



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

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

Summary record of the 859th meeting (Chamber A)

Held at the Palais des Nations, Geneva, on Friday, 24 October 2008, at 3 p.m.

Chairperson: Ms. Simms (Vice-Chairperson)

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In the absence of the Chairperson, Ms. Simms (Vice-Chairperson) took the Chair.

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)

Fourth periodic report of Slovenia (continued)
(CEDAW/C/SVN/4, CEDAW/C/SVN/Q/4 and Add.1)

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

Articles 10 to 14

2. **Ms. Arocha Dominguez** requested an update on actions taken to follow up the concerns and recommendations expressed during the Committee's consideration of the previous report of Slovenia and in other treaty bodies, including the Committee on the Rights of the Child, the Committee on the Elimination of Racial Discrimination and the Human Rights Committee, regarding equal access to education for girls and women, including the right of Roma children to be educated in their mother tongue. She would also like to know more about the regulations governing placement of children in foster care. Updated information was also needed about the current situation regarding violence in schools by teachers against students.

3. **Ms. Shin** said that women's high rate of participation in the labour market was commendable, yet she was curious about the reasons for the persistent wage gap between women and men and women's higher unemployment rate. Women's higher educational levels had not translated into their participation in the workforce, and she would like to hear more about any efforts to increase their job security and thus, their retirement benefits. Special efforts must also be made to provide access to employment for elderly, disabled and minority women. She also wondered whether there were any financial or tax incentives associated with certification as a family-friendly company.

4. The high rate of reports of sexual harassment in the workplace was surprising; she wished to know whether the Advocate for Equal Opportunities for

Women and Men or the labour inspectors were authorized to receive such complaints.

5. **Ms. Halperin-Kaddari** was astonished at the very low number of formal complaints of sexual harassment filed, given the very high incidence reported. She wondered if it was also a criminal offence.

6. Her major concern was the horizontal and vertical segregation of women in employment, showing a pattern similar to their levels of political participation. She asked whether the figure of 30 per cent women in management posts included both the public and private sectors and whether the Government was making any attempt to redress that imbalance. Lastly, she asked for more details on the relationship of the Advocate to the courts and whether the remedies ordered by the Advocate were binding.

7. **Ms. Arocha Dominguez**, turning to questions under article 12 on health, asked for an update on the situation regarding maternal mortality rates, which had been reported by non-governmental organizations at double the European Union average. More details were needed about two contributing factors cited in the report, mental distress and socio-economic factors, and whether any programmes had been developed to address them. Lastly, she requested more information about the concerns expressed in the Committee on the Rights of the Child about the high suicide rate among children aged 7 to 19 and whether any prevention programmes had been established.

8. **Ms. Tan** asked in what way older women in rural areas had been targeted by employment and health programmes, and whether figures were available on any increase in their income and status. She wondered whether elderly rural women were also covered by the health-care schemes covering farm workers. It would be important to know how many health centres were located in rural areas, the average distance travelled to reach them, the coverage in maternity centres and the figures on maternal deaths in rural areas. With regard to domestic violence, she asked how many shelter beds for victims were available and how much funding had been allocated to rural areas under the Domestic Violence Act.

9. **Ms. Pučnik Rudl** (Slovenia) said that there were seven crisis centres for children, which had provided assistance to 491 children and adolescents in 2007. In

addition, there was one shelter for children from birth to age 6, where the average stay was 12 days.

10. **Ms. Jeram** (Slovenia) said that the horizontal and vertical segregation in the labour market was an unfortunate reflection of that segregation in the educational system. The traditional divisions of men in technical subjects like engineering and computer science and women in education and social sciences persisted; additionally, most professors and headmasters were men.

11. Special incentives and programmes for Roma women to receive education in their own language had been developed. With regard to violence in schools, the Ministry of Education had taken measures to improve the situation.

12. **Ms. Salecl** (Slovenia) said that the economic independence of women was a matter receiving special attention. One of the reasons that young educated women had higher unemployment rates than men was their choice of studies or profession: women were still primarily employed in education and social services, where there were fewer job openings than in technical areas. In addition, employers preferred to hire men over women in their childbearing years. An awareness campaign among both job candidates and employers had attempted to make it clear that questions about a woman's private life and plans for motherhood were inappropriate and should be reported to the Advocate's office. Young women also had a more difficult time finding their first job, and a programme enabling employers to hire them as substitutes for a worker's maternity leave by subsidizing the required social security contribution had brought some good results. More efforts were needed, however, to draw attention to the ways in which motherhood was seen as a barrier to employment.

13. Certification as a family-friendly company, which had been awarded to 32 companies, did not include any financial incentive, but that possibility would be studied. More attention was being paid to issues of work/life balance and the involvement of fathers in childrearing by such means as an act encouraging active fatherhood and awarding paternity leave and parental leave to care for a sick child to men on an equal basis with women. Men could take up to 15 days leave at 100 per cent of their salary; they used 8 days on average. In addition, 10 per cent of fathers used at

least part of the 75 days of unpaid paternal leave available to them.

14. Data on sexual harassment was collected by the Office for Equal Opportunities and the trade unions. Sexual harassment was prohibited under the Equal Opportunities for Women and Men Act; employers were obligated under the Act to prevent it. The National Labour Inspectorate was responsible for receiving reports of cases, and although an increasing number of such reports had been received over the past three years, it was difficult to collect data because many of the reports were anonymous. The Office for Equal Opportunities was working hard to raise awareness of the problem among workers and to encourage employers to accept their obligations under the Act by providing them with model declarations and commitments to keep their workplace free of harassment.

15. Horizontal segregation of women into traditional fields of employment was being addressed at the secondary school level by programmes to guide more girls into scientific and technical fields of study. In the coming years, with the help of the European Social Fund, such programmes would be extended down to the level of primary schools and kindergartens. With regard to vertical segregation, the figures for women in management posts included both the public and private sector. The average pay gap between women and men was 10 per cent, with the widest gaps being found in the civil service.

16. **Ms. Božič** (Slovenia) said that proceedings before the Advocate in cases of sexual harassment were informal and non-binding. If the Advocate's instructions were not carried out, the case would be referred to the Labour Inspectorate. Moreover, the new Penal Code contained provisions criminalizing "mobbing" or bullying in the workplace; prison sentences of up to two years could be imposed and victims could also be awarded financial compensation.

17. **Ms. Gruntar Cinč** (Slovenia) said that since 2002, the methodology for collection of health statistics had allowed for a reliable database to be compiled. Each perinatal maternal death was analysed and discussed by a working group in the Institute for Health Protection; its recommendations were in turn discussed by the relevant professional bodies. During the period 2003-2005, one maternal death had indeed been ruled a suicide, and consequently obstetricians

and gynaecologists had been made aware of the need for a comprehensive approach to suicide prevention. With regard to the socio-economic factors mentioned, the Government was aware of the need for vulnerable groups to have access to care. Perinatal care was considered urgent and was covered even if the mother had no health insurance. Facilitating access to reproductive health care through an interdisciplinary approach and informing women of their rights in that area were the best ways to improve the situation.

18. With regard to suicides by children, pilot projects had been launched at the regional level to provide training in suicide prevention for teachers and social workers, but there was still a need for an overall national suicide prevention strategy.

19. Rural women had good access to the primary health-care system, and all mothers in rural areas gave birth in hospitals. However, some rural areas suffered shortages of general practitioners. Since 1992 it had been possible to have private health-care providers alongside the Government health-care system. Such private providers concluded contracts with a health insurance company, and health-care consumers were able freely to choose private or public providers.

20. **Ms. Pučnik Rudl** (Slovenia) said that more than half of women's shelters in rural areas were in small towns, but that there were insufficient numbers of shelter beds in the coastal areas.

21. **Ms. Božič** (Slovenia) said that a national programme for gender mainstreaming in rural areas for the period 2007-2013 had been designed with input from farmers' and rural women's associations with the intention of encouraging rural women to play a more prominent role. One of its aims was to help young women to take over farms by providing public funding to encourage entrepreneurship. The Government would discuss the results of that recent programme in its next report. The Ministry of Agriculture had also provided financing to some 70 rural women's associations for projects and programmes to improve their lives and promote their participation in the life of the community. Recent data showed that over half of young women in rural areas had completed secondary school, and one quarter of all farms were now managed by women. Amendments had been made to legislation to help young rural women participate in health insurance and pension schemes.

22. **Ms. Halperin-Kaddari**, referring to vertical segregation in women's employment in the private sector, wondered whether the Government planned any initiatives to increase their levels of participation. She was also surprised that the largest pay gaps between men and women were found in the civil service, and asked what remedies were proposed. Regarding sexual harassment, she wondered whether consideration had been given to making proceedings before the Advocate compulsory.

23. **Ms. Salecl** (Slovenia) said that the pay gap in the public sector was actually only 5 per cent, except in the legislative branch, where it was 10 per cent for the top positions. The representation of women in private sector management was indeed low, and the Office would work to promote their participation in the future.

24. **Ms. Božič** (Slovenia) said that the Equal Opportunities for Women and Men Act had been amended to require employers to provide an environment of protection for employees, and also required them to pay compensation to employees in cases of harassment. The burden of proof that harassment was not taking place lay with the employer.

Articles 15 and 16

25. **Ms. Halperin-Kaddari** said that the provisions of the amended Marital and Family Relations Act did not define joint property; she wondered if marital property could be considered to include future assets, a pension for example, or intangible future earnings, and whether there was any case law in that area. She would also like to know if there was a legal regime giving property rights to cohabitating partners, whether in same-sex unions or heterosexual unions, and if there were any special protections or benefits provided for single mothers or children born out of wedlock.

26. **Ms. Tan** said that the rising divorce rate in Slovenia was a worrying trend. Since in most cases the children stayed with the mother, she wondered if any studies had been conducted of the impact of divorce on women and children, including its financial impact. Were there specialized family courts, and was free legal aid available to women in divorce cases? More recent statistics on cohabitation would also be helpful. She wondered if it was necessary to go to court to dissolve an informal union, and what the provisions were for the enforcement of maintenance payments. She commended the holistic approach to the problem

of domestic violence, but wondered why judges had not been required to receive training in that area.

27. **Ms. Božič** (Slovenia) said that cohabitating partners were not required to register, and that the law recognized their property rights in the event of dissolution of the union. Because of the need to prove that an informal union had existed, however, it was sometimes more difficult for cohabitating partners to assert their rights to joint property. Currently there was no case law in Slovenia regarding future or intangible income. Same-sex couples must register their partnership in order to receive property rights and benefits. They enjoyed the same joint property rights as married heterosexual couples; there were differences in the area of inheritance and adoption of children, however.

28. There were no specialized family courts in Slovenia, although some judges specialized in that area of the law. Free legal aid was available to all citizens without the financial resources to pay for it, and information on legal aid was easily obtained from the courts and non-governmental organizations.

29. **Ms. Salecl** (Slovenia) said that single-parent families received an additional 10 per cent in State social assistance benefits and could also apply for subsidized housing.

30. **Ms. Pučnik Rudl** (Slovenia), in concluding the discussion, said that the dialogue with the Committee had given her delegation insight and would motivate it to make even more efforts towards the achievement of women's equality.

The meeting rose at 5.05 p.m.