



Convention on the Elimination of All Forms of Discrimination against Women

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Summary record of the 1984th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 17 May 2023, at 3 p.m.

Chair: Ms. Peláez Narváez

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The meeting was called to order at 3 p.m.

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

*Seventh periodic report of Slovakia (continued) (CEDAW/C/SVK/7;
CEDAW/C/SVK/QPR/7)*

1. *At the invitation of the Chair, the delegation of Slovakia joined the meeting.*

Articles 7–9 (continued)

2. **Mr. Matulay** (Slovakia) said that it was important to bear in mind that a caretaker government was currently in office. The implementation of some of the legislation that had been mentioned, as well as the drafting of new legislation, would depend to a large extent on the outcome of parliamentary elections scheduled to take place in September.

3. **A representative of Slovakia** said that women accounted for 45 per cent of persons holding posts of diplomatic rank at the headquarters of the Ministry of Foreign and European Affairs. In addition, 17 out of 39 directors in the Ministry were female, as were 3 out of 8 directors general. Although only 17 out of 82 ambassadors or heads of mission were women, the numbers had increased and the trend was positive. The Slovak diplomat Katarina Mathernova was soon to lead the Delegation of the European Union to Ukraine.

4. In 2021, the Ministry had created the position of Coordinator for Women, Diversity and Inclusion, which was held by a woman of ambassadorial rank who was also chef de cabinet of the Minister. The Coordinator worked alongside other institutional stakeholders to address the specific needs of women in the Ministry. The Ministry also organized an annual conference under the title “Women in diplomacy”.

5. **A representative of Slovakia** said that the Government was convinced that diversity and the involvement of women in decision-making processes contributed greatly to economic prosperity, and it fully supported the principle of equality of opportunity and treatment. However, it considered that the introduction of quotas might be harmful to women and believed that gender balance was best achieved through recommendations, rather than binding legal provisions. Directive (EU) 2022/2381 of the European Parliament and of the Council on improving the gender balance among directors of listed companies and related measures was applicable to just two commercial companies in Slovakia.

6. **A representative of Slovakia** said that, rather than enforcing quotas, Slovakia focused on supporting equality and on creating conditions conducive to achieving a balance between work and private life. The numbers of men and women on candidate lists in different regions were to be reviewed, with a view to encouraging discussion in society about how to increase the involvement of women in the political sphere. The Ministry of Labour, Social Affairs and Family had conducted research into the obstacles faced by women pursuing careers in the private sector.

7. One recent welcome development had been the election of Zuzana Čaputová as President of the Slovak Republic, the first woman to hold that office. Moreover, the current Government included four female ministers. At the local level, female underrepresentation had continued; following recent municipal and regional elections, women accounted for just 17 per cent of elected candidates, 26 per cent of mayors and 28 per cent of municipal delegates. On a positive note, the female Governor of the Žilina Self-Governing Region had been re-elected. Women outnumbered men in senior posts in several important ministries, including the Ministry of Transport, the Ministry of the Environment, the Ministry of Education, Science, Research and Sport, and the Ministry of Culture.

8. **Ms. Mikko** said that several of the questions the Committee had raised had remained unanswered. It was not clear to her how quotas could be harmful to women. In the face of a situation where women represented only around 20 per cent of ambassadors and of members of the National Council of the Slovak Republic, quotas were the best and quickest way to achieve parity. If 50 per cent of companies in the country were State-owned, who other than the State could act as the role model for gender balance on corporate boards?

9. **A representative of Slovakia** said that 20 per cent was a low proportion. However, the Government was acutely aware of the need to empower women and to promote them to decision-making roles. Even without quotas, the action being taken had produced real and tangible results in terms of gender parity in just 10 years, and that trend was continuing.

10. **The Chair** said that the delegation should respond in writing to the question about State-owned enterprises.

Articles 10–14

11. **Ms. Morsy** said that she was happy to note that the principles of equal treatment and free education, including kindergarten, were enshrined in the Education Act. Evidence showed that free and high-quality early education had a positive impact on later academic results and helped to improve the position of women on the labour market. The Committee was concerned, nonetheless, by the low rate of enrolment in preschool education. She hoped that the delegation could explain the reason for that phenomenon and detail any plans to raise awareness about the importance of such education.

12. The Committee commended the recent training initiatives on non-discrimination, gender equality and bullying, including cyberbullying. She was concerned, however, by the lack of comprehensive sexual and reproductive health education in schools. The quality and breadth of such education seemed to depend to a large degree on the capacity of individual teachers. In that regard, she hoped to hear more about a new cross-cutting curriculum developed by the Ministry of Education, Science, Research and Sport entitled “Education in marriage and parenthood” and about any plans to introduce comprehensive and mandatory sexuality education.

13. The Committee would be interested to learn about efforts made to promote non-traditional educational choices for women and girls, such as mathematics, science or technology, and about any appointments of women to the highest positions in academic institutions. Had any steps been taken to develop and introduce digital technologies to reach girls in all areas of the country? She was concerned by a recent statistic according to which 42 per cent of refugee households with school-age children had at least one child who was not enrolled in school.

14. The access of children with disabilities to inclusive education remained a significant challenge. Moreover, educational assistance did not seem to be available for refugee children with disabilities, who faced intersectional discrimination. In that regard, the delegation should provide information on equality of access to education, including kindergarten, for refugee and asylum-seeking children, including those with disabilities, in line with their individually assessed best interests. In particular, the Committee would appreciate information about legislation and policies intended to ensure inclusive education for girls with disabilities, including details about the allocation of funds for the necessary technical and human resources.

15. **Ms. Akizuki** said that she wished to know what measures had been taken to address the gender pay gap, which remained a matter of persistent concern despite the high educational attainment of women. In that connection, she would be interested to know if any action was envisaged to get women into financially remunerative fields of employment, such as science, technology, engineering and mathematics (STEM), which were traditionally dominated by men. The Committee was particularly concerned about the low rates of employment among marginalized groups of women, including Roma, women with disabilities and women asylum-seekers. Had any steps been taken to ensure that they had access to long-term employment?

16. The Committee would be interested to hear about the outcomes and impact of a strategy that aimed to promote the equitable sharing of domestic and caring responsibilities between partners. In that connection, she was concerned by a reported lack of suitable childcare facilities for working women and wished to know if the State party was taking any steps to remedy that situation. Despite the increase in the number of fathers taking parental leave, it was not possible to determine how many of them had actually assumed full responsibility for the care of their children and the household.

17. She was looking forward to hearing about any mechanisms to monitor, prevent and punish sexual harassment in the workplace. The delegation should provide information about any court cases in that regard. Did the Government intend to ratify the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190)?

18. **A representative of Slovakia** said that amendments had been made to the Education Act with a view to mitigating the effect that socioeconomic circumstances had on educational outcomes, thereby promoting equal opportunities and reducing the proportion of students who failed to acquire even the basic level of skills. The amendments also aimed to expand the availability of preschool education, by establishing a legal right to kindergarten or preprimary education from the age of 3 years, and to reduce the transfer of disadvantaged children from regular schools to special schools.

19. Special education needs had previously been defined in such a way that they were recognized only for children with medically classified disabilities or from a socially disadvantaged environment. The new definition to be introduced would include children who faced other educational obstacles – including difficulties related to language, cognitive abilities and motivation – who often required support measures in order to fulfil their potential. The new definition would also help talented and gifted children to develop their creativity. The necessary support measures would be financed through gradual transition to a State budget.

20. Considerable challenges were being faced in the area of curriculum development. With regard to sexual and reproductive health education in schools, the curriculum had been adapted to include modules on biology, civic education and ethics. The main purpose of the changes was to encourage students to take responsibility for their own sexual and reproductive behaviour. The biology component sought to make students aware of intimacy and parenthood, while in civic education they learned to recognize emotions such as love and sexual attraction. The ethics module included courses on equality and justice. Schools had also begun offering courses on media literacy and to create positions of digital coordinator.

21. **A representative of Slovakia** said that, in the light of a new definition of segregation in education, the Ministry of Education, Science, Research and Sport was running a desegregation project that focused on areas with the highest numbers of pupils from marginalized Roma communities. Social workers operated in schools to help identify children who faced discrimination.

22. **A representative of Slovakia** said that employees with young children could request to work part-time or to work from home so that they could better balance their work with their childcare commitments. Employers who refused such requests were required to explain their reasons in writing. Employees on a fixed-term contract who had young children could ask their employers to grant them a permanent contract in order to improve their financial security. The fathers of young children were entitled to a father's benefit. Children's groups were set up to compensate for the lack of places in kindergartens and to meet the childcare needs of parents who worked irregular hours. The Government supported the aims of the ILO Violence and Harassment Convention, 2019 (No. 190); the main barrier to ratification was the problematic definition of gender-based violence.

23. **A representative of Slovakia** said that development of the National Action Plan for Women's Employment (2022–2030) had involved close cooperation between the relevant ministries and partners from the non-profit and research sectors. The purpose of the Plan was to strengthen women's digital skills, increase their access to quality and inclusive education through the increased provision of childcare and long-term care services, and promote access to employment for women from disadvantaged communities, including Roma women.

24. Parents were required to decide whether the parental benefit was paid to the mother or the father. In line with an amendment to the Labour Code adopted on 1 November 2022, fathers had the right to take six weeks of paid paternity leave, irrespective of whether their child's mother received the parental benefit. Under the same amendment, breastfeeding mothers were allowed to take breaks during the working day in order to breastfeed their children. In line with a government decree, the capacity of nurseries had been increased by 10 per cent to meet the childcare requirements of mothers fleeing the war in Ukraine. The National Action Plan also provided for an increase in the number of nursery places. The

measures being taken to improve women's work-life balance also benefited Ukrainian women.

25. Employees subjected to adverse or unequal treatment were entitled to file a complaint against their employers, who were required to respond immediately and rectify the problem identified in the complaint. Employers were not permitted to punish employees for filing complaints. Employees whose rights had been violated could initiate legal proceedings before a court. The onus of proof was on the employer.

26. The Gender Equality Department was responsible for promoting gender equality in the workplace, including by reducing the gender pay gap. In that connection, analytical materials had been developed and a number of solutions had been identified. A policy to promote work-life balance had been drafted and the associated costs had been analysed. A catalogue of measures to promote gender equality in the workplace had been developed, as had methods for conducting gender audits and a system for accrediting employers. A study had been made of the impact on the labour market of unforeseen events such as the coronavirus disease (COVID-19) pandemic and the war in Ukraine.

27. Representatives of the Ministry of Labour, Social Affairs and Family had participated in bilateral discussions with counterparts from Iceland with a view to sharing good practices. Those discussions had resulted in a paper examining the differences and similarities between the measures taken in Slovakia and Iceland to reduce the gender pay gap.

28. **A representative of Slovakia** said that the Office of the Government Plenipotentiary for Roma Communities had developed a strategy for promoting the equality, inclusion and participation of the Roma community by 2030, including their participation in the labour market. Career guidance was provided to Roma women, and a number of services had been established to promote their access to employment. The implementation of two projects had resulted in over 10,000 jobs being offered to members of Roma communities.

29. Programmes to promote financial literacy among Roma communities had been implemented, the system of subsidies had been expanded and information centres had been set up to enhance Roma women's employability. The Slovak National Centre for Human Rights helped to organize training sessions for Roma communities to inform them about the labour market and issues surrounding workplace discrimination. Surveys had been conducted to assess the extent to which Roma communities were included in mainstream society.

30. **Ms. Bonifaz Alfonzo** said that she wished to know what was being done to ensure that health-care services were accessible to all women, including women with disabilities, Roma women and migrant women. She wondered what measures were taken to ensure the accessibility of affordable methods of contraception and abortion services, including the morning-after pill, in all parts of the country, including those where a significant proportion of doctors refused to perform abortions on grounds of conscience. Given that a number of bills proposing the criminalization of abortion had been developed, it would be interesting to know how the State party would ensure access to safe, legal abortion services for all women in all parts of the country.

31. **Ms. Akia** said that she would welcome information on any steps being taken to raise awareness of pension entitlements and social security benefits, including family and childcare benefits, among women with disabilities, Roma women and migrant women. She wondered how many women with disabilities and Roma women were receiving the existing benefits. The delegation might provide data on women's access to mortgages, disaggregated by disability, ethnic affiliation and migration status.

32. **A representative of Slovakia** said that the Government had not implemented a comprehensive programme on sexual and reproductive health education because a social consensus on the need for such a programme had not yet been established. For that reason, it had not been possible to advance the proposal to establish such a programme that had been submitted to the parliament in 2008. The Healthy Regions organization had been implementing an educational programme on sexual and reproductive health in Roma communities since 2021. The organization had around 250 assistants who supported Roma women in hospitals by informing them of their rights and providing them with interpretation services and advice on parenting.

33. Under Act No. 73/1986 on the Artificial Interruption of Pregnancy, women who wished to have an abortion were required to submit a written request to a doctor, who advised them about the possible health consequences of terminating a pregnancy and determined the medical facility where the abortion would be performed. According to reports received by the Government, many doctors did not comply with the Act. In order to address that situation, the Ministry of Health planned to publish a list of medical facilities whose doctors did not have a conscientious objection to performing abortions. The Ministry also planned to amend the law to stipulate that doctors who refused to perform abortions were required to refer patients to medical facilities that did perform them.

34. Efforts were being made to overhaul the provision of hospital care in Slovakia. As part of that process, medical services would be centralized in larger hospitals, which would increase access to abortion services and post-abortion care for all women in the country. Public health insurance did not cover the cost of contraception and abortion services, and no legislative measures were being taken to change that situation. Member States of the European Union had the right to decide which medical services were covered by public health insurance and, in Slovakia, abortions and contraception were not covered because they were not considered to be part of the provision of health care.

35. **A representative of Slovakia** said that assistants representing the Healthy Regions organization were deployed in hospitals to provide services and advice related to sexual and reproductive health and rights, breastfeeding, infectious diseases and early years care. They worked directly with parents and children and referred them to specific doctors. Methods for assessing discrepancies between the health care provided to Roma communities and that provided to the rest of the population had been established. Home visits were paid to families with newborn babies living in marginalized Roma communities.

36. Efforts were being made to raise awareness of the right to health, and six complaints concerning possible violations of that right had been received in 2022. A platform made up of representatives of various NGOs, the Office of the Ombudsman and the Slovak Academy of Sciences had been established to discuss various subjects related to the provision of health care. Programmes on the implementation of minimum standards for the provision of community nursing services and specialized health-care services in marginalized communities had been developed for 2024 and 2025.

37. **A representative of Slovakia** said that a bill on legalization of the morning-after pill had been submitted to the parliament. However, the bill had not been adopted as it had not yet been possible to establish a political consensus on the issue.

38. **A representative of Slovakia** said that the Office of the Government Plenipotentiary for Roma Communities was taking steps to raise awareness of the various social benefits among Roma communities. Several similar projects were also being implemented by the Ministry of Labour, Social Affairs and Family. The issue of access to mortgages was not really relevant to the Roma communities. The Ministry of Labour, Social Affairs and Family had conducted a study of the housing allowance and was expected to recommend that it should be adjusted.

39. **Ms. Stott Despoja** said that she would like to know whether there were plans to hold a vote on a bill first introduced in 1995 that would regulate birth registration numbers and which currently mandated that it would be necessary to issue a new birth registration number in order for a change in a person's gender identity to be legally affirmed. She would also appreciate it if the delegation could comment on the information received by the Committee about forced sterilization.

40. **Ms. Bonifaz Alfonso** said that, notwithstanding the lack of political consensus on the question of abortion, a binding decision of the Constitutional Court dating from 2007 had referred to the right of women to self-determination in respect of their reproductive rights. The State party must also respect its international obligations in respect of those rights.

41. **The Chair** said that she was heartened by the adoption of the new law that would eliminate the practice of forced sterilization of Roma women and would like to know whether the same law would offer protection for transgender persons and women who were deemed

to lack decision-making capacity. What provisions were in place to ensure that women gave their free, prior and informed consent before any sterilization or other medical procedures?

42. **A representative of Slovakia** said that for many years transgender people had been sterilized without any legislative basis. In previous practice, since the Ministry of the Interior was the authority responsible for approving documents related to changes of gender, decisions as to whether sterilization took place had depended in part on the views of the officials of that ministry. More recently, the Ministry of Health had published a document outlining the standard procedure for the case management of transgender adults, which stated that transgender people need not be sterilized in order to change their gender. However, the Ministry of the Interior had maintained certain conditions, notwithstanding the fact that the Ministry of Health had reported that sterilization was not medically required in such cases. She had no further information on the current position of the Ministry of the Interior.

43. Many transgender people had in fact given free, prior and informed consent for sterilization, because they had considered that it was a prerequisite for changing their gender and obtaining legal documents. The bill that would regulate birth registration numbers for transgender persons would require genetic testing. The results of such tests would show that transgender persons retained their birth gender, as their chromosomes did not change. In the view of the Ministry of Health, such a provision would be in breach of European Union legislation and would in any event be unfeasible, as Slovakia did not have the facilities and personnel required for that type of testing. She would be pleased if members of parliament were reminded of the country's international obligations on that question.

44. **Ms. Leinarte** said that in its concluding observations, the Committee would draw attention to the State party's obligations. Committee members should note that, at present, no law in Slovakia required sterilization for transgender persons who wanted to undergo transition. Equally, there was also no law currently in force forbidding abortion before the twelfth week of pregnancy.

Articles 14–16

45. **Ms. de Silva de Alwis**, noting that Slovakia was the European Union member State with the highest regional disparity in its Gini coefficient, said that she wished to know how Roma women and women from other marginalized groups were associated in the formulation of anti-poverty policies and programmes.

46. After numerous legal procedures on the subject, the European Commission had recently, for the first time, brought a case against a European Union member State, Slovakia, before the Court of Justice of the European Union for violating Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (the Race Equality Directive). The case involved the manner in which Slovakia had addressed discrimination against Roma children in the education system. Noting that 65 per cent of Roma children remained in segregated schools, the European Commission against Racism and Intolerance had concluded that the reforms undertaken thus far were insufficient. She would like to know what steps the State party had taken to implement the reasoned opinion issued by the European Commission on the rights of Roma women in the family. The State party's failure to comply fully with the Race Equality Directive could constitute institutional and structural inequality across the board, not just in schools. What could the State party do to guarantee equality in all areas? The Committee would like to find out how the authorities guaranteed access to justice for all women, including those in rural areas and Roma women, and how they were informed of their rights.

47. A series of cases dealing with the forced sterilization of Roma people had been brought before the European Court of Human Rights. In the light of the ambitious court reform described by the delegation, she would like to know whether procedural access was ensured in all cases that involved the right of access to medical records and the right to pretrial evidence disclosure, for example in cases when Roma women had been forcibly sterilized. The Committee would like to know what steps had been taken to address gender-sensitive reform of the criminal justice system, including through the training of law enforcement personnel about instances of gender-based crimes and violence against women. In certain

proceedings involving minors and family issues, an action could be initiated at the initiative of a prosecutor. She would like to find out whether a prosecutor could initiate such action on behalf of a minor who was considered to be in danger.

48. Noting that the legislation of the State party provided little support for the concept of *actio popularis*, or litigation in the public interest, she said that it would be of interest to the Committee to find out whether the Government would consider broadening that concept to include class action suits related to women's rights brought before national courts or the European Court of Human Rights. The Council of Europe had called for Slovakia to make progress on the adoption of an accessible and effective compensation mechanism for victims of forced sterilization, and the European Commission, too, had called for Slovakia to provide compensation. She would like to know whether the Government would consider engaging in corrective or even redistributive justice for the affected Roma women and their families.

49. **A representative of Slovakia** said that, in 2022, the Office of the Government Plenipotentiary for Roma Communities had established a council for liaison with Roma NGOs and the Roma community. It had already begun its work, and its objective was to support participative action and cooperation with Roma communities, with a view to the adoption of specific measures.

50. **A representative of Slovakia** said that the amendment of the Education Act contained a definition of desegregation that differentiated between segregation and inclusion in special education. The Research Institute for Child Psychology and Pathopsychology had drawn up standards to help psychologists give due consideration to the inclusion of children in special schools, taking into consideration their specific social environment and mother tongue, which had not previously been the case. In 2022, the Ministry of Education, Science, Research and Sport had published a document entitled "Together sitting at one desk", which was intended for mayors and local leaders as guidance for desegregation of the education system. The Ministry had a working group that was drawing up a national project on desegregation which would select certain schools for participation in a pilot desegregation project.

51. The national recovery and resilience plan included calls for tenders for the construction of kindergartens and primary schools, with requirements for the design of facilities intended for desegregation and appropriate accommodation. The Government had adopted numerous measures for desegregation but it had encountered problems in implementation, owing to social stereotyping and a lack of understanding by local leaders of the Roma communities' way of life.

52. **A representative of Slovakia** said that the Ministry of Education, Science, Research and Sport had adopted a flexible inclusion strategy for the period from 2021 to 2030 with six objectives: inclusive education, changes in the counselling system, desegregation, the removal of barriers in schools, destigmatization, and training and support for teaching staff.

53. **A representative of Slovakia** said that the practice of sterilization without documentation had taken place between 1990 and 2004. Safeguards were currently in place to ensure that such a practice would no longer be possible. A working group had been established by the Ministry of Health in 2003 to ascertain the facts around illegal sterilization procedures. The Government had initiated a revision of the health legislation in accordance with the findings of that working group, to bring the law into line with European Union legislation and the country's international obligations. The resulting Health Care Act defined sterilization and the conditions for performing it, including what constituted informed consent. Under the law, sterilization must not take place within 30 days of the issuance of informed consent, the aim being to give people time to reconsider their decisions.

54. The current proposal for a mechanism for compensation of victims of forced sterilization, if adopted, would be implemented by the Ministry of Health and would last two years. The mechanism would not require medical documentation of the sterilization. Compensation would amount to some €5,000 per person. The beneficiaries would include only Roma women, and not transgender persons.

55. **A representative of Slovakia** said that investigating and prosecuting bodies proceeded ex officio in cases involving children, unless the Criminal Procedure Code or an

international agreement stipulated otherwise. They had to act expeditiously and must consistently preserve the constitutional rights of the persons in question. She was unaware of any discussion of measures to award compensation to Roma persons for the prolonged discrimination to which they had been subjected. Roma persons had access to free legal aid mechanisms. Socially disadvantaged applicants could also be exempted from the payment of court fees, at the discretion of the judge. The judicial academy provided training on the jurisprudence of the European Court of Human Rights related *inter alia* to domestic violence, child custody, alimony, and compensation of victims of human trafficking.

56. **Ms. De Silva de Alwis** said that she was particularly concerned about certain procedural rights. Victims of discrimination had the right to file complaints before a court, but challenges to termination of an employment relationship had to be filed within two months, an excessively short period for the collection of evidence of discriminatory behaviour such as unequal treatment or sexual harassment. Would the State party consider extending the statute of limitation for such offences?

57. When members of same-sex couples who had legally married in another State applied for immigration papers or refugee status, were they given the same treatment as members of mixed-sex couples in the same situation? The Committee had learned that the Ministry of the Interior and national courts had ruled that the State party must ensure that was the case, but the Committee would like to know whether the State party complied in practice.

58. **Mr. Matulay** (Slovakia) said that his delegation was grateful for the consideration given by the Committee to the implementation of the Convention by Slovakia. The Government had always been committed to maintaining a constructive and open dialogue with the Committee and would continue to provide it with information, including by submitting information in writing during the current session. It looked forward to receiving the Committee's concluding observations.

The meeting rose at 4.55 p.m.