

**SHADOW REPORT TO THE FOURTH PERIODIC REPORT OF THE REPUBLIC OF  
SLOVENIA ON THE IMPLEMENTATION OF THE PROVISIONS OF THE  
CONVENTION ON ELIMINATION OF ALL FORMS OF VIOLENCE AGAINST  
WOMEN**

**NGO-s & INDEPENDENT EXPERTS' SHADOW REPORT**

**LJUBLJANA, SLOVENIA, AUGUST 2008**

## TABLE OF CONTENTS

Respective Article of CEDAW	Issue	Page
	<b>Introduction</b>	<b>3</b>
	<b>Comments on the government's answers to the List of Issues and Questions</b>	<b>5</b>
	<b>Executive summary of the shadow report</b>	<b>6</b>
	<b>SHADOW REPORT</b>	
<b>1 (a), (c), and (d)</b>	<b>General information</b>	<b>13</b>
<b>3</b>	<b>Gender equality mechanisms</b>	<b>16</b>
<b>2,3,4,7</b>	<b>Political representation of women</b>	<b>20</b>
<b>5 and General Recommendation 19 on VAW</b>	<b>Violence against women</b>	<b>22</b>
<b>5</b>	<b>Discriminatory constructions of images of women in the media with the special emphasis on pornography</b>	<b>27</b>
<b>7,8</b>	<b>Implementation of the UN SC Resolution 1325</b>	<b>29</b>
<b>11, 12, 13, 14, 15, 16</b>	<b>Women's reproductive health rights</b>	<b>32</b>
<b>13</b>	<b>Women at risk of poverty</b>	<b>36</b>
	<b>Conclusions</b>	<b>43</b>

## INTRODUCTION

This Shadow Report was prepared by a group of NGO-s and experts working together in the framework of the Women's Lobby Slovenia who decided to take part in this endeavour based on their expertise in specific gender equality issues. Sonja Lokar was nominated by the Council of the Women's Lobby Slovenia to edit the final version of this Shadow report.

The aim of this Shadow report is not to diminish the efforts of Slovene government aiming at the elimination of gender based discrimination in our country, or to deny the progress in the fields where the progress was undoubtedly made, but to offer some additional and, where authors think necessary, also critical insight in some crucial areas of concern regarding the status of women in Slovenia in order to make the Recommendations of the CEDAW Committee as relevant as possible.

This is not a comprehensive Shadow report dealing with the implementation of all the Articles of CEDAW, but it consists of agreed general critical remarks of all NGO-s participating in the writing of this report, especially on the sections:

- a) Gender equality institutional mechanisms
- b) Funds and methods for ensuring and advancing positive changes in the status of women.

Further on, this Shadow report deals only with the chosen issues, namely:

- Political representation of women (Articles 2 and 3, paragraphs: 5 - 9 and paragraph 14; Article 4, paragraphs 24 and 25; Article 7, paragraphs 79 – 88. This part of the Shadow report was prepared by the CEE Network for Gender Issues in consultation with the informal network Coalition for Balanced participation of women and men in public life and a working group for equal representation of women and men in politics within the Women's Lobby Slovenia. This part was edited by Sonja Lokar.
- Violence against women and violence in the family, (Article 5, Paragraphs: 38 - 57). This part of the Shadow report was prepared through the coordination of NGO-s dealing with violence against women: The Association SOS Help Line, Women's Counselling Service and Association against Violent Communication. This part was edited by Špela Veselič.
- Elimination of prejudices and stereotypes (Article 5). We propose a new sub-chapter: Discriminatory constructions of women images in media with the accent on "pornographisation". This sub-chapter was submitted by the NGO called Vita Activa and was edited by Renata Šribar, PhD.

- Implementation of the UN Security Council Resolution 1325 (Articles 7 and 8). These comments and proposals were prepared by the CEE Network for Gender Issues and Institute Studiorum Humanitatis. It was edited by Sonja Lokar.
- Women's reproductive health and rights (Articles 11 -16, Paragraphs: 146 -159, and 165 -166). This part of the Shadow report was prepared by two experts, Dunja Obersnel Kveder, MD, MA and Irena Fazarinc, MD, MSc, leading members of Centre for Health Promotion of Slovene Philantropy and both active members of the informal civil society movement for protection of public health care system.
- Other areas of economic and social life (Article 13, paragraph 171): Women at risk of poverty. This part of the Shadow report was prepared and edited by Nada Skuk, former MP, leader of the Women's Organization of Slovenian People's Party and active member of the Women's Lobby Slovenia.

This Shadow Report was made without any international or national financial support and it is completely independent. The views and evaluations concerning concrete paragraphs of the Fourth Periodic Report of the Republic of Slovenia on the Implementation of the Provisions of the Convention on the Elimination of all Forms of Discrimination against Women (Fourth Periodic Report), expressed in this Shadow report, belong to the respective NGO-s and experts who have contributed them.

Editor of the Shadow report: Sonja Lokar

## **COMMENTS ON THE GOVERNMENT'S ANSWERS TO THE LIST OF ISSUES AND QUESTIONS**

Due to the fact that the authors of the Shadow Report have received Government's answers to the List of issues and questions only on September 11, 2008, we did not have time to do much more than a quick reading through them.

We can confirm that most of the stated facts in these answers are accurate. With one exemption: the information given on the issue of maternal mortality. Our opinion is that the information provided is misleading once more. To our knowledge the report on maternal mortality for the period 2003-05 was not issued to the public. Taking into account the information written down in this document that the Maternal Mortality Rate in 2003-05 was 9.4, we do not agree with the statement that this figure is comparable with the figures from the developed world.

Using World Health Organisation - HFA data base - it is clear that the Slovenian Maternal Mortality Rate is higher than the average rate for EU (25 members) in 2004 and 2005 which were 10.8 and 8.8 and 50% higher than average rate for 15 EU most developed member states which were 5.9 and 5.3 accordingly. Last but not least the information presented did not give any information how the measures to reduce maternal mortality rate were implemented and what impact of these measures on the maternal mortality rate was observed.

Government's answers certainly improve the insight in the work of gender equality mechanisms at the level of some ministries, Governmental Office for Equal Opportunities and on the local level, but they do not change essential findings from our Shadow Report.

Our delegation for the CEDAW Committee session on the Slovene Fourth Periodic Report will prepare more detailed comments on this paper only concerning the points which tackle the issues we have dealt with in our Shadow Report.

## EXECUTIVE SUMMARY OF THE SHADOW REPORT

### General Information

**A crucial shortcoming of the Fourth Periodic Report is that it does not give an overall evaluation of the trend regarding the status and discrimination against women in Slovenia: Is there less discrimination against women, is this discrimination stagnating or even worsening?**

The data in the Fourth Periodic Report and the facts we have gathered in our Shadow report give ground to the conclusion that economic and social status of women in Slovenia is still deteriorating: precarity in the labour market, poverty of working poor, and elderly women, persistent economic dependence of rural women, weakening of the health care system and high level of maternal mortality. Glass ceiling is still critically low, especially in decision making bodies with executive power.

Statistical data and research are insufficient to show the full scale of gender based discrimination, gender equality mechanisms and institutions lack expertise in gender mainstreaming, properly trained staff and funding, to become really efficient.

### **RECOMMENDATIONS:**

- Improve gender disaggregated statistics, research and capacity of all gender equality mechanisms and in decision making bodies at all levels for gender impact analysis and gender mainstreaming.
- Improve the dissemination of gender disaggregated data so that women and men as well as all people on decision making positions become more aware of the real situation of women in the different walks of society.

### Gender Equality Mechanisms

#### **Article 3**

Gender equality mechanisms **at the local level** stayed very poor, **Governmental Office for Equal Opportunities** became weaker due to its transformation in the antidiscrimination governmental body, **gender equality coordinators in most of the ministries** lack power and training, **Advocate for equal opportunities of women and men** has no real independence and her mandate and budget are weak. There are no clear priorities in research and in governmental cooperation with the NGOs. The funds given from the state budget for the work of the NGOs are symbolic and their distribution is not enough transparent.

## **RECOMMENDATIONS:**

- Make gender equality coordinators on local level legally binding for all local communities with the status of the city
- Clearly separate the staff, funding and work load of the staff working for gender equality in the Governmental Office for Equal Opportunities from the staff and budget for combating other sorts of discrimination.
- Re-establish separate parliamentary commission for gender equality
- Strengthen the mandate, ensure really independent status of the Advocate for equal opportunities of women and men and give her sufficient resources for pro-active work
- In democratic interaction of all stakeholders define crucial gender equality priorities for the cooperation between the government and civil society actors, ensure more funds for the work on these priorities and make the cooperation between the governmental bodies and NGOs really transparent.

## **Political representation of women:**

Slovenia has the biggest democratic deficit in the representation of women in legislative and executive branches of power at all levels.

We are proud of and we welcome the progress that the cooperation of all crucial stakeholders produced in political representation of women in the European Parliament as well as in the local communities' councils. Still we know that positive measures in the Constitution oblige parties only to insure minimal shares of 30% OF men and women on the party candidate lists. Placing rules within the legal quota regulations for European elections are too weak. Full implementation of the enacted efficient quota regulations for the elections of local councillors is postponed for a too long period. Slovenia still doesn't have any positive measures whatsoever for women mayors. Quota regulations enacted for the elections on the national level is too weak, and might be inefficient as there is no rules concerning gender balance of the candidates in the electoral unites where the parties have the strongest support of their voters.

## **RECOMMENDATIONS:**

- Upgrade the placing rules in the Law on Election of European Parliamentarians to the zipper system and prescribe that at each election the gender of the first candidate on the list has to change. Use the same rule also for the selection of the candidates for crucial positions in executive bodies of the European Union.
- Enact implementation of the quota regulations in the Law for Local Elections to the first coming local elections, regularly scheduled for 2010.
- Organise special capacity building for the candidates for women mayors for all political parties.

- Enact 40% minimal quota for men and women for the lists of candidates for national elections. Enact special rules for the placing of the quoted minimum of male and female candidates for national elections in the electoral units where the parties have the strongest support of the voters.

## **Elimination of prejudices and stereotypes,**

### **Article 5**

#### **Subchapter: Violence against women and violence in the family,**

#### **Paragraphs 38 - 57**

An analysis of the state of art of domestic violence in Slovenia in 2003 discovered that Slovene authorities haven't treated the issue of domestic violence in a comprehensive, holistic way. The biggest step forward was made with a new Family Violence Prevention Act, which was enacted in February of 2008. Many suggestions from NGOs, though not all of them, were included in this Act. We think that our recommendations bellows are crucial in order to make this Act implemented to the best possible way:

### **RECOMMENDATIONS:**

- Ministry of Justice and Ministry of Labour, Family and Social Affairs should take the Family Violence Prevention Act into consideration when preparing or amending the Penal Code (for instance: the need that the perpetrators are obliged to finish trainings of social learning where they learn to use non-violent communication), Family Code (for instance: prohibition of any use of violence in upbringing of children; recognizing that act of violence against mother is at the same time violence against a child) and Social Security Law (for instance: add new service: Help in cases of domestic violence; add obligations of social security institutions regarding multi-institutional teams for work with victims of violence; add obligations of intervention teams and regional coordinators for violence).
- Ministry of Labour, Family and Social Affairs should prepare the National program, Action plan and the rules and procedures as soon as possible and not wait for the deadline in the law (March 2009).
- NGOs should be invited to participate in the creation of all these documents from the beginning.
- Quantitative and qualitative analysis of the implementation of the Family Violence Prevention Act is to be prepared by the Government of the Republic of Slovenia for its Fifth Periodic report to CEDAW Committee.



**Quality implementation of the Family Violence Prevention Act, among other, also presupposes:**

- Establishing relevant and useful databases to gather information on work with both; victims and perpetrators;
- Preparation of expert analysis that measures and approaches the problem in a professional manner;
- Organization of continuous campaigns to stop violence against women;
- Formation of synchronized protocols pertaining to all social institutions that are dealing with the problem of domestic violence and violence against women.

**Elimination of prejudices and stereotypes**

**Article 5**

**We propose a new sub-chapter:**

**Discriminatory constructions of images of women in media with the special emphasis on pornography**

This issue is not even mentioned in the Fourth periodic Report.

The revived construction of conventional and/or degrading women's roles in public sphere is a consequence of transition. Our society was caught unprepared for this phenomenon. This phenomenon represents hidden and indirect discrimination of women. It is the most visible in the construction of images of women in advertisements as well as in the trend of "pornographisation" of the media and in Internet. The impact of this trend is becoming already visible on generations of adolescent girls and young women who internalize the role of porno starlets, becoming in this way even more vulnerable to felonies and crimes connected with the abuse of sexuality.

The attitude of the authorities towards this phenomenon has been threefold:

- The state did not recognize the problem
- The state partly recognised the problem
- The state insisted on its powerlessness with regard to the media, other public and communication spheres as well as with regard to the pressure of capital as operator of discriminatory images of women

**RECOMMENDATIONS:**

- There is urgent need to enact regulations concerning the contents on the Internet, mobile portals, cinema films, DVD, electronic games and video from the point of view of the protection of minors.
- Conceptual framework applied in the Consumers' Protection Act should be updated
- Equipment, staff and expertise in the Media and Market Inspections should be strengthened in order to be able to implement even existing weak regulations.

- The government should take initiative to regulate or renew gender equality sensitive co-regulative mechanisms, (such as advertising, mobile portals, Internet etc.), which would be a part of the larger co-regulatory mechanisms of potentially harmful contents.
- The government should develop campaigns for gender equality approach in media, in other public spheres and in audio-video communicational space.

### **Implementation of the UN Security Council Resolution 1325** **Articles 7 and 8**

In accordance with its obligation as a member state of the EU, Slovenia will have to gradually raise its development aid for the world least developed or most needy countries up to 0.7% of its GDP. Slovenia rightly focused this aid to the post war countries of South Eastern Europe. But in its Resolution on development cooperation, there are no requests or guidelines for gender impact analysis in order to insure that women and men in supported countries will be equally benefiting from the development cooperation projects.

Slovenia has acknowledged UN Security Council Resolution 1325, but in the reported period, the government had no awareness of Slovenia's moral duty and pure interest to help women in the Balkans to become one of the most important agents of peace, democracy, social justice and sustainable development in the region.

### **RECOMMENDATIONS:**

- Slovenian Government and Parliament should accept a gender sensitive Strategy for Development Cooperation, and the government should prepare a comprehensive National Action plan for the implementation of the UN SC Resolution 1325.
- This Strategy and this Action plan should firmly support gender mainstreaming efforts in the Balkans, especially the projects of the Gender Task Force, within the framework of the Regional Cooperation Council which has replaced former Stability Pact for South East Europe.
- It should insure thorough gender equality training for all its cadres – MPs, diplomats, army members, police force members, experts - who are sent into peace keeping international missions or to work in international organisations such as the United Nations, Organisation for Security and Cooperation in Europe, Office for Democratic Institutions and Human Rights that they will take into account the experiences of women pacifists in the Balkans.

**Women reproductive health and rights,**  
**Articles 11-16,**  
**Paragraphs: 146-159, and 165-166.**

The data show that the maternal mortality rate in Slovenia is above the average when compared with other countries in the EU, and Slovenia likely has one of the highest maternal mortality rates in Europe.

The long tradition of protecting sexual and reproductive health in our country will soon diminish, as there is no systematic cultivating of this tradition. The implementation of the legally prescribed preventive programs for protection of reproductive health on the primary level of health care is more and more difficult due to increasingly impaired access and lack of control mechanisms. This is true for preventive programs for family planning, for the prevention of cancer of the cervix, providing prescriptions for hormone therapy medication in menopause and post-menopause and prenatal health education, as preventive health education, and preventive programs for early detection of the breast cancer are almost no longer implemented. The reason for this poor implementation could be found in the fact that the provision of later preventive programs is not properly financially assessed. Therefore NGOs working in this field detect more and more violations of sexual and reproductive rights of women.

We are very much concerned that Institute of Public Health which is legally still responsible for monitoring the state of art in sexual and reproductive health and in the protection of women's health does not detect negative trends and anomalies, as it is not producing any information on relevant researches and analyses

## **RECOMMENDATIONS**

- There is a need to pursue a holistic approach to women's health and to integrate the politics of gender equality in all fields of health care, in accordance with the recommendations and strategies of the WHO and EU in this field and the National program for equal opportunities in the Republic of Slovenia. There is also a need to implement these policies in a consistent and consequent way.
- Slovenia should enact a Strategy for the protection of sexual and reproductive health, with clearly set and measurable goals and measures for the improvement of sexual and reproductive health and providing good access and high quality reproductive health care at all three levels. One proposal for such a strategy was made by experts in 2005 and was submitted to the Minister of Health.
- Slovenia should re-establish an independent body for cooperation of experts in public health care, which will monitor sexual and reproductive health of women and men in Slovenia with constant analyses and research. This body can either be in the form of an independent agency, or in the framework of the

national institute for health as an independent department. This body should prepare expert guidelines for the improvement of health policy, health education and preventive programs with the aim of improving women's sexual and reproductive health.

- Slovenia should develop projects for the improvement of the quality of the reproductive health care. These projects should include indicators for the implementation of preventive and screening programs which are designed to decrease inequalities in sexual and reproductive health. The projects should also establish a new, women friendly form of reproductive health care, where the experts with different profiles will fulfil the different needs of women, in this way improving more effectively women's health.
- We need to upgrade the competences of the Commission for the diminishing of maternal mortality, which should yearly report to the Public Health Council about the effectiveness of the measures taken to reduce maternal mortality.

## SHADOW REPORT

### GENERAL INFORMATION

The Fourth Periodic Report should have covered the period between 2003 and 2006, but it shows at every step the lack of relevant methodological approach, up to date statistical data and serious research.

While reporting on specific articles, the main challenges concerning discrimination of women in Slovenia are not enumerated or ranked. Furthermore, the Fourth Periodic Report is not clear on the government's strategic goals for improving the situation in specific areas of concern, who is responsible for implementation, how CEDAW is to be implemented, and what research and methodologies are used to evaluate the progress, if any. This is true with respect to most of the fields and issues: economic, education, violence, prostitution and trafficking, health issues, and poverty eradication.

The choice of data seems random. There is no use of modern methodologies for measuring progress or regression in the social, economic and health situation of women. Statistical data are used without comments and comparison, eventual measures taken to improve the situation in specific fields are not located in time, most are not described, and there is no evaluation of their efficiency.

The report puts too much emphasis on legal reform which was important, but there is very little said about the gap between *de iure* and *de facto*. Just by reading daily papers and following electronic media, one can find a lot of evidence that there are serious and numerous cases of the violation of legally protected women's human rights. Discrimination against women in the labour market, practical impunity of perpetrators of sexual harassment and domestic violence, and discrimination against women in public life, are everyday practice – but in the Fourth Periodic Report one will find no data on what actions were taken in order to change these practices and there are no strategic proposals on what should be done to close the gaps.

Ordinary women do not know much about their internationally protected right to non-discrimination, and there was very little done to inform the general public on CEDAW, and its Optional Protocol, the Concluding Comments of the CEDAW Committee, or about Conclusions of the special session of the UN General Assembly in 2000: Women 2000 – gender equality for development and peace for the 21<sup>st</sup> Century. Even in the relevant ministries, the UN Security Council Resolution 1325, for example, was unknown till a few months ago. The state does very little to inform women on its actions in favour of implementation of these international documents. Often the NGOs that are working at national and international levels have access to this information only through international organizations. This is why our activities to solve the problems often come late or are not efficient enough. The government does not have good insight into the work of NGOs. For example in the field of reproductive health, in spite of their very

publicly visible work on informing responsible state structures and the public on the worsening state of women's health and on the diminishing rights of the women's to reproductive health, the Fourth Periodic Report found just one NGO active in this field, while there are at least 7.

In some fields, such as sexual harassment at work, prostitution, trafficking, and domestic violence against women, the Fourth Periodic Report tries to show, without any concrete evidence, the effectiveness of governmental measures, even though it is widely known that in these fields, Slovenia still lacks holistic strategies and develops policy approaches to addressing them relatively slowly and with important stimulation of the EU, international and regional organizations. NGOs working in these fields face significant challenges in helping victims to address their problems, and are finding out time and time again that existing legislation and measures are ineffective and insufficient.

**A crucial shortcoming of the Fourth Periodic Report is that it does not give an overall evaluation of the trend regarding the status and discrimination against women in Slovenia: Is there less discrimination against women, is this discrimination stagnating or even worsening?**

There is no doubt about improvements in the legal framework and of a growing number of institutional mechanisms entrusted to deal with gender mainstreaming. In Slovenia there is no lack of resolutions, we have the national plan and periodical action plans for gender equality, there was a partial improvement in the political representation of women (for example, in 2004 Slovenia elected 43% of women Members of European Parliament and in local elections in 2005 the share of women councillors jumped from 12% to 21 %) and more fathers are taking the paid part of their leave. Nevertheless, the overall situation of women in Slovenia **continues to deteriorate**. The data scattered throughout the Fourth Periodic Report confirm this evaluation: the number of unemployed is falling, but the share of women in this army of unemployed is growing. For example, the EC Report on Equality between Women and Men 2008 shows that the absolute gender gap in unemployment rates is up from 0.6 in 2001 to 2.2 in 2006. In 2005, the risk of poverty for men older than 65 was 11%, but for women, the risk was 27%. Vertical and horizontal gender segregation of labour is also growing. Younger women are primarily forced into short labour contracts. In 2006, nearly 20% of all women worked under short contracts, which diminishes their readiness to claim their rights. The number of women victims, looking for the support from the Advocate for Equal Opportunities of Women and Men is very low, while common knowledge reveals that there are many cases of violations of women's rights in practice. The national system of public health care is getting more and more privatized and commercialized. There is less and less solidarity, already acquired rights to gynaecologist at the primary level of health care for example, is silently disappearing, due to the very simple reason: not enough gynaecologists are available at the primary level of health care. The share of women with PhDs is falling, and the same is true for the women in positions of real power. The share of women mayors in the 2005 local elections fell from 6% to 3%. The share of women ministers fell from 3 woman ministers in the former government to only

one in most of the time in office of the government elected in 2004. There are currently again three women ministers in Slovenian government.

**(a) The conditions in which Slovenia approaches the elimination of discrimination against women in all its forms**

With regard to unemployment, the Fourth Periodic Report contains no data on how the deregulation of employment arrangements hurts young women entering the labour market for the first time. There is also no data about the illegal employment of women and the impact of this practice on discrimination of women at the labour market.

There is no data, no reflection or special policy to deal with the dangerous trend of growing unemployment among young and highly educated women seeking jobs.

The Fourth Periodic Report is accurate in enumerating the positive measures for equal political representation of women enacted in the Constitution and in the electoral legislation, but there is no evaluation of whether these measures are sufficient and effective.

There is no data about the fact that maternal mortality remains high and no mention of the fact that there is no effective policy to change this dangerous trend.

**(b) Gender equality institutional mechanisms**

The Fourth Periodic Report's description of the institutional gender equality mechanisms that we have in Slovenia is accurate, but there is no evaluation of whether they are sufficient, efficient, do they improve or deteriorate, and there are no proposals on how to make them better.

## **Gender Equality Mechanisms Article 3**

There is no critical analysis of the **statistical and research data base** used by the government in order to properly follow the process of eradication of gender discrimination in Slovenia. There is no gender sensitive analysis prepared by the government not even on the bases of existing official statistics. For example there is no official data available on voters' turn out disaggregated by gender.

### **RECOMMENDATION:**

The government should prepare gender sensitive analyses as well as insure funding for the strategic research needed to gain better insight in gender relations in critical areas of concern, such as: women and men in short term contract employment, in self employment and in the black market, women and men in unpaid care work; violence against women from the point of view of efficiency of the care for the victims and of the work with the perpetrators. In addition, the lack of power of women is totally unexplored also within political parties and trade unions, even though this is the root cause of political powerlessness of women in political decision making. It should be thoroughly explored in order to be able to propose efficient temporary measures for improvement.

Slovenia had a **special parliamentary commission for gender equality** issues from 1990 till 2000. Its dissolution and replacement by a multi - task commission entrusted with petitions, human rights and equal opportunities, was a mistake and a step back. Special gender equality commission with full mandate could be the best tool for the monitoring of the gender mainstreaming efforts of the government and of all governmental gender equality mechanisms, as well as a body which could take its own initiative in gender equality policies and it could also make very good use of the potential of civil society actors dealing with specific gender equality issues, by including them in its discussions. .

### **RECOMMENDATION:**

A special parliamentarian body for gender equality should be renewed in the future mandate of the parliament (general elections are scheduled for September 21, 2008) in order to strengthen the parliament's control over the government, the work of all institutional mechanisms for gender equality on national and local levels, and the implementation of legislation, national gender equality plan and periodical plans for gender equality.

**There is no evaluation of the work of the most important national gender equality mechanism – the Governmental Office for Equal Opportunities:** what were its activities, target groups, what were the results, how is its success or failure measured?



The Governmental Office for Equal Opportunities became weaker or stagnated dangerously. Careful reading of the data in the Fourth Periodic Report confirms this evaluation: stagnation of research and publishing activities, stagnation of very modest financing of the NGO projects, no systematic training of coordinators of gender equality on local level and within the ministries, no coordination of gender mainstreaming in specific ministries, no gender impact analysis before enactment of the new laws or after they are implemented. The main reason behind this deterioration lies in the fact that the specialized gender equality national mechanism, which has never been very strong, became a general governmental mechanism tasked with addressing all sorts of discrimination and assuming more duties, but little additional expert staff and funding. The Office gained additional staff for work on gender equality issues but these are all people with no visible public record in previous gender equality work.

### **RECOMMENDATION:**

Gender equality department of the Governmental Office for Equal Opportunities has to be seriously strengthened. There should be a clear division of work and transparency with regard to the funding and staff. New staff entrusted only with gender equality tasks, should be chosen from among publicly recognised gender equality experts and activists.

The Forth Periodic Report while speaking about the **coordinators for gender equality on local level and at the level of ministries is very vague. It is not clear what was done in local communities or in respective ministries in order to make their work gender sensitive if anything at all (with the exemption of the Ministry of Labour, Family and Social Affairs and Ministry of Interior).**

Only 10 local coordinators were nominated to work while Slovenia has 210 local communities. Furthermore, the Fourth Periodic Report is silent on the mandate of local coordinators, their tasks, to whom they report and how the effectiveness and the quality of their work is measured. In local communities and in ministries these are usually officials of low rank, they have other responsibilities in addition to their role as local gender equality coordinator, they are not specially paid for the gender equality coordination work and this work is not their priority either. Their capacity for their gender equality work also varies case to case, while the Office for Equal Opportunities has no capacities to systematically train them in gender mainstreaming.

### **RECOMMENDATION:**

The government should establish a high profile for gender equality coordinators at ministries' level, make sure that they get properly trained and paid, and that their work for the issues of gender equality is clearly defined as a priority of their job description.

The Law on Equal Opportunities should be amended so that local coordinators for gender equality became an essential and critical part of the administrative staff at least in the local communities with the status of cities. The City statute has to precisely describe their tasks. The City Council should define their priorities and the budget at

their disposal and discuss their report at least once in two years in order to control the effectiveness of their work.

The Fourth Periodic Report properly describes what the **Advocate for equal opportunities for women and men** was doing, but there is nothing said about her public legitimacy, status, mandate and working approach.

The work of the advocate was assigned to a person with some experience in advocacy for women's human rights but without a wide public reputation. The Advocate's position is not independent, but works as an employee of the Governmental Office for Equal Opportunities. Even her annual report has to be approved by the Director of the Office. Her mandate is very limited. If the perpetrator is not responding to her suggestions to stop the discrimination, she can only delegate the case to the state inspections.

The Advocate waits for the victims to find her in her office, but most of the women do not even know about her existence. This explains why the number of cases she had processed in three years was so small (13 out of 18 cases in three years) and the number has not significantly increased in 2007<sup>1</sup>. On the other hand, this position has a lot of potential, as in most of the cases especially when employers were accused of discriminatory treatment, they were willing to take the Advocate's suggestions into account.

### **RECOMMENDATION:**

The Advocate should be chosen from persons who have a well established public reputation as a consistent activist for women's human rights. This position should be made truly independent – for example the candidate for the position should be nominated by the 2/3 majority of the parliamentarians and she should have a special budget for her work, especially for the development of a pro-active approach, including broad public campaigns against the most typical gender-based discrimination, as well as for the systematic cooperation with the media.

### **(c) Funds and methods for ensuring and advancing positive changes in the status of women**

#### **Funds given to the Governmental Office for Equal Opportunities**

It is not clear, how much money the Office for Equal Opportunities uses for what specific purposes – research, publications, or other actions – whether there are any priorities, and if so, how the priorities were chosen. The support given to the NGOs is symbolic. It is not clear if the co-funding for the NGO projects, which amounted to 3.3% in 2003, to 5% in 2004 and 4.7% in 2005 of the overall budget of the Office for Equal Opportunities relates to the Office's net or gross budget amount. Regardless, this is a very small

---

<sup>1</sup> See: Poročilo o delu Zagovornice za leto 2007, March 2008, Governmental Office for Equal Opportunities

amount of funding. For example, in 2005 the Office provided funding for 12 NGO projects. At best, this means a total of 30.000 USD.

**RECOMMENDATION:**

The Office should structure its budget in a way to make transparent the share of national budget funds and funding acquired from other sources (EU, UN) It should present its strategies for spending its budget, make more transparent its report of its expenditures on specific budget lines such as research, publications, other activities, and co-funding of the NGO- projects.

**Budget funds in ministries and other governmental offices and bodies**

Again the Fourth Periodic Report is unclear. Does it speak about USD 1.156.500 for a period 2005 - 2013, or about this same amount per year?

**Civil society organizations**

The Fourth Periodic Report's description of the relationship between the Office and the NGOs is general and idyllic. It states that all gender equality NGOs were invited to take part in the preparation of the most important programmatic documents of the Office, and were consulted during the preparations of the Fourth Periodic Report, but what is not explained, is the extent to which these proposals were taken or not into account.

**RECOMMENDATION:**

It would be useful for the Government, the Parliament and the public to know which NGOs have permanent working relationships with the Office and which are the ones that got co - funding and for which projects in the reported period. Financial and human resources for the gender equality work of NGOs in Slovenia are extremely limited. This is why it is of crucial importance, that public money is spent on the publicly agreed priorities and given to the NGOs not by political preferences of this or that government but in accordance with their good work on specific policy issues.

**Political representation of women:  
Articles 2 and 3, paragraphs 5 - 9 and paragraph 14;  
Article 4, paragraphs 24 and 25;  
Article 7, paragraphs 79 – 88.**

The Fourth Periodic Report's descriptions of the problems and legal solutions with regard to the challenge of increasing the representation of women in legislative and executive branches of power on three levels (European, national and local level) are accurate, but there is no evaluation of whether new measures are efficient and sufficient and if not, what to do in the future.

**Slovene women in politics on European level:**

There is no doubt that the first Slovene election for the European Parliament was a great success for women, and that this success was based on:

- The joint work of the informal Coalition for balanced representation of women and men in public life, women parliamentarians, Office for Equal Opportunities, as well as on great support coming from the EU based political party families.
- The enactment of the positive measures for candidate lists in the Constitution
- The enactment of 40% quota and the placing rules, which stipulate that candidates of both genders should be placed between the first three names on each list in the Law on elections of MEPs.
- A gender equality friendly electoral system for elections of MEPs. The system is proportional, the whole country is one electoral unit, preferential votes are possible but voters rarely use them .

But this success might not be repeated in the next EU elections, scheduled for 2009. The placing rules are simply too weak. If the big Parliamentary Parties decide to give their first woman candidate a third place on their lists, which would be in accordance with the Law on Elections of MEPs, not even one woman would have probably been elected.

**RECOMMENDATION:**

- In the Law on Elections of MEPs, the placing rules for the candidate lists should be upgraded into a zipper system (where each woman candidate is followed by a male candidate or vice versa) and the gender of the first candidate on every list should be obligatory changed at every next EU elections.
- The same rule should be also enacted for the Slovene candidates for the post of Slovene Commissioner and for all four top executive posts at the level of EU, in case that the Lisbon Treaty is ratified by all the member states of the EU. If the commissioner from Slovenia this time is a man, next term should be given to the woman candidate.

## **Slovene women in national parliament and government:**

In 2006 the parliament enacted weak quota rules for the candidate lists for the national elections (25 % in 2008, 35% in 2012). These rules might not have any serious effect, due to the mixed electoral system, where all depends on the placement of the candidate in the eligible electoral unit. Slovenia is divided into 8 electoral districts. Each district has 11 electoral units with only one candidate running for each party. Most of the parties do not get more than one to two candidates elected in each district. The parties are well aware of the electoral units where they have the strongest support of the voters. If the parties are not giving to their women candidates the chance to run in any of these units, their women candidates will not be elected, even if the parties have 50% of women candidates on their lists in each district.

### **RECOMMENDATION:**

The law on general elections should be amended to provide that all Political Parties must include as candidates at least 40 % of both women and men and must place women and men in at least 40% of electoral units where the party has been successful in getting its candidates elected in several previous elections.

## **Slovene women in politics on the local level:**

The quota enacted for the elections of the local councillors was working. There was considerable improvement in the share of women councillors (from 12 to 21 %), but the quota was set too low, and the placing rules were too weak. The progress towards a 40% quota and the use of the zipper system (alternation of one man, one woman, one man, one woman in the first half of the lists) is placed too far in the future. According to the Law on Local Elections, these progressive and effective rules which will work well in the larger communes with proportional electoral system, will be in place only in 2014. Besides, there is no mechanism to improve gender balance in the number of elected women mayors – their share dropped from 6% to 3% in the last local elections.

### **RECOMMENDATION:**

- Change the Law on local elections to introduce a 40% quota for men and women and the use of zipper system in the first half of all lists before the new local elections in 2009.
- The government should adopt special positive measures in order to encourage Political Parties to promote as candidates at least 40% of women for their mayors in local communities.
- Start a special governmental program for capacity building of potential candidates for women mayors from all parties.

### **This part of the Shadow report was prepared by:**

Društvo: Evropska mreža za enakost spolov - CEE Network for Gender Issues, Levstikova 15, 1000 Ljubljana, Slovenia, [www.europenforum.org](http://www.europenforum.org); [sonja.lokar@siol.net](mailto:sonja.lokar@siol.net)

**Elimination of prejudices and stereotypes,  
Article 5  
Subchapter: Violence against women and violence in the family,  
Paragraphs 38 - 57**

In May 2003, the Association against Violent Communication prepared a Report to the UN Committee on the Elimination of Discrimination against Women on the issue of violence against women in the Republic of Slovenia. The report was prepared in the light of the CEDAW Committee's consideration of second and third periodic reports of the Republic of Slovenia. We would like to emphasize some facts from this report that are still topical in the field of violence against women and domestic violence in Slovenia, although Slovenian Parliament passed Family Violence Prevention Act in the middle of February 2008.

The Republic of Slovenia is still developing its attitude toward domestic violence and violence against women as such. Generally, legislative and executive authorities in Slovenia dedicate little attention to the problem of violence against women. The decision makers and decision takers are not aware of the conditions that have to be fulfilled for the work in the field of violence against women to have positive effects (for instance long term solutions, system of help, continuation in awareness raising and prevention measures etc.). Women are mainly left on their own when searching for solutions to increase their and their children's security and protection. We can hardly speak of measures that enable actual and long-term safety for victims of violence and actually reduce violence against women in Slovenia. Short-term solutions, like restraining order for the perpetrator of violence, detention for the time of intoxication, until the perpetrator calms down or stops using violence, warnings, treating violence as misdemeanour etc. are simply not effective enough. They often increase the threat to a victim and do not lead to a long-term change in the attitude of the perpetrator of violence.

In November 2003, the analysis of the situation in the field of violence against women in the domestic sphere in Slovenia was prepared<sup>2</sup> at the initiative of the Expert Council for the problems of violence against women that was established in 2001 as an advisory body to the Minister of Labour, Family and Social Affairs. (Paragraph 51 of the Fourth Periodic Report of the Republic of Slovenia on the Implementation of the Provisions of the Convention on the Elimination of All Forms of Discrimination against Women refers to this initiative.) According to the prepared analysis, the general and expert public are better informed, more able to identify the problem and more sensitized when speaking about violence against women and there are more educational trainings performed. Nevertheless, there are still a lot of unsettled matters. The problem of violence against women is not considered as the problem that needs an independent and special treatment because of its frequency and because of heavy consequences that it has for the victims of violence.

---

1. Robnik S., Skornšek-Pleš T., Veselič Š., Strokovni svet za problematiko nasilja (2003): Nasilje nad ženskami v družini: analiza stanja.

The authors of the analysis state that some problems regarding the preparation of the analysis can be seen as soon as we take a closer look at it: lack of data about women, victims of violence, about the perpetrators of violence, about the help offered, the procedures suggested, organizations that cooperated in the case solution, etc. We can observe that some data in Slovenia exists (police evidence) but one can not use them as a basis for the preparation of, for instance, action plans, guidelines for work and similar guidance, since the data are not systematically gathered, and every institution does it for itself, according to its own criteria.

One of the important findings or confirmations in this analysis was that in Slovenia violence against women is a very serious and frequent problem that needs a holistic, coordinated approach and harmonization of the work of all organizations that deal with the problem. Such a holistic approach should be defined in a special, comprehensive law.

According to police data, more than 60% of the reported violence occurs in home. In addition, 27% of the violations of the public order and peace occur in homes. It is of course necessary to mention the troublesome fact that the police mostly treat the cases of violence against women in the domestic sphere as violations of public order and peace and not as criminal offences.

The second important finding of the analysis is that there is no system of help for women, victims of violence, or so called coordinated approach in Slovenia. Such coordinated systems of help would establish cooperation between organizations, exchange of information, mutual supervision, and therefore enable a higher quality of help to women, victims of violence.

The third important conclusion of the analysis is that there are no protocols for acting in state institutions when a woman who is the victim of violence seek assistance. Protocols could define the procedures employees/experts should follow, define which information they must give to a woman, where they should direct her for additional assistance, and to whom they should turn in helping her to resolve her situation. Please note that the new Family Violence Prevention Act did foresee the determination of the procedures of mutual informing and providing of aid more precisely by the Minister of labour (Article 10 of the Act). The Ministers responsible for work of the police, health organizations, social security and educational institutions must also determine the rules and procedures which will ensure concerted action of authorities and organizations, and which further have to be considered by the authorities and organizations when dealing with instances of violence (Article 10 of the Act).

The analysis draws our attention to the fact that in Slovenia, we dedicate much more attention to the curative part of the problem of violence against women than to prevention, although it is clear that prevention should be the basis of work against violence against women.

The authors of the analysis emphasize the need and importance for the state to create the policies with which it will ensure conditions in which violence against women won't be excused and tolerated by the state, its institutions and local communities.

## **Family Violence Prevention Act**

The Parliament of the Republic of Slovenia passed the new Family Violence Prevention Act in the middle of February 2008. The law, among others, determines the role of public authorities, local community organs and non-governmental organizations (NGOs) and defines measures for the protection of victims of violence in the family. The NGOs have contributed to the debate on many of the provisions of the draft law. Our proposed amendments were partially taken in consideration by the Ministry of Labour, Family and Social Affairs, (which is the ministry that prepared the law) and partially by single parliamentarians from different political parties.

A number of the NGOs in Slovenia strongly support the law, although they are aware of some of its weak points. We would like to encourage CEDAW Committee to propose to our government the following solutions for the best possible implementation of the Family Violence Prevention Act:

- The Family Violence Prevention Act is a law that is best implemented when it is supported by other laws, especially the Penal code, Family code and Social security law. It is therefore important that the Ministry of Justice (responsible for Penal code) and Ministry of Labour, Family and Social Affairs (responsible for Family Code and Social Security Law) take the Family Violence Prevention Act into consideration when preparing or amending the three exposed laws.
- In the Family Violence Prevention Act the judiciary is not obligated to educate their officials about the issue of domestic violence.

Under the Family Violence Prevention Act, other state institutions (police, centres for social care, health and education institutions) are obliged to educate themselves about the issue of domestic violence (article 10, paragraph 4 states "The practitioners (hereinafter: practitioners) working with the authorities, and organizations who are in the framework of the rules and procedures from the above paragraph responsible for performance of functions in the field of violence, must in the framework of lifelong education, improvement and training regularly educate themselves in the field of violence in the extent as defined by competent ministers from the above paragraph. Responsible persons with the authorities and organizations as well as nongovernmental organizations are obliged to provide training for all practitioners who in the framework of their work deal with victims or perpetrators of violence."). In contrast, Article 10, paragraph 5 of the Family Violence Prevention Act provides that experts from judiciary have an option to educate or not. The paragraph only states that "Judicial Training Centre shall add, among educational contents, also the issues of family violence."



Generally, in Slovenia, we can observe that there is still a need to educate experts on the issue of violence against women and domestic violence.

The Minister of Justice also doesn't have an obligation to prepare the rules and procedures for the harmonized work of the institutions in the cases of domestic violence, although ministers from the field of social security, police, health and education are obliged to prepare these rules and procedures.

Some NGOs in Slovenia are convinced that it is inappropriate that one of the important actors (judiciary) is excluded from the obligation to educate in the same way as other actors, especially if one of the goals of the Family Violence Prevention Act is to prepare a basis for the system of work (comprehensive measures) in the field of domestic violence. We are convinced that the inclusion of judiciary into this system of work (comprehensive measures) is one of the important issues for the successful work against domestic violence and successful implementation of the Family Violence Prevention Act.

At this point we would also like to draw your attention to the concluding comments, prepared during consideration of the second and third periodic reports of the Republic of Slovenia (29<sup>th</sup> Session, June, July 2003). In paragraph 24, CEDAW Committee recommends: "In the light of its general recommendation 19, the Committee urges the State party to place high priority on putting in place comprehensive measures to address violence against women in the family and in society ... The Committee calls upon the State party ... to ensure that violence against women is prosecuted and punished with the required seriousness and speed. Women victims of violence should have immediate means of redress and protection, including protection orders and access to legal aid. The Committee recommends that measures be taken ... to ensure that public officials, especially law enforcement officials, the judiciary, health-care providers and social workers, are fully sensitized to all forms of violence against women and trained to handle such situations adequately."

### **Conclusion**

Because of the deficiencies stated above, the problems of women who are the victims of violence are not solved in the best possible way for them, and procedures in the institutions are often not victim friendly. The NGOs in Slovenia are optimistic when speaking about our new Family Violence Prevention Act and put high hopes on the Ministry of Labour to do its best in implementing the Act. We would like to encourage the CEDAW Committee to ask Slovenian government to prepare the quantitative and qualitative analyses of the implementation of the Family Violence Prevention Act for its fifth Periodic report to CEDAW Committee.

## **RECOMMENDATIONS:**

- Ministry of Justice and Ministry of Labour, Family and Social Affairs should take the Family Violence Prevention Act into consideration when preparing or amending the Penal Code (for instance: the need that the perpetrators are obliged to finish trainings of social learning where they learn to use non-violent communication), Family Code (for instance: prohibition of any use of violence in upbringing of children; recognizing that act of violence against mother is at the same time violence against a child) and Social Security Law (for instance: add new service: Help in cases of domestic violence; add obligations of social security institutions regarding multi-institutional teams for work with victims of violence; add obligations of intervention teams and regional coordinators for violence).
- Ministry of Labour, Family and Social Affairs should prepare the National program, Action plan and the rules and procedures as soon as possible and not wait for the deadline in the law (March 2009).
- NGOs should be invited to participate in the creation of all these documents from the beginning.
- Quantitative and qualitative analysis of the implementation of the Family Violence Prevention Act is to be prepared by the Government of the Republic of Slovenia for its Fifth Periodic report to CEDAW Committee.

## **Quality implementation of the Family Violence Prevention Act, among other, also presupposes:**

- Establishing relevant and useful databases to gather information on work with both; victims and perpetrators;
- Preparation of expert analysis that measures and approaches the problem in a professional manner;
- Organization of continuous campaigns to stop violence against women;
- Formation of synchronized protocols pertaining to all social institutions that are dealing with the problem of domestic violence and violence against women.

### **This part of the Shadow report was prepared by:**

Društvo SOS telefon za ženske in otroke - žrtve nasilja - The Association SOS Help Line P.O. Box.: 2726, SI - 1001 Ljubljana, [www.drustvo-sos.si](http://www.drustvo-sos.si), [drustvo-sos@drustvo-sos.si](mailto:drustvo-sos@drustvo-sos.si)

Društvo Ženska svetovalnica - Women's Counselling Service, Langusova 21, SI - 1000 Ljubljana, [www.drustvo-zenska-svetovalnica.si](http://www.drustvo-zenska-svetovalnica.si), [zenska.svetovalnica@guest.arnes.si](mailto:zenska.svetovalnica@guest.arnes.si)

Društvo za nenasilno komunikacijo - Association Against Violent Communication, Miklošičeva ul. 36, SI – 1000 Ljubljana, [www.drustvo-dnk.si](http://www.drustvo-dnk.si), [drustvo.nenasilje@siol.net](mailto:drustvo.nenasilje@siol.net)

## **Elimination of prejudices and stereotypes**

### **Article 5**

**We propose a new sub-chapter:**

#### **Discriminatory constructions of images of women in media with the special emphasis on pornography**

Bearing in mind that Article 5 of the CEDAW thematically covers public speech in the media and the speech of public actors' used to describe or define gender roles and the status of women, and that the Fourth Periodic Report on implementation of CEDAW in Slovenia does not address this issue, we feel the need to describe the problem of discriminatory constructions of images of women in the media, with a special emphasis on sexual roles of the women, due to the growing presence of pornography in public space in general, in the media and in the electronic audiovisual tools, especially on the internet.

#### **Description of the issue:**

The revived construction of conventional and/or degrading women's roles in public sphere is a consequence of transition. Our society was caught unprepared for this phenomenon. This phenomenon represents hidden and indirect discrimination of women. It is the most visible in the construction of images of women in advertisements as well as in the trend of pornographisation of the media and in Internet. The impact of this trend is becoming already visible on generations of adolescent girls and young women who internalize the role of porno starlets, becoming in this way even more vulnerable to felonies and crimes connected with the abuse of sexuality.

In the period 2003-2006 the attitude of the state authorities with regard this phenomenon is threefold:

- **The state did not recognize the problem**
  - a. In 2003, article 84 of the Law on Media was declared deficient with regard the issue of pornography; an authentic interpretation was suggested by the governmental party and confirmed by the Parliament, but the most common form of pornography was excluded from this interpretation.
  - b. The Media Act was amended in 2006. Again, in article 84 which should protect minors from the pornography and other potentially harmful contents, the interest of the capital was favoured more than the interest of protection of minors.
  
- **The state has partly recognised the problem:**
  - a. The Governmental Office for Equal opportunities has co-funded the research and the publication of A Manual for Media on gender Equality, Mirovni inštitut, Ljubljana, 2004, which addresses implementation of gender equality in the media.
  - b. The state Agency for postal and electronic communications has prepared, for the use of the providers of the TV programs Guidelines for the content of the internal

ethic and esthetical rules (codex) of the Broadcasters. These Guidelines were written from the point of view of respect of gender equality in the field of constructions of sexuality and porn on TV.

- c. In the process of amending article 84 of the Media Act in 2006, to deal with the protection of minors from pornography and other potentially harmful contents, the legislators considered some of the proposals from NGOs and independent experts which argued for the incorporation of principles of gender equality.

**- The state insisted on its position of powerlessness with regard to the media, other public and communication spheres as well as with regard to the pressure of capital as operator of discriminatory images of women:**

- a. There are no regulations concerning the contents on the Internet, mobile portals, cinema films, DVD, electronic games and video from the point of view of the protection of minors.
- b. In this field, there is very deficient legal protection of consumers (Conceptual framework applied in the Consumers' Protection Act is out of date).
- c. Even existing weak and deficient legislation in this field is not implemented in practice. There is a lack of equipment, staff and expertise in the Media and Market Inspections.
- d. The state does not take any initiative to regulate or renew gender equality sensitive co-regulative mechanisms, (such as advertising, mobile portals, Internet etc.), which would be a part of the larger co-regulatory mechanisms of potentially harmful contents.
- e. The state does not take any initiative in order to develop campaigns for gender equality approach in media, in other public spheres and in audio-video communicational space.

This part of the Shadow report was prepared by:

Društvo: Vita Activa – Association Vita Active, Ljubljana, Slovenia, [www.drustvo-vitaactiva.si](http://www.drustvo-vitaactiva.si)

## **Implementation of the UN Security Council Resolution 1325, Articles 7 and 8**

In July 2008, in Ljubljana, Slovenia, CEE Network for Gender Issues, Institute for Humanity Studies, Ministry of Defence and several international partners organized an international conference of women activists from the Balkans, dealing with the implementation of the Resolution 1325. This conference was a golden opportunity also to evaluate Slovenian approach to the empowerment of women in conflict situations.

Due to the preparations for this conference, Defence Ministry translated the Resolution 1325 in Slovene language, and the representative of the Ministry of Defence presented the report on the state of art regarding women in the Slovene Army as well as the implementation of the Resolution 1325 in this Ministry (See power point presentation of gender coordinator of the Ministry of Defence, Ms. Breda Bunič, Annex 1, and Conclusions from this Conference, Annex No. 2).

Slovenia was born out of the bloody dissolution of the former Socialist Yugoslavia (1991-2001). The whole region, especially Croatia, Bosnia and Herzegovina, Kosovo, Serbia, Montenegro and Macedonia went through armed conflicts and/or NATO bombardments in the 1990s and in the first years of the 21st century. In these conflicts women paid a disproportional price as objects and victims of the nationalistic, practically all male politics, waging wars for greater nation states, using systematic rape, genocide and forced migrations of populations from the “wrong” nations or religions.

This region is still not entirely stabilized. Women are still striving to get back elementary political, personal, economic, and social human rights and freedoms they used to have before the conflict and to catch up with the democratic standards of the EU.

New conflicts are still possible in this region. Slovenia has a vital interest in the stability and peace in the neighbouring countries.

Slovenia has acknowledged UN Security Council Resolution 1325, but in the reported period, the government had no awareness of Slovenia's moral duty and pure interest to help women in the Balkans to become one of the most important agents of peace, democracy, social justice and sustainable development in the region.

From 1999, when the Stability Pact for South East Europe was established and its Gender Task Force started to operate in the region, the Slovenian government did not finance any of its regional gender equality projects, though it symbolically supported some of them in kind, especially by sending its experts to the gender equality regional capacity building seminars from 2002-2008.

### **The Slovenian government shares the shortcomings of EU member states and the European Commission in dealing with the peace process in the Balkans.**

In accordance with its obligation as a member state of the EU, Slovenia will have to gradually raise its development aid for the world least developed or most needy countries up to 0.7% of its GDP. Slovenia rightly focused this aid to the countries of South Eastern Europe. But in its Resolution on development cooperation, there are no requests or guidelines for gender impact analysis in order to insure that women and

men in supported countries will be equally benefiting from the development cooperation projects. There is also no information about how much of the funds in the future will be given for the badly needed projects designed to empower Balkan women.

Slovenia also takes part in international peace operations approved by the UN in Kosovo and in Afghanistan, and is symbolically present in Iraq. It has 10% of its army in all these missions. In the governmental report there is not one word about the gender balance of these peace missions, or how the commanding staff, the soldiers or members of police forces or experts, were educated in order to implement the UN Resolution 1325.

Slovenia also has its representatives in Organisation for Security and Cooperation in Europe (OSCE) it sends its experts in OSCE national missions in the Balkans, and it sends electoral observers in the electoral observation missions of Office for Democratic Institutions and Human Rights (ODIHR) in the countries with fragile democracies. There is nothing in the governmental report about the gender aspects of these very important international actors of Slovenia and about whether they received gender equality training before their deployment.

### **RECOMMENDATIONS:**

- Slovenian Parliament should accept a gender sensitive Strategy for Development Cooperation, and the government should prepare a comprehensive National Action plan for the implementation of the UN SC Resolution 1325.
- This Strategy and this Action plan should firmly support gender mainstreaming efforts in the Balkans, especially the projects of the Gender Task Force, within the framework of the Regional Cooperation Council which has replaced former Stability Pact for South East Europe.
- It should insure thorough gender equality training for all its cadres – MPs, diplomats, army members, police force members, experts - who are sent into peace keeping international missions or to work in international organisations such as the United Nations, Organisation for Security and Cooperation in Europe, Office for Democratic Institutions and Human Rights that they will take into account the experiences of women pacifists in the Balkans, who demand from all governments and international organizations to:
  - **Strongly support and make visible all home grown women peace movements which try to prevent the eruption of armed conflicts. This should become a normal part of any preventive diplomacy activities.**
  - **In the times of conflict international actors, including Slovenia, should help women peace activists to create and make visible women's peace advocating political bodies. This is the only way to enable them to be included in international peace negotiations as an equal stakeholder with other subjects of war and peace of their countries.**

- **After the conflict, all international actors, including Slovenia, should enable the creation and provide structural, support for formal, home grown gender mainstreaming mechanisms and their strategies within international peace keeping and peace making structures or initiatives. This should not be done only on a project by project basis.**
- **It is crucial to help women in post war countries to organize in cross cutting, broad, regional and nation wide coalitions, so that they become equally represented in all decision making bodies of the societies in the process of post conflict normalization and so that they can decide on equal footing with men, about reconciliation, recovery, normalisation and new development strategies of their countries and regions.**

**This part of the Shadow report was prepared by:**

Društvo Evropska mreža za enakost spolov,  
CEE Network for Gender Issues, Levstikova 15, 1000 Ljubljana, Slovenia,  
[www.europenforum.net](http://www.europenforum.net)

**Women reproductive health and rights,  
Articles 11-16,  
Paragraphs: 146-159, and 165-166.**

Bearing in mind the deliberations in the Second and Third Periodic Reports of the Government of Slovenia to the CEDAW Committee and the 2003 Concluding Comments of the CEDAW Committee, we would like to underline the following shortcomings in the Fourth Periodic Report, concerning especially Articles 11 - 16, relating to Women's health.

The 2003 Concluding Comments of the CEDAW Committee regarding women's health were not at all taken into account. There is no data on the progress or regression in women's health, or on the issue of maternal mortality, or on real inclusion of NGOs in all responsibilities of the state in this field.

In the chapter "Women's Health" the report enumerates positive legal and institutional changes but gives no evidence on the results of all new measures. So the mere description of the establishment of the respective bodies for supervision of policies or new legal solutions without any analysis on how these solutions have influenced or improved women's health is of limited value. The statements in the Fourth Periodic Report that "maternal mortality has significantly fallen in 2001- 2002" or that "the access to reproductive health care and contraceptive methods and preventive health programs is good" are misleading. In case of maternal mortality the statistical facts show the opposite (statistical data show that maternal mortality rates are in rise since mid nineties (in 1991-3 MMR was 6.5, in 2000-2 was 15.1) as is explained in next paragraph). Meanwhile in cases of the second statement the official indicators are not available as they are not gathered any more. The same goes for other two legal and professional changes that Slovenian government is enumerating in its Fourth Report: National program for the development of health care and State program for systematically organized early detection of the breast cancer were still not existent at end of 2007.

The members of CEDAW Committee gave very clear instructions with regard to maternal mortality. Following long term trends, we can say that maternal mortality stays a serious problem of reproductive health in Slovenia, deliberately neglected and underestimated by the health authorities and government. Health authorities are citing misleading data and not taking appropriate measures. The data show that the maternal mortality rate in Slovenia is above the average when compared with other countries in the EU, and Slovenia likely has one of the highest maternal mortality rates in Europe. The analysis of the maternal mortality rates show that in Slovenia, maternal mortality has been in the rise since the mid nineties, and reached the level of 15 deaths for every 100.000 live births for the period 2000-02. The last time Slovenia measured such high levels of maternal mortality was in 1973, before we made the abortion legal, liberal and safe. In fact, the rate of maternal mortality in Slovenia has increased above the European average in the last 20 years. During this period, there were only two years, 1998 and 2002, when no cases of maternal death were reported. Nevertheless, this does not necessarily mean that in these two years no women died during pregnancy



and child birth as the data on maternal mortality which are based only on data on vital statistics, are presumably underestimated like in the majority of other countries.

Moreover, we are very much concerned that maternal mortality would increase even more due to the tacit denial of access to legal and safe abortion and to sterilisation that some women experienced recently. It is very well known that this kind of barriers to reproductive rights could create the conditions leading to maternal death. Institute of Public Health which is legally still responsible for monitoring the state of art in sexual and reproductive health and in the protection of women's health does not detect these negative trends and anomalies, as it is not producing any relevant researches and analyses. We are only informed that it has gone through major organisational changes and reductions in number of public health professionals. This situation will undoubtedly lead to unsuccessful prevention of rising rates of maternal mortality, as to failed registration of maternal deaths (which may be recorded, but not as maternal deaths).

The long tradition of protecting sexual and reproductive health in our country will soon diminish, as there is no systematic cultivating of this tradition. The implementation of the legally prescribed preventive programs for protection of reproductive health on the primary level of health care is more and more difficult due to increasingly impaired access and lack of control mechanisms. This is true for preventive programs for family planning, for the prevention of cancer of the cervix, providing prescriptions for hormone therapy medication in menopause and post-menopause, and prenatal health education, as preventive health education, and preventive programs for early detection of the breast cancer are almost no longer implemented. The reason for this poor implementation could be found in the fact that the provision of later preventive programs is not properly financially assessed. Therefore NGOs working in this field detect more and more violations of sexual and reproductive rights of women.

The failure of the state to enact a strategy for reproductive health when it was proposed by experts in 2005 is the reason that women's sexual and reproductive rights are increasingly violated. All proposals for the improvement of reproductive and sexual health were ignored. The consequences of this ignorance have been severe: there are too few gynaecologists providing primary level health care. This is a result of bad planning of human resources and deliberate slowing down of contests for specializations in gynaecology. In addition, gynaecologists are working in seriously worsening conditions. One gynaecologist is now responsible for caring for more than 7.000 women, and in some regions there is one gynaecologist for every 10.000 women. This is of course, impossible, as one gynaecologist can not take care of more than 4000-5000 women. This is why at least one quarter of women seeking public health care cannot personally choose her gynaecologists. In addition, women often have to pay for gynaecological services entirely from their pocket, if they can afford it. There are differences also with regard of the issue where the gynaecologist is practicing: in public health care centre or in private arrangement on the basis of the concession. Almost half of gynaecologists work in private practices within public health system (their services are paid by national health insurance) and many of them very strictly limit the extent of services they are obligated to offer. These facts regarding primary health care impact

women's health, but there are no professional analyses of the precise impact on women's rights. What we do know is that there are a growing number of women accessing secondary levels of health care, which is more expensive for the health care system. This too is an indicator that the primary level of health care is not functioning properly, and when women have difficulty accessing the primary health care system, they wait to get treatment at the stage where their health problems are more advanced, which require more intensive and longer term treatment. Under these circumstances, even well-planned preventive programs are not properly implemented, and therefore, do not deliver the intended results. Despite laws prescribing a qualitative analysis of the implementation of preventive health care programs, in the period of 2003-2007 no such analysis was undertaken and therefore, there were no outcomes that could be reported to the women users of the health care system.

## **RECOMMENDATIONS**

- There is a need to pursue a holistic approach to women's health and to integrate the politics of gender equality in all fields of health care, in accordance with the recommendations and strategies of the WHO and EU in this field and the National program for equal opportunities in the Republic of Slovenia. There is also a need to implement these policies in a consistent and consequent way.
- Slovenia should enact a Strategy for the protection of sexual and reproductive health, with clearly set and measurable goals and measures for the improvement of sexual and reproductive health and providing good access and high quality reproductive health care at all three levels. One proposal for such a strategy was made by experts in 2005 and was submitted to the Minister of Health.
- Slovenia should re-establish an independent body for cooperation of experts in public health care, which will monitor sexual and reproductive health of women and men in Slovenia with constant analyses and research. This body can either be in the form of an independent agency, or in the framework of the national institute for health as an independent department. This body should prepare expert guidelines for the improvement of health policy, health education and preventive programs with the aim of improving women's sexual and reproductive health.
- Slovenia should develop projects for the improvement of the quality of the reproductive health care. These projects should include indicators for the implementation of preventive and screening programs which are designed to decrease inequalities in sexual and reproductive health. The projects should also establish a new, women friendly form of reproductive health care, where the experts with different profiles will fulfil the different needs of women, in this way improving more effectively women's health.
- We need to upgrade the competences of the Commission for the diminishing of maternal mortality, which should yearly report to the Public Health Council about the effectiveness of the measures taken to reduce maternal mortality.

This part of the Shadow report was prepared by:

Dunja Obersnel Kveder, MD, MA and Irena Fazarinc, MD, MSc, leading members of the Centre for Health Promotion of Slovene Philanthropy and active members of informal Coalition for Protection of the Public Health Care System

**Comment on Slovenia's Responses to the CEDAW Committee's List of Issues and Questions with regard to the consideration of the fourth periodic report**

Our opinion is that the information provided on the status of their report is misleading once more. To our knowledge the report on maternal mortality for the period 2003-05 was not issued to public. Taking into account the information written down in this document that MMR in 2003-05 was 9.4, we do not agree with the statement that this figure is comparable with the figures from the developed world. Using WHO HFA data base it is clear that the Slovenian MMR is higher than the average rate for EU (25 members) in 2004 and 2005 which were 10.8 and 8.8 and 50% higher than average rate for EU (15 members most developed) which were 5.9 and 5.3 accordingly (HFA data base). The last but not the least the information presented did not give any data how the measures to reduce MMR were implemented and what impact on the MMR was observed.

**Other areas of economic and social life,  
Article 13  
Women at risk of poverty, paragraph 171**

**Feminisation of poverty**

Slovenia is among the countries with a relatively low rate of poverty. In 2005, Slovenia experienced an economic growth of 3.9%. GDP at current prices amounted to 27,365 million EUR (13,677 EUR per inhabitant). According to Eurostat data rate of poverty in Slovenia is lower than the average rate of poverty in the 15 EU<sup>3</sup> countries. In 2003, this represented 11.7 %, which means that 170,574 inhabitants of Slovenia lived with monthly incomes lower than the poverty threshold (in 2003, the income poverty threshold for an individual amounted to 366, 25 EUR per month).

A more detailed insight into the risk group shows that poverty has a greater impact on women, people older than 65 years, unemployed people as well as elderly households and single households. According to research, the poverty risk is higher for single households headed by woman. In Slovenia, women are twice more often classified as poor than men, which is why we can speak about the feminisation of poverty in Slovenia.

On the one hand, poverty is an individual, personal responsibility, which can be a consequence of an insufficient effort, lack of capabilities or talent, unthrifty behaviour, etc. However, there are extremely important structural factors contributing to poverty, which are attributable to society, including:

- employment opportunities,
- wage and pension policy
- social transfer policy,
- Economic, political, racial, **gender** and other forms of inequality and discrimination.

**2. Structural factors that increase poverty risk among women in Slovenia**

**Unemployment**

The structure of unemployment has been changing in the last years. The share of unemployed women has increased due to a greater number of dismissals in the textile, leather-working and food industries. The age structure of registered unemployment has also changed for the worse, while the education structure has somewhat improved. According to the latest Eurostat data, unemployment in Slovenia has increased from 6.2% to 6.5% in the year 2006. In June 2006, 5.5% of men and 7.6% of women were unemployed in Slovenia.

---

<sup>3</sup> EU-15 countries are: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, United Kingdom

The poverty rate among women has increased above all in the years of the so-called transition of the Slovenian economy after the year 1988. In the 1980s, only around 7,000 women on average per year were unemployed. The situation dramatically changed in the period of transition, when there were extensive dismissals of workers due to bankruptcies and restructurings of enterprises, which is still being felt in the structure and fluctuation of unemployment. Since 1988, the number of unemployed women rapidly increased and in 1993, this number increased by more than 55%. In July 2006, there were 47,915 unemployed women among registered unemployed persons, which is almost seven times more than in the 1980s. The increase of the share of women among unemployed persons can be explained by the fact that during the early period of transition, the demand for female workers decreased to the greatest extent in those sectors of industry the textile and leather-working industries experienced a crisis. These were the industries which predominantly employed women. Women are also prevalent among the inactive population, since they represent 60% of the inactive population, i.e. persons, older than 15 years, which are not unemployed and not seeking employment.

#### Active population in Slovenia, July 2006

	Active population	Employed	Active	population	
	Total	Total	Employed persons	Self-employed persons	Registered unemployed persons
Total	910,781	825.169	742.075	83.094	85.612
Men	501,981	464.284	404.025	60.259	37.697
Women	408.800	360.885	338.050	22.835	47.915

#### Unemployment rates in EU 25 in % ; Source: EUROSTAT

	1995	2000	2001	2002	2003	2004	2005
EU-25	No data	8.6	8.4	8.8	9.0	9.1	8.7
EU-15	10.1	7.7	7.3	7.6	8.0	8.1	7.9
EU.10	n/a	13.6	14.5	14.8	14.3	14.2	13.4
Austria	3.9	3.6	3.6	4.2	4.3	4.8	5.2
Belgium	9.7	6.9	6.6	7.5	8.2	8.4	8.4
Cyprus	No data	4.8	3.9	3.6	4.1	4.7	5.3
Czech Republic	No data	8.7	8.0	7.3	7.8	8.3	7.9
Denmark	6.7	4.3	4.5	4.6	5.4	5.5	4.8
Estonia	No data	12.8	12.4	10.3	10.0	9.7	7.9
Finland	15.4	9.8	9.1	9.1	9.0	8.8	8.4
France	11.1	9.1	8.4	8.9	9.5	9.6	9.5
Germany	8.0	7.2	7.4	8.2	9.0	9.5	9.5
Greece	9.2	11.3	10.8	10.3	9.7	10.5	10.0
Hungary.	No data	6.4	5.7	5.8	5.9	6.1	7.2
Ireland	12.3	4.3	4.0	4.5	4.7	4.5	4.3
Italy	11.2	10.1	9.1	8.6	8.4	8.0	7.7

Latvia	No data	13.7	12.9	12.2	10.5	10.4	9.0
Lithuania	No data	16.4	16.5	13.5	12.4	11.4	8.2
Luxembourg	2.9	2.3	2.1	2.8	3.7	4.8	5.3
Malta	No data	6.7	7.6	7.5	7.6	7.3	7.3
Netherlands	6.6	2.8	2.2	2.8	3.7	4.6	4.7
Poland	No data	16.1	18.2	19.9	19.6	19.0	17.7
Portugal	7.3	4.0	4.0	5.0	6.3	6.7	7.6
Slovakia	No data	18.8	19.3	18.7	17.6	18.2	16.4
<b>Slovenia</b>	<b>7.4</b>	<b>6.7</b>	<b>6.2</b>	<b>6.3</b>	<b>6.7</b>	<b>6.3</b>	<b>6.3</b>
Spain	18.8	11.4	10.8	11.5	11.5	11.0	9.2
Sweden	8.8	5.6	4.9	4.9	5.6	6.3	6.3
United Kingdom	8.5	5.4	5.0	5.1	4.9	4.7	4.7

### **Inequality and discrimination in the labour market**

Where the wages of women and men with an equal level of education is concerned, the data is encouraging for Slovenian women. The average discrepancy between wages of women and men in EU member states is 16%. Slovenia is below average, since this discrepancy amounts to something less than 10%.

One of the key factors for a favourable position of women in the labour market in comparison to women from other EU countries is a good and accessible system of public childcare, which should be supplemented by a possibility for parents to work only part-time to be able to take care about children is prevalent in some other EU member states, only 11% of women in Slovenia choose it. In order for women to decide to work on the basis of part-time employment, the state would have to subsidise a part of their income, namely to such an extent that women would receive full wages for part-time employment, while the state would at the same time need to stimulate enterprises employing women on the basis of part-time employment by means of tax relief to help families to take care about children

### **Age / Retired women**

In Slovenia, older women, especially widows, are one of the poorest and most socially excluded groups. The reasons for this can be found in the lower rate of employment of women in comparison to men in the past (especially a few decades ago, when it was difficult to find childcare for a child in pre-school age), the loss or reduction of incomes after a divorce, a temporary or permanent cessation of employment after childbirth or due to other family commitments, the determination of pensions depending on the number of years of work experience, lower wages (due to a lower level of education or as a result of being employed in a lower paid position), etc. In Slovenia, the average women's old-age pension only amounts to two thirds (75%) of the pension received by men. The increased life expectancy in Slovenia favours women. In 2004, life

expectancy for men was 73.5 years and for women 81.1 years, which means that the number of elderly poor women in Slovenia is growing.

The poorest are households of single persons over 65 years of age, followed by other single households. Single households of retired people (especially women) are substantially worse off than other households of retired couples. In Slovenia, almost 30% of retired persons live in single households.

### **Young female job seekers**

In the last few years, the level of unemployment for women seeking their first jobs and women and female job seekers younger than 26 years is growing. **67 % of the unemployed young people with university education are women.** These data are worrying due to the fact that Slovenia is one of the states with the lowest birth rate in the EU. In 2005, Slovenia experienced the lowest birth rate among all EU member states (1.22 per mille). In 2005, the population growth rate was negative, amounting to -0.7 per mille. If women do not obtain employment and do not have a financial stability in the early period of fertility, they run out of time to have a family and give birth. It is also a form of discrimination against women albeit concealed practice for an employer to condition a young female worker's employment contract with additional clauses concerning the interdiction of pregnancy or a postponement of maternity.

### **Professional and educational structure**

The level of education of the population is improving, although Slovenia still substantially lags behind the EU-15 with regard to the share of inhabitants with higher or university education. In spite of the quite high number of persons (over 50 %) enrolled in higher education and university programmes, the number of persons finishing their studies is still relatively low. The average duration of studies is around six years. The enrolment in high schools is high as well (98% of all young people between 15 and 18 years of age). In 2001, 75.4 % of a generation completed high school. Data on the share of the persons discontinuing their high school studies show that it is decreasing. This share is on average smaller for girls (10.8%) than for boys (15 %), while the share in the lower vocational education is still relatively high (31.9 % of the generation in the years 1993-1998 did not complete their lower vocational education.). Even though the inclusion of young people in the educational process is high (the net enrolment quotient in groups of up to 29 years of age is higher than in the EU), the inclusion of adults in formal education is still low, especially for older age groups. The net enrolment quotient in all three levels of education is below the EU average.

The level of lifelong learning, measured by the participation of adults in education and training (5.1 % in 2002 -structural indicator) is also considerably below the European average which is 8.4 %. An analysis of the access to educational opportunities for adults has shown that the inclusion of adults in education substantially decreases after the age of 40. A low level of lifelong learning is most probably also the reason for the low level of functional literacy. International research on the literacy of the population of

Slovenia aged from 16 to 65 has shown that the majority (around 70%) did not achieve a level assessed by OECD experts as appropriate with regard to mobility, employability and participation of individuals in social processes.

### **Peasant women**

Data show that on Slovenian farms, either young women (up to 35 years of age) or older women (above 55 years of age) are working, while in most EU member states the most active on farms are middle-age women (from 35 to 55 years of age). A typical Slovenian peasant woman leading a farm is older than 55 years, in general already a widow, with a poor general and agricultural education, with a small estate, on which she is growing small amounts of different products.

### **Regional discrepancies**

Almost half of all poor people in Slovenia live in the countryside. The demarcation line between poorer and richer Slovenian regions runs on a line between northern, eastern and south-eastern Slovenia as the poorer part and the rest as the richer part. The greatest number of unemployed women lives in the Zasavska statistical region, while more than the halves of the persons unemployed are women also in the Obalnokraska, Koroska, Kraska, Gorenjska and Goricka statistical regions. These are former socialist economic centres, which have experienced the greatest social difficulties due to the restructuring of the economy.

### **Poverty of immigrant women**

No specific data have been gathered with regard to the poverty of immigrant-women. It is known that these are mostly seasonal workers with three-month work permits. The great share of immigrant women performers, dancers and waitresses which can often also be victims of human trafficking, is alarming.

### **3. Measures foreseen to be taken by the government:**

It is the aim of the EU to eradicate poverty and social exclusion by the year 2010. The new Slovenian centre-right coalition government has set among its goals the adaptation of social policy to processes of the world economy, while at the same time preserving its principal values, for instance solidarity and mutual co-operation. Slovenia has assumed in principle the priorities of the EU. From the priorities of the European Union, in the field of social and employment policies, assumed in principle Slovenia needs to elaborate and implement concrete measures and to fulfil ambitiously set aims. Of a key importance is an early and effective inclusion of all population groups, especially unemployed persons, as well as the assurance of social security for all the population, above all by means of employment.



The elements, which represent a constituent part of new programmes in the field of employment in Slovenia, which should include more than 114,000 persons, arise from the fundamental aims and four groups of duties, which were determined in the EU:

- increase the employability of the population by investment into education; development and promotion of a lifelong learning culture; public works;
- development of entrepreneurship - tax relief, help with self-employment, co-financing of local projects;
- development and stimulation of the adaptability of enterprises and employees
- education and training programmes, which are more suitable to the needs of enterprises, different forms of employment (flexible working time, shorter working time, shared workplace, home-based work, distance work), programmes for the revitalisation of enterprises;
- equal opportunities for women and men -equal treatment of both genders with regard to employment, equal payment for equal work, prohibition of the discrimination of women on account of pregnancy and maternity.

These measures are based on an appropriate tax policy with regard to investments and employment, the connection between research institutions and the economy, the reduction of administrative barriers, the stimulation of research and development within the economy, the education of young and older persons, increasing incentives for development investments and employment on the basis of the unemployment rate in a particular region. The discrepancies in the development between individual regions are also being reduced by dispersing the work of the state institutions all around Slovenia.

This proposal is based on a partnership between the state and the local communities in order to jointly ensure favourable conditions for investment and the creation of new jobs in the municipalities, where the unemployment rate is above average.

### **Proposal of measures for the elimination of the poverty of women in the field of:**

#### **Active employment policy**

- Stimulation of part/time employment for women and state subsidies to close the gap of the difference in wages
- Stimulation of enterprises employing women and mothers through tax relief.
- Tax benefits for combining regular work with a supplementary (afternoon) activity, through which a family can improve its living conditions (e.g. production of cottage industry products) so mother/ fathers could stay at home and take care of children and earn some more money at the same time
- Reduction of the extent of illicit work and illegal employment (grey economy) and force the employers to employ women
- Increase of funds in order to improve the effectiveness of programmes of active employment policy for the employment of older women (from 55 to 64 years of age) and abandoning of financial incentives for an early retirement

### **Lifelong learning**

- Organisation of lifelong learning within the framework of libraries (e.g. free foreign language classes that would only be accessible within the framework of third age learning institutes. Organisation of classes, within the framework of which older women teach younger women different skills; older women would receive payment for this, while younger women would acquire new knowledge (e.g. learning about cottage industry and applied arts and crafts, which are disappearing and where there are no successors to continue the work)

### **Balanced regional development**

- In collaboration with regional centres, the state needs to stimulate the return of educated women to their domestic region (for instance reasonable apartment rents, favourable loans for the purchase of apartments, favourable loans for self-employment in the domestic region)
- Through setting up national and regional scholarship schemes, a long-term personnel policy (especially for small and medium enterprises) can be revived and a system of personnel scholarships, where funds for scholarships for women are provided by the state, the local community and the employer, can be strengthened

### **Entrepreneurship and self-employment**

- Favourable loans for all those women that do not dispose of sufficient initial funds for self-employment
- Ensuring the incorporation of young women in the employment process within 6 months at the latest
- Reviving traditional entrepreneurship (production of products, which have been already present in Slovenia in the past, but have almost completely disappeared)
- Stimulation of new forms of tourist offer (the current form of agro-tourism should be upgraded through more interesting contents from the field of culture and art); in such way, also educated women from the countryside could become self-employed
- Introduction and strengthening of appropriate welfare-state measures, above all in the form of social benefits and workmen's insurance, which would include unemployed women
- Elimination of economic, political, racial, gender-related and other forms of inequality, which prevent the increase of the support for poor women in public opinion

### **This part of the Shadow report was prepared by:**

Nada Skuk, former MP and president of the women's organization within People's Party.

## CONCLUSIONS

In its Concluding Comments on Slovenia's Second and Third Periodic Reports, the Committee on the Elimination of Discrimination against Women noted its concern on the state's "slow progress in preventing and eliminating de facto discrimination against women in Slovenia." (29<sup>th</sup> Session, 10 July 2003, CEDAW/C/SR. 620 and 621).

NGOs and experts who have prepared this Shadow Report would like to stress that in spite of considerable improvement in the legislation, in the issues that we have tackled, de facto discrimination of women was partly diminished only in the field of political representation of women in legislative branch of power at the EU and local levels, while in all other issues that we have written about (domestic violence, media images of women, maternal mortality, reproductive health and rights, poverty), the situation did not change for the better or has even deteriorated.

We would also like to underline that state gender equality mechanisms entrusted with the fostering of and control over implementation of women human rights were not strengthened enough. The mandates, human and financial resources of the gender equality staff on local and ministerial levels, as well as of the Advocate of Equal Opportunities of Women and Men are critically insufficient, while Governmental Office for Equal Opportunities has been weakened by the transformation of its mandate into a general governmental antidiscrimination agency.

We sincerely hope that the CEDAW Committee will take into account our concrete proposals on how to encourage Slovenian authorities to make better use of the CEDAW as a crucial international legally binding instrument for protection and implementation of indivisible women's human rights.



# WOMEN IN THE SLOVENIAN ARMED FORCES

National Report for 2007  
Annex 1

1



## LEGISLATION

Legislation dictates equality of treatment of the two sexes. We are therefore endeavoring to ensure that aspects of the equal inclusion of women are taken into account in all fields of work in the Slovene Army.

**Defense Act** (2007) includes more defined principles of equal opportunities and non-discrimination clauses:

- the principle of equal opportunity for men and women in employment and in establishing employment contracts.
- positive discrimination in favor of women - take into account gender differences and thus ensures the same conditions for everyone.
- initiatives to improve the work-life balance - benefits in the area of Family Friendly Policies such as flexible hours, part-time work, health care, legal assistance, childcare assistance, insurance, pension schemes, rent assistance etc

2



### LEGISLATION

**The contents of ensuring equal opportunities** have been defined in regulation acts;

- Declaration on safety at work with risk assessment,
- Slovenian Armed Forces Regulations,
- Classification of Military Duties (MOS –military occupational specialization).
- The Standard operational procedure for zero tolerance with regard to discrimination was introduced to eliminate or lower unwanted actions.

3



### LEGISLATION

- **The legal and military bases for employment** are the following:
- Employment Relations Act,
- Defiance Act,
- Military law,
- Civil Service Act,
- Decree on the internal organization, systemization, working posts and titles in bodies for public administration and in judicial bodies.

4



## RECRUITMENT

- The primary task in the recruitment of women in SAF is to employ them in all units and areas of service.
- Employment selection procedures are based on criteria of certain age for employment (between 18 and 27 years of age), at least 4th degree of high school education, fulfillment of medical health criteria that also consists of fitness tests and a clear criminal record.
- The type and content of the medical check-up does not alter regarding the gender, with exception of the height and weight criteria.

5



## RECRUITMENT

- The criteria of the fitness tests are differing with regard to the gender.
- The basic military training, which all candidates have to finish, is basically the same for genders, further education and training is related to the specialization of the soldiers and not to the gender.
- A suitable recruitment and retention policy needs to be found due to a decrease in the numbers being recruited and an increase in the requirements for participating in PSO operations.

6



### ORGANIZATION

	Total % of Female soldiers	% of female flag officers and equivalents	% of female senior officers and equivalents	% of female junior officers and equivalents	% of female NCO and equivalents	% of female of soldiers lower rank than NCO and equivalents	% of female soldiers participating in military operations
Army	15,8%	2/ 0,18% + 2/ 0,18%	13/ 1,16% + 17/ 1,52%	99/ 8,85 % + 37/ 3,31%	176/ 15,73 + 60/ 5,36%	547/ 48,88% + 7/ 0,63%	88/ 6,86
Civilians	159						
TOTAL	1119						



### ORGANIZATION

**Obligatory reserve** – no women are present,

**Voluntary contract reserve** –

- 3 military servants of the 3rd Grade (equivalent to OR2),
- 4 soldiers and
- 1 candidate for Officer's school.

**Over-seas' missions** – In 2007 1282 military personnel were deployed on, out of that 88 women.



### Women in PSO in 2007

	OF	NCO	Soldiers	Senior Military Specialist	Military Specialist	Total
ISAF	2	1	4			7
EUFOR	4	8		2		14
KFOR	9	12	41	3	2	67
<b>Total</b>	<b>15</b>	<b>21</b>	<b>45</b>	<b>5</b>	<b>2</b>	<b>88</b>

In 2007 the Slovene Army had **88** women out of 1282 participants in PSO's, i.e. **6,86%**.



### Women in decision making positions in missions

- EUFOR BiH - commander in chief of the contingent , colonel Damjana Jurkovič**
- KFOR Kosovo – deputy commander in chief of the Task Force , GROF major Alenka Petek.**
- SIKON ISAF Afganistan - until May 2007 deputy commander in chief, superlutenant Nataša Zorman.**

In KFOR Slovenia also has a woman civilian from the Veterinarian Administration of Republic of Slovenia, dealing with duties of the CIMIC group.





## LESSONS LEARNED

• **female members adequately perform their work** in missions. We have not encountered any special difficulties in these operations that are specific to women.

• **Units intended for support or ensuring operations are not specifically intended for inclusion in operations**, which results in the non-inclusion of women.

• **solution for raising the participation of women in operations** would be the establishment of motivational factors at the starting phase of training for a military career and stressing the positive experiences of the functioning of mixed teams in operations.



## IMPLEMENTATION OF THE RESOLUTION UN SC 1325

In the framework of the second periodic plan in the  
NATIONAL PROGRAM FOR EQUAL OPPORTUNITIES  
OF WOMEN AND MEN for 2008-2008



## IMPLEMENTATION OF THE UN SC RESOLUTION 1325

1. MEASURE - implementation of the obligations related to urgent role of women in conflict prevention, peace building and sustainable development

Aktivitiy: Raising of the role and share of women in slovenian army in conflict prevention and peace building

Expected result: Growing

- *Role of women in Slovenian Army* - in the framework of the forming of the policies of cooperation women will be included in decision making in peace negotiations or in peaceful solving of conflict situations and

Numbers of women in Slovene Army – establishment of the field of trust with local populations

13



## IMPLEMENTACIJA RESOLUCIJE VS ZN 1325

2. MEASURE- implementation and support to programs and projects for awreness raising and informing about the issues of violence against women and children in crises areas for different target

Aktivitiy:

Implementation of the programs of capacity building in the field of dealing with sexual and other violence against women and children

Expected results:

Capacity of the members of the Slovenian Army and its civic experts to work with the victims and perpetrators of sexual and other violence against women and children

14



**CONCLUSIONS OF THE INTERNATIONAL CONFERENCE:  
“WOMEN IN CONFLICT RESOLUTION”**

**Ljubljana, June 21-22, 2008**

**Annex 2**

**This international conference was co/organized by CEE Network for Gender Issues, UK Labour Party / Westminster Foundation for Democracy, Institute Studiorum Humanitatis, Ministry of Defence of Slovenia, Gunda Werner Institute, Heinrich Boell Foundation and German Women Security Council.**

**It had two focuses – evaluation of the failures and successes of the women's peace movements in the former Yugoslavia from 1986 -2008, and exploration of their future possibilities while using UN Security Council Resolution 1325 as a tool. The last part of the conference was consecrated to the ceremonial of the transfer of the Rally Race of 1325 from Slovenia to France.**

**STATE OF ART OF THE PEACE PROCESS IN THE BALKAN REGION**

**Main findings based on the presentations and discussions at the conference:**

**As former Slovenian Republic President, Milan Kučan said in his opening speech, peace is much more than absence of armed conflicts. Real peace is made of » respect of human dignity and human rights, of economic development, well being, protection of the environment, rule of law, and of social stability«. Bearing this definition of peace in mind, Balkan region is miles away from peace. He also proposed an European nations conference on the inclusion for the Balkan in the EU which would strengthen individual and collective human rights, citizens' based states and the rule of law in all future EU members states from this region, and look for the long term solutions for the status of Kosova, bearing in mind the respect of international law on resolving of the conflicts including the Helsinki Charter.**

**Balkan region is still a keg of powder, as aggressive nationalisms are not over in the mainstream politics, democratic culture is still at its beginnings, the process of forming of the new states based on ethnicity, not on equality of the citizens, is still in progress. There were not enough efforts for the »ideological decontamination« – neither national leaders nor the citizens have accepted their part of the responsibility for the blood shade. This has resulted in sweeping under the carpet also the guilt of many perpetrators of war crimes and extreme violence against women in the last Balkan wars.**

**Half made - war masked transitions were the bloodiest and the least transparent of them all. Now the second half of these transitions is in progress. They are led by the post war national political elites which are at least partly made of former war lords and war profiteers. These transitions are very hard for the impoverished, de-rooted, war traumatized ordinary people. Neo-liberal patterns of transition which are practiced also in the process of EU inclusion all over the region, are not friendly to the crucial economic and social needs of the people – governments mostly leave the**

economy to the global market forces, there are nearly no strategic development planning and active employment policies, there is no free access to education, health, socially protected employment arrangements, better care for the most needy ones, which is especially harmful to the women. All of these factors make reconciliation, recovery and democratic normalisation of these countries even more difficult.

#### **PACIFIST WOMEN'S MOVEMENTS IN THE BALKAN REGION – FAILURES AND SUCCESSES**

Pacifist women's movements, started already in the end of the eighties of the former century or born out of the open threats and later on out of barbaric armed conflicts at the beginning of the nineties, first only in Slovenia, Croatia and Serbia, but than all over former Yugoslavia, were able to get and keep connected even across fire lines in the region and globally, and to influence the UN Beijing consensus on the potential of the women in the prevention and ending of the armed conflicts as well as in post conflict recovery. These movements played an important role in international legal definition of rape in the war as a crime against humanity in Beijing in 1995.

Before the armed conflicts started, women were thrown out from politics in political parties as well as in the parliaments and governments. Their pacifist movements could not prevent, from the streets, armed conflict in Yugoslavia, could not avoid to be mostly sidelined into the humanitarian aid and care for the victims of wars in times of the wars and after the wars.

As organized agents of peace women pacifist movements were excluded from the peace negotiations in Dayton 1995, in Kosova 1999, in Ohrid 2001. Due to their domestic political insignificance and lack of serious international support after the ending of the armed conflicts, they also could not do much to ensure justice and re-compensation for the suffering of the women victims in the conflicts.

In the last serial of the Balkan wars 1991-1999, women pacifists and other democratic women activists could not profit from the UN Security Council Resolution 1325, as at these times it hasn't even existed, but in 1999 they were already strong enough to advocate and form their first FORMAL gender equality institution within the intergovernmental regional peace promoting initiative, called Stability Pact for South Eastern Europe – Gender Task Force. Women activists from the region made political empowerment of women the first and the most important focus of this Gender Task Force, in order to put an end to the treatment of women only as victims and objects of aggressive nationalistic politics and to make possible equal participation of women in all post war recovery processes of the Balkan, as well as in the processes of its EU integration. In this case, women activists from the Balkans were a big step ahead of the UN Security Council Resolution 1325.

Political power of the women in the region is in the raise, national women movements were strong enough to use a sandwich pressure form the bottom up and

from the international actors top down to enact differently strong quota rules in BiH, Kosova, Macedonia, Serbia and Slovenia. Women's share in the parliaments was pushed up from an average below 7% in 1999 to an average of 18% in 2008 (Kosovo 30%, Macedonia 30%, Serbia and Croatia over 20%), but the percentage of women MP-s is still very low in Montenegro -12%, BiH -14% and even in Slovenia 13%. These movements are also still not strong enough to influence mainstream politics to deal properly with the most difficult issues of security and reconciliation. Never the less they have succeeded to put in place weak state gender equality mechanisms and elementary gender equality and antidiscrimination legislation, and they have started to defend women reproductive rights, family leave rights, property rights, pension rights, and to »engender« penal codes, labour laws – sexual harassment at work, family laws with regard domestic violence against women and army and police legislation.

## **IMPLEMENTATION OF THE RESOLUTION OF THE SECURITY COUNCIL 1325 IN THE BALKAN REGION**

As everywhere else, and especially in post conflict societies, in the Balkans, UN Security Council Resolution 1325 is difficult to implement. All new states, with the exemption of the Republic of Macedonia, have ratified it; it was translated into all national languages. Some efforts were made to make its substance known more widely - by coordinated activities of newly formed gender equality mechanisms and women's NGO-s (see the power point prepared by Mija Javornik), some countries even started concrete activities to make women rights and women needs in conflict situation known to the general public. There is also a considerable influx of women in police and professional armies and Slovenia for example, has a good track record of army women on high level positions in Slovenian delegations to international peace keeping EU and NATO missions. But there were not enough concrete activities to include in its implementation the main governmental and parliamentary actors, army and police forces, as well as judicial branch of the power, public education systems and the media. There is not one national plan for the implementation of this Resolution in the Balkans.

How are UN and other international agencies, especially European ones, implementing the UN Resolution 1325 in the SEE?

UN support to the pacifist women's movements was crucial before 1995 – they were included into the preparations of the Beijing conference (UNIFEM Beijing train), OSCE especially its Mission in BiH was crucial for the creation of the Stability Pact Gender Task Force in 1999, some EU member states (Austria, Italy, Germany, Denmark, Greece), Switzerland and Norway- donor countries of the Stability Pact, were generous donors for different women's rights projects but there were never a consistent EC or EU policy on this issue. The interest and the support of majority of the international agencies went still more towards the care for the women as victims - war victims (raped, refugees, internally displaced and latter on trafficked women),

than towards women agents of peace and sustainable development - for the political empowerment of women, for systematic work on post war justice, moral and political catharsis and reconciliation. In the last years, the support for the women's pacifists' movements is seriously diminished, what is already felt in weakening of their communications and concrete peace and reconciliation actions on the national and local levels.

International agencies working as guardians of the peace process in the region, in many cases do not respect the Resolution 1325. They have very small percentage of women on leading positions in their missions, their leading staff is not really gender sensitive and trained for the implementation of this Resolution and international peace keeping forces are not enough aware of the gender aspects of their tasks, so that often they become a part of the problem (for example: (ab)users of trafficked women) instead of a part of the solution.

The best results in the implementation of the Resolution 1325 seem to be in Kosovo, where international agencies and national women's movement worked hand in hand in a sandwich like strategy and succeeded to enact strong quota regulations for national and local elections, to train and to make police and army more sensitive to women human rights and needs in the post conflict situation.

#### **FOLLOW UP OF THE CONFERENCE**

#### **REQUESTS OF THE BALKAN WOMEN PACIFISITS TO NATIONAL GOVERNMENTS, TO EUROPEAN COMMISSION AND TO EUROPEAN PARLIAMENT**

- We request that Republic of Macedonia, as the last in the region, ratifies ASAP the UN Security Council Resolution 1325
- We request from all governments from the region to make national plans of its implementation, following the model of Sweden and Norway, but including also the elements important for the post conflict societies: fostering reconciliation, helping to overcome the problems with decommissioning and post traumatic syndrome, special care for inclusion of women in political decision making. We expect that they will include women pacifist NGO-s and NGO-s dealing with women human rights in preparation and implementation of this plans.
- We request from all our governments to help all the citizens, using public media, and all young people, using public educational system, to become aware of the citizens' part of responsibility for the past war violence, to learn about the culture of peace and how to deal with the reconciliation. We request from our governments s to develop their own efficient activities and to support NGO-s activities dealing with search for the missing, help to refugees and displaced, re -compensation for the rape and other forms of war

violence against women in the past wars, for the help to the people who suffer from the post traumatic syndrome.

- We call on all our governments to prosecute war criminals and to fully cooperate with the International Court in The Hague.
- We ask from the EC and European Parliament to apply more gender sensitive process of enlargement and to strongly support gender equality efforts in regional cooperation (Gender Task Force as a formal gender mainstreaming mechanism of the RCC which has replaced former Stability Pact) and all national civil society groups and women's movements and activities aiming at further political empowerment of women.
- We expect from the European Commission to put more pressure on our governments to strengthen their weak gender equality state mechanisms, and to implement gender sensitive legislation which has already been put in place or will be harmonized in the processes of EU integration.
- We have realized that our sisters in the EU need much more information about our work for peace and political empowerment of the women from the Balkans. We expect from the EC and European parliament to enable more systematic exchange of our experiences with the women peace activists and women human rights activists from the EU.

#### **AGREEMENTS ON FURTHER JOINT ACTIONS OF THE BALKAN WOMEN PACIFISTS**

- We will try to include women victims and peace activists in the writing of the modern history of our nations and make them more visible in our collective historical memory.
- We will ask our governments to prepare National Action Plans for the Implementation of the Resolution 1325. In case that our governments will not prepare their Action plans, we will prepare our shadow Action plans and advocate for their implementation.
- Kosova and Serbian women pacifists and peace activists from all ethnicities in Macedonia will continue and strengthen their cooperation for peace and reconciliation in their part of the region.
- Cultural activities – as we can see in the examples of Vivisect festival or in cultural guerrilla against Milosevic regime done by Nune Popovic in the mid nineties in Serbia, could be very strong vehicles in the promotion of democracy, peace and human rights. We will try to learn more on how to use culture in this very difficult fight with the nationalistic populists and extremists over minds and hearts of the majority of the people.
- The dispute over Slovenian and Croatian boarder is far from being innocent. It might not lead to an open war, but it raises bad feelings, hostility and aggressiveness between the citizens of the two nations. Slovenian and Croatian women peace activists will try to stop political exploitation of this boarder dispute by mocking these shallow political games.



- All present pacifist women NGO-s are in favor and support European Women's Lobby initiative on the implementation of the Resolution 1325, as well as all their activities for the parity democracy, especially in the forthcoming elections of the new European Parliament in 2009. We also firmly support the idea of the pan-European campaign for the parity in the law for all decision making bodies on all levels.
- Special dissemination project of the outcomes of this conference will be prepared and realized by Nune Popovic, when approved by LP Westminster Foundation.

#### **TRANSFER OF THE RALY RACE ON THE IMPLEMENTATION OF THE UN SECURITY COUNCIL RESOLUTION 1325 TO THE FUTURE EU PRESIDING COUNTRY – FRANCE**

**Marlene Tuininga, French activist of WILP accepted to try to organize a follow up of this Raly Race in France, till the end of 2008, in close cooperation with well known Balkan peace woman dr. Rada Ivekovic, now based in Paris, with the organizers of this conference in Ljubljana and Germany, and with French peace activists from Women's Commission of the French branch of Amnesty International, French Women's Lobby, France Solidaire, French women from CARITAS.**

**She proposed that the event in France should be focused on the women's role in strengthening of the solidarity and responsibility of the West for the solutions of the main problems of the world South. It should also openly address and criticize the last EU Migration Directive which is turning EU into a closed fortress.**

**She also proposed a working title of the conference: "Vie et survie des femmes en Europe et dans le monde – Life and survival of women in Europe and in the world"**

**These Conclusions were accepted with consensus at the end of the conference in Ljubljana, on June 22, 2008**

**Reporting Sonja Lokar, coordinator of the Ljubljana sub/regional Office of the CEE Network for Gender Issues**