Slovakian or other court.

33. **Ms. Puškarová** (Slovakia) said that under the Act on health care and health-care-related services, which had led to the criminalization of illegal sterilization in the Penal Code, a written request indicating the informed consent of the person undergoing sterilization or of her guardian was required in order to authorize the procedure. Furthermore, the patient must be apprised beforehand of all alternative contraceptive methods as well as the medical consequences of sterilization. The Act confirmed that sterilization was not considered a contraceptive method in Slovakia, and it provided for such preventive measures in order to avoid similar accusations in the future. To that end, the Ministry of Health was also committed to cooperating with NGOs in raising medical workers' awareness of women's human rights.

34. The Ministry of Health sought to promote women's sexual and reproductive health by guaranteeing all women, including minority women, adequate access to health care in accordance with the Anti-discrimination Act. Minority women's access to services such as prenatal care depended primarily on their awareness of the need for such care. The Ministry emphasized the importance of detection of women's reproductive capacity, regular gynaecological check-ups and prenatal care. The national programme on the protection of women's reproductive and sexual health aimed to improve the quality and accessibility of health services. One of the programme's goals was to reduce the number of unwanted pregnancies by 2010, and it

also provided for the introduction of sex education into school curricula. Preventive care was covered by public medical insurance.

35. While abortion was regarded as an extreme method, all women were guaranteed access to the procedure. The amendment to the Act on health care restricted conscientious objector eligibility to individuals and required those who were granted that status to refer the patient to a practitioner willing to perform an abortion. The rise in use of hormonal contraceptives and the proportional decline in induced abortions were also favourable developments.

36. Medical workers were also receiving training on marriage and parenting education, which prepared them to advise young women on the prevention of sexually transmitted diseases (STDs). Current rates of STD infection among women were low, and there was no evidence of mother-to-child STD transmission.

37. Government attempts to monitor the sexual behaviour of young people had not been successful, but further work was being done in that regard, with a particular focus on decreasing teenage pregnancy. To address the high incidence of cancer, the Ministry of Health was preparing a uterine cancer prevention programme and planning to vaccinate young women against the disease.

38. **Ms. Botošová** (Slovakia), expressing regret at the lingering shadow of accusation against the Slovak Republic on account of an administrative error, said that she wished more information had been available in Slovakia about the victims of alleged forced sterilizations.

39. The figure of 90,000 Roma reflected the number of people in that community who had self-identified as such in the census, indicating that not all members of the minority group had chosen to do so. The Government was attempting to provide sufficient funding for measures aimed at the Roma population, which was estimated at 300,000. The Ministry of Health had allocated 6 million Slovak crowns to a programme intended to enhance the Roma population's access to health care; in that connection, distribution of health insurance cards was needed to ensure such access. Increased awareness of health issues and available services had led to a rise in self-care and vaccination of children within the Roma community. In addition, a pilot programme to provide ambulatory

health services to remote areas had been successful and would hopefully be expanded.

40. **Ms. Gabr** said that more information was needed on the situation of rural women, to which the reporting delegation had neglected to devote significant attention, including more details on the social services provided to rural women, particularly with regard to medical care, education of girls and the proximity of schools to villages. It would be useful to know whether there were any social security or pension plans for older rural women. The Government's microcredit pilot project for rural women, described in paragraph 288 of the report (CEDAW/C/SVK/4), was a laudable initiative. Lastly, it would be interesting to know why the State party grouped rural and Roma women into a single category; while it was true that some Roma communities lived on the outskirts of rural villages, the issues facing each category of women should be addressed separately.

41. **Ms. Tan** asked how many of the infrastructural projects promoting the employment of women (report, para. 283) had been submitted by women and approved for grants and how many jobs they had created for women; and if the Government had assessed the impact on women's lives of the 2003 SAPARD programme for rural entrepreneurs (report, para. 286) or the microcredit pilot project (report, para. 288). She wondered if the pilot project had been replicated elsewhere; and would like to know more about the structural funds referred to in the report (paras. 290-291).

42. **Ms. Halperin-Kaddari**, referring to article 13 and noting the paucity of information in the report about family law or divorce, wondered if the family benefits discussed were offered also to single-parent households, most of them no doubt headed by divorced or single women. She would like more information on the laws governing the economic consequences of divorce, such as the distribution of marital property, alimony and the like.

Articles 15 and 16

43. **Ms. Tan**, referring to article 16, asked whether the new Family Act (report, para. 337) conferred the same rights on cohabiting and same-sex couples as it did on married couples, and asked for clarification of the ratio of partnership cohabitations to "complete" family households (report, para. 19), as well as

statistics on the number of cohabiting couples and same-sex couples in both urban and rural areas. Also, since divorcees, in growing numbers (report, para. 14), could expect to live as long as 40 years after the dissolution of the marriage, it would be useful to have information on the situation of divorced women and their children, and that of single-parent households generally, and whether the latter were the result of divorce, death or abandonment.

44. **Ms. Vranová** (Slovakia) said that because of the easy availability of good public transport from the countryside to the city throughout the country, and the short distances involved, rural women had the same access to education, health care and all other social services as did urban women. By law, lifetime earnings determined the size of a pension, which meant that women's pensions were smaller because of the pay gap. The microcredit pilot project had offered equal terms to men and women, and had by and large worked well. Banks had preferred to deal in standard loans, but savings associations had joined the scheme. For lack of public demand, however, the project had not been extended. More information on the SAPARD programme would be provided subsequently.

45. **Ms. Hanuláková** (Slovakia) said, regarding the participation of women in all the projects referred to by Ms. Tan, that it was established government policy that in all new programmes or projects the gender aspect would be taken seriously into consideration. An effort was being made not to steer women simply into stereotypically female jobs, and also to guarantee that they received equal pay for equal work.

46. There was a huge variety of incentives provided to women in financial distress, either as single heads of household or divorcees. As to the divorce rules, the courts considered what assets the two spouses had brought into the marriage, the time spent in the marriage, and the care invested, and each case was adjudicated individually. The amount of alimony was set at the level needed to maintain the children's standard of living. The paramount concern of the State was to protect all children, whether they were born in or out of wedlock, and regardless of the type of family situation in which they lived; and the benefits in all cases were geared to safeguarding the interests of the child.

47. **Ms. Štrofová** (Slovakia) said that the Slovak Republic, as a party to nearly all the human rights

instruments and a member of the Human Rights Council, was fully committed to the protection of the human rights of its people. The meetings with the Committee had offered an opportunity for a constructive dialogue and had highlighted issues needing attention. The professionalism of its members made the Committee an irreplaceable authority in the field, and their concluding observations provided valuable information for the States parties.

48. The concluding observations would form the basis for her Government's new National Strategy for Gender Equality 2009-2013, which would be a comprehensive document governing the status of women in the labour market, their segregation horizontally and vertically, the pay gap, the reconciliation of work and family life, their decision-making capacity and their relegation to disadvantaged sectors. The new Action Plan on the Elimination of Violence Committed against Women would also be guided by the Committee's concluding observations. The delegation would seek to remedy the lack of any explicit legal mention of temporary special measures, in accordance with general recommendation No. 25, and use that tool to help women penetrate into traditional male domains.

49. The solution of the Roma problem was a priority. The aim was to raise the status of that group of citizens while respecting their specificity and traditions, and to help Roma women to become more employable.

50. She assured the Committee that her Government's commitment to the rights of women was permanent.

51. **The Chairperson**, welcoming the presence of a Roma member in the delegation, said that the Committee's concluding observations would focus on concerns regarding obstacles to the implementation of the Covenant which, although assured of a good legal position in the Slovak Republic, seemed not to be used as the key instrument for securing women's rights or combating domestic violence.

52. The Committee had under the Optional Protocol recently dealt with a case of forced sterilization in Hungary, and she advised the delegation to study if that case might suggest applicable preventive measures in Slovakia.

53. She and the Committee looked forward to receiving the next periodic report, without a gap of so many years.

The meeting rose at 5.25 p.m.