



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions prior to the submission of the seventh periodic report of Slovakia*

Legislative and policy framework

1. In the light of the Committee's previous concluding observations (CEDAW/C/SVK/CO/5-6, paras. 8 and 9),¹ please provide information on the steps taken to review the Anti-Discrimination Act in line with articles 1 and 2 of the Convention. Please outline efforts undertaken to amend the definition of discrimination, as under the current provision in the Act, it is defined as "any action or omission where one person is treated less favourably than another person", which is not consistent with the principle of substantive gender equality and the Committee's general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention. Please also provide information on measures adopted to address multiple and intersecting forms of discrimination, indicating the types/measures of redress available to victims.

Impact of the pandemic on women's rights and gender equality

2. Please indicate measures implemented by the State party in the context of the coronavirus disease (COVID-19) pandemic to redress long-standing inequalities between women and men by placing women at the centre of the recovery as an economic diversification strategy; to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups and women in conflict or other humanitarian situations; and to ensure that lockdown measures, whether partial or total, and post-crisis recovery plans do not see women and girls relegated to stereotyped gender roles. Please indicate measures in place to ensure that all COVID-19 crisis response and recovery efforts: (a) address and are aimed at effectively preventing gender-based violence against women and girls; (b) guarantee that women and girls have equal participation in political and public life, decision-making, economic empowerment and service delivery; and (c) seek to ensure that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socio-economic impact of the pandemic. Please explain how the State party is ensuring that measures taken

* Adopted by the pre-sessional working group on 16 July 2020.

¹ Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations.



to contain the pandemic, such as restrictions on freedom of movement or physical distancing, do not limit access by women and girls, including those from disadvantaged and marginalized groups, to justice, shelters, education, employment and health care, including sexual and reproductive health services.

Women's access to justice

3. Please provide information on the achievements and challenges in ensuring women's access to justice in cases of sex-based and gender-based discrimination, especially for Roma women and women from other disadvantaged groups. Please shed light on the efforts undertaken to increase access for women and girls to free legal aid, implement the shift in the burden of proof by the courts and provide judicial remedies, as well as on measures taken to combat the fear of potential stigmatization and victimization for affected women.

4. Please also provide information on the progress made in enabling women to invoke their rights, including to lodge complaints through the legal system and to seek remedies for violations of their rights. Please indicate the outcomes of such cases and whether the Convention has been invoked before the courts. Please provide data, disaggregated by sex, ethnic origin, sexual orientation and disability, on the number of cases of discrimination reported over the past four years and on cases in which compensation was awarded to victims.

National human rights institution

5. With reference to the Committee's previous recommendations (para. 13), please provide information on the status of the amendment to the legislation on the National Centre for Human Rights and on measures taken, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), to increase the Centre's effectiveness and enhance its political and budgetary independence and its capacity to proactively provide legal assistance or legal representation in cases of discrimination and gender-based violence against women, including sexual violence and harassment. Please provide details on the allocation of human, technical and financial resources to the Centre and the nature and scope of its mandate with regard to the monitoring and examination of cases related to women's rights and intersecting forms of discrimination. Please outline the steps taken by the Government pursuant to the monitoring report prepared by the Centre, on the basis of a study it conducted in 2018, to strengthen measures to combat sexual harassment cases and gender-based violence against women in the workplace.

National machinery for the advancement of women

6. Please outline efforts made to strengthen the functions of the Department of Gender Equality and Equal Opportunities, including by increasing funding to enhance its coordination role and strengthen its decision-making and implementation capacity. Please elaborate on the challenges faced by the Department in carrying out its mandate and please indicate progress made on the demarcation and implementation of clear and transparent eligibility criteria for the funding of non-governmental organizations that work to promote gender equality and the enjoyment of women's rights.

Temporary special measures

7. Please provide information on the adoption of temporary special measures during the reporting period, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, in all areas of the Convention in which women are underrepresented or disadvantaged

and, in particular, for Roma women, lesbian, bisexual, transgender and intersex women and women with disabilities.

Stereotypes

8. With reference to the Committee's previous recommendations (para. 19), please shed light on efforts made to carry out awareness-raising and education initiatives with regard to gender roles, including at the highest level of government authority. Please provide specific examples of the implementation of policies or measures that have contributed to an increase in understanding on the sharing of domestic and family responsibilities between women and men, promoted concepts of gender equality in line with the Convention and countered attitudes that downplay or degrade, and thus undermine, the pursuit of gender equality.

Gender-based violence against women

9. Please provide information on efforts made to adopt comprehensive legislation to ensure the effective investigation and punishment of perpetrators in cases of gender-based violence against women, including domestic violence, and please report on measures taken to ensure access to justice for victims of rape, especially older persons, minorities and women and girls with disabilities, who are specifically vulnerable. Please indicate challenges encountered with respect to the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). Please also provide information on the steps taken to ensure the meaningful participation of women's rights organizations, in particular those working on behalf of disadvantaged and marginalized groups of women, in the implementation and monitoring of the law related to gender-based violence against women. Please describe measures adopted by the State party to address the numerous reports by women of excessive use of force, including torture and ill-treatment, by law enforcement officials. Please also report on progress made in modifying legislation in the State party with a view to explicitly banning corporal punishment in family settings.

10. Please provide details and outcomes of research conducted on the prevalence of gender-based violence against women and its root causes, as well as data, disaggregated by sex, age, ethnicity or minority status and relationship between the victim and the perpetrator, on the number of prosecutions and convictions. Please provide information on the implementation of programmes to eliminate gender-based violence and harmful practices against Roma women and girls, lesbian, bisexual, transgender and intersex women and women and girls with disabilities, as well as on their outcomes. Please supply information on the enforcement and monitoring of compliance, to ensure that the protection orders are of sufficient duration to protect the women on behalf of whom such orders have been issued. Please mention steps taken to fund organizations that provide support services to victims, including with regard to shelters and rehabilitation, and efforts made to ensure their accessibility.

Trafficking and exploitation of prostitution

11. With reference to the Committee's previous recommendations (para. 23), please outline steps taken for the early identification of victims of trafficking and for victim assistance. Please provide information on the measures implemented for the prosecution and adequate punishment of perpetrators of trafficking-related crimes. Please include data on studies and surveys conducted on the prevalence of the exploitation of prostitution. Please also provide information regarding measures taken to provide educational and alternative income-generating opportunities, in particular for Roma women and girls, in order to reduce vulnerabilities to trafficking and forced prostitution.

Participation in political and public life

12. Please provide information on temporary special measures taken to promote the equal representation of women in political and public life. Please indicate whether concrete goals and timelines have been adopted, including for women belonging to ethnic minority groups, for example, through statutory quotas in the parliament, political parties, senior government positions, public administration and the diplomatic service. Please also elaborate on the outcomes achieved, supported by data.

Education

13. Please provide details on efforts made to promote non-traditional educational choices by women and girls in such fields as mathematics, science and technology. Please provide information on measures taken to accelerate the appointment of women to the highest positions in academic institutions. Please also provide information on measures taken to develop and introduce, using digital technologies to reach girls in all areas of the State party, age-appropriate, evidence-based and scientifically accurate mandatory curricula at all levels of education, covering comprehensive and accessible information on sexual and reproductive health and rights, responsible sexual behaviour and the prevention of early pregnancy and sexually transmitted infections. Please provide information about capacity-building for teaching professionals to ensure the transmission of such knowledge within educational institutions.

14. Please provide information on the provision of equal access to quality education for Roma girls at all levels and on support measures taken to keep them in school and increase their attendance at the primary and secondary levels. Please elaborate on the status of relevant legislation and policies for inclusive education as a right of girls with disabilities and provide data regarding the allocation of funds for the technical, human and financial resources necessary to ensure reasonable accommodation for them to study in mainstream classes at mainstream schools.

Employment

15. Please provide information on steps taken to eliminate horizontal and vertical segregation between women and men in the labour market, to close the gender pay gap and to encourage women and girls to select non-traditional educational, vocational and career paths, in particular in the areas of science and technology. Please also provide details on the efforts undertaken to review labour and social security legislation so as to promote the equal sharing of parental responsibilities between women and men; to achieve the equal participation of women in decision-making in the economic sphere, in particular on the management and supervisory boards of public and private companies; to strengthen labour inspections; to sanction discriminatory practices based on pregnancy and subsequent parental leave; to encourage men to take paternity leave and opt for flexible working arrangements; to raise awareness among employers, in particular private employers, of the advantages of promoting gender equality in the workforce; and to provide affordable and high-quality childcare facilities.

16. Please provide information on temporary special measures adopted by both public and private entities to promote women's access to the labour market, in particular for Roma women, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25. Please shed light on the status of the implementation of measures to strengthen the role of the labour inspectorate and on other efforts made to prevent, monitor and remedy sexual harassment and discrimination in the workplace.

Health

17. In the context of COVID-19, please provide information about the measures taken to protect the lives and health of women health workers, who make up the majority in the health sector. With regard to the recommendations of the Committee (para. 31), please provide information on progress made towards the adoption and implementation of a comprehensive programme on sexual and reproductive health and rights and on the allocation of human, technical and financial resources for the implementation of such a programme. Please report on research conducted to identify the root causes of the high rates of infant mortality and teenage pregnancy and of the increase in sexually transmitted infections. Please also provide details on steps taken to ensure the free, active and meaningful participation of women's organizations, in particular those working on women's sexual and reproductive health and rights, in raising awareness on issues pertaining to women's health. Please provide information on measures taken to introduce relevant legislation for universal coverage by public health insurance of all costs related to legal abortion, including abortion on request, and modern contraceptives for the prevention of unwanted pregnancies. Please indicate the status of the review of the Healthcare Act, to ensure access to safe abortion and to remove the requirements for mandatory counselling, medically unnecessary waiting periods and third-party authorization.

18. Please elaborate on steps taken to ensure unimpeded and effective access to legal abortion and post-abortion services for all women in the State party, including by ensuring mandatory referrals in cases of conscientious objections by institutions; to ensure that information provided by health-care professionals to women seeking abortion is based on science and evidence and covers the risks of having or not having an abortion; and to ensure the confidentiality of the personal data of women and girls seeking abortion, including by abolishing the requirement to report the personal details of such women and girls to the National Health Information Centre. Please provide information on the safeguards implemented to ensure access to appropriate and safe childbirth procedures that are in line with adequate standards of care, respect for women's autonomy and the requirement of free, prior and informed consent. Please report on the status of the monitoring and sanctioning of the segregation of Roma women in hospitals and clinics, including in maternity hospitals.

19. Please report on the advances made towards monitoring public and private health centres, including hospitals and clinics, that perform sterilization procedures, so as to ensure their full compliance with national legislation and regulations on the prohibition of forced sterilization and towards the imposition of appropriate sanctions in the event of a breach. Please indicate whether systematic and regular training has been provided to all relevant personnel in public and private health centres on how to ensure free, prior and informed consent for medical interventions in the field of women's reproductive health, including sterilization. Please provide information on the measures taken to raise awareness among Roma women, women with disabilities and lesbian, bisexual, transgender and intersex women of their sexual and reproductive rights and on ways to seek redress in cases of violations thereof, including with regard to cases that occurred in the past. Please describe steps undertaken to ensure that complaints regarding forced sterilization filed by Roma women, women with disabilities and lesbian, bisexual, transgender and intersex women are duly investigated and that victims of such practices have access to remedies and redress that are adequate, effective, promptly granted, holistic and proportionate to the gravity of the harm suffered, in line with the Committee's general recommendation No. 33 (2015) on women's access to justice.

Economic empowerment of women

20. In the light of the previous recommendations of the Committee (para. 35), please provide information on efforts made by the State party to review of its pension and social benefits schemes so as to ensure that the amount and duration of pensions and other benefits are adequate for effective protection against poverty. Please also provide information on progress made towards the adoption of a specific strategy to improve the economic status of single-parent households headed by women, including older women and Roma women.

Disadvantaged and marginalized groups of women

21. Please provide details on the status of the collection of data, disaggregated by sex, age, ethnicity, geographical location and socioeconomic background, in all areas covered by the Convention on multiple and intersecting forms of discrimination, including on Roma women and women of other ethnic minorities, migrant, refugee and asylum-seeking women, women with disabilities and lesbian, bisexual, transgender and intersex women. Please shed light on whether the principle of self-identification and anonymity is applied as the basis for such data collection and on safeguards implemented to ensure the protection of personal information throughout the data collection process.

22. In view of the impact of multiple and intersecting forms of discrimination on disadvantaged and marginalized groups of women in the State party, please report on the specific steps taken with regard to the groups outlined below.

23. *Roma women.* Please provide information on steps taken to review the laws and policies on land and housing, including the Construction Act, with the participation of Roma women, to ensure that they can fully enjoy their rights to adequate housing, education and family and private life without discrimination and fear of segregation, forced eviction and displacement. Please report on efforts made to establish and enforce a strict code of conduct for police so as to effectively guarantee respect for women's human rights in all police operations.

24. *Migrant, refugee and asylum-seeking women.* Please indicate the measures taken to ensure the protection of all migrant women, including undocumented migrant women, all of whom are at particular risk of violence. Please report on the efforts made to strengthen labour inspections of workplaces, including private households, and measures taken to protect all migrant women from racially motivated acts. Please mention, and include examples of, efforts to take an inclusive and non-selective approach in upholding the principle of non-refoulement and a gender-sensitive approach to the continuing refugee inflows and asylum claims, including in procedural matters, in line with the rights covered in the Convention and in the Committee's general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women.

25. *Transgender and intersex women.* Please provide information on the progress made in reviewing legislation to guarantee the rights of transgender and intersex women and girls and ensure that they are free from non-consensual medical treatment, including by abolishing the requirement of compulsory sterilization and surgery for transgender women who wish to obtain legal recognition of their gender. Please provide information on efforts made by the State party to review its legislation to prohibit, as a separate crime, hate speech on the grounds of sexual orientation. Please report on measures taken to ensure that the prohibition of hate crimes and hate speech under the Anti-Discrimination Act and the Criminal Code is strictly enforced and that judges, prosecutors, police officers and other law enforcement officials are adequately trained to recognize and effectively address such incidents. Please indicate steps taken

towards the public condemnation of racially motivated and homophobic discourse and violence, including hate speech or hate crimes related to race or sexual orientation in the media and on the internet, and indicate efforts made to strengthen and promote tolerance and respect for diversity.

26. *Women and girls with disabilities*. Please provide information on measures taken by the State party to include women and girls with disabilities in all policies and strategies to promote equal opportunities for women and men, in particular with regard to access to justice, protection against violence and access to sexual and reproductive health and poverty reduction programmes. Please also report on how free and informed consent is ensured for women with disabilities prior to any medical treatment and on any existing exceptions to that universal right. Please explain what measures have been adopted to protect women with disabilities living in institutions from violence and abuse and to eliminate practices involving physical and mechanical restraints, such as netted cage beds.

Marriage and family relations

27. With regard to the recommendations of the Committee (para. 42), please provide information on the steps taken to reform legislation so as to protect the economic rights of women in de facto unions, in line with the Committee's general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution. Please describe any research conducted on the economic consequences of divorce on both spouses and steps taken to adopt legal measures to redress economic disparities between men and women upon the dissolution of marriage, including, in particular, the recognition of earning potential as part of the marital property to be distributed upon divorce or the award of periodic payments as compensation for the loss of earning potential during marriage, in line with general recommendation No. 29.

28. Please indicate the progress made on research into the developmental effects of shared or alternating custody arrangements, focusing on children's psychological and economic well-being, and the steps taken to develop the necessary training for judiciary and welfare personnel on the complexity of such arrangements. Please elaborate on action taken to ensure the enforcement of the 2015 amendment to the Family Act mandating consideration of potential interference "with the mental, physical and emotional integrity of a person close to the child" in decision-making in all matters concerning the child.

Additional information

29. Please provide any additional information deemed relevant with regard to legislative, policy, administrative and any other measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the previous periodic report. Such measures may include recent laws, developments, plans and programmes, recent ratifications of human rights instruments and any other information that the State party considers relevant. Please note that, further to the issues raised herein, the State party will be expected, during the dialogue, to respond to additional questions posed by the Committee relating to areas covered by the Convention.