



REFERENCE: MK/follow-up/Slovakia/70

5 September 2018

Excellency,

In my capacity as Rapporteur on Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honor to refer to the examination of the combined fifth and sixth periodic report of Slovakia, at the Committee's sixty-second session, held in November 2015. At the end of that session, the Committee's concluding observations (CEDAW/C/SVK/CO/5-6) were transmitted to your Permanent Mission. You may recall that in paragraph 49 on follow-up on the concluding observations, the Committee requested Slovakia to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 9 and 19 (a) of the concluding observations.

The Committee welcomes the follow-up report received with a one-month delay in December 2017 (CEDAW/C/SVK/CO/5-6/Add.1) under the CEDAW follow-up procedure. At its seventieth session, held in July 2018 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 9** of the concluding observations, urging the State party to “**review the Anti-Discrimination Act in order to eliminate any form of discrimination against women in all areas covered by article 2 of the Convention, in line with its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention**”: The State party indicated that the Constitution of Slovakia guarantees human rights without discrimination to all individuals and that the Criminal Code outlaws discriminatory practices. It further added that international treaties on human rights and fundamental freedoms take precedence over its national laws. The State party also informed that its Anti-Discrimination Act, which regulates the application of the principle of equal treatment and determines available remedies for legal protection, is applicable to labour law, social security and healthcare, provisions on goods and services and education. It added that this law also regulates the use of temporary affirmative actions, and that it allows for a party to an anti-discrimination case to be represented by a legal person. The State party further reported that this Act also provides for an equality body, the Slovak Centre for Human Rights, which fulfils several tasks in the area of the protection of the principle of equal treatment. Finally, it underlined that the Anti-Discrimination Act covers discrimination against women in a wide scope of areas and that it fully complies with all the requirements of article 2 of the Convention and its General recommendation No. 28. The State party does therefore not consider it necessary to amend the Anti-Discrimination law, something that it also stated during the dialogue with the Committee.

His Excellency  
Mr. Juraj Podhorský  
Permanent Representative of the Slovak Republic  
to the United Nations Office at Geneva  
Chemin de l'Ancienne-Route 9  
1218 Grand-Saconnex

Email: [pm.geneva@mzv.sk](mailto:pm.geneva@mzv.sk)

The Committee takes note of the information provided by the State party that the principle of anti-discrimination is enshrined in its Constitution, that its Criminal Code outlaws discrimination and that international treaties take precedence over its national laws. It also takes note of the State party's assertion that the Anti-Discrimination Act covers a wide array of fields inter alia labour law and the provision of health care. The Committee regrets however that, contrary to the Committee's recommendation, the State party does not plan to amend its Anti-Discrimination Act to cover all forms of discrimination covered by Article 2 of the Convention. Recognizing that many grounds of discrimination are covered by the State party's legislation, the Committee considers that the State party did not take steps to implement. It considers that the State party has **not implemented the recommendation**.

The Committee considers that the information provided by the State party is thorough and extensive, but fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 9** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

**Review the Anti-Discrimination Act in order to eliminate any form of discrimination against women in all areas covered by article 2 of the Convention.**

With regards to the recommendation made in **paragraph 19** of the concluding observations, urging the State party to “**carry out awareness-raising and education initiatives for both women and men on the sharing of domestic and family responsibilities between women and men**”: The State party informed that the Labour Code includes provisions for flexible forms of employment that help employees reconcile work and family duties. The State party further informed that labour inspections include supervision of employer's compliance with the principle of equal treatment and conditions for working parents. The State party also reported that it had introduced a new form of parental benefit in January 2011 that permit parents to keep the parental benefits while working, that allows parents to choose between parental benefits and childcare benefits and that increased maternity benefits to 75% of the daily assessment base paid in January 2017. The State party further informed that it allows fathers to access maternity allowance if the mother returns to the labour market and does not receive any maternity or parental allowance. The State party reported that the number of men on maternity leave had increased from 187 in 2014 to 2563 in 2017, comprising 9 % of the total number of persons receiving maternity allowance in 2017. The State party, based on data of the 2012 International Social Survey Programme, reported that there had been a positive development with regard to the population's view on family responsibilities, in particular in relation to women's employment. The State party indicated however that traditional gender roles still prevail in the country, in particular in rural areas where the majority of the population lives. It further added that the religious beliefs held by a majority of the population, enhance the view on traditional gender roles. The State party therefore reported that, given the right to private life and freedom of religion, it is not in a position to interfere in the division of care responsibilities in the private sphere.

The Committee welcomes the information provided by the State party that the Labour Code allows for flexible working arrangements. It further welcomes the introduction of a new form of parental benefit, the increase in maternity benefits and in the number of fathers benefitting from maternity leave. The Committee notes however that most measures taken by the State party were introduced before the dialogue with the Committee. It further regrets that no information was provided on awareness-raising and education initiatives on the sharing of domestic responsibilities and that the State party considers itself unable to influence such cultural practices through the recommended actions. The Committee considers that the information provided by the State party **reflects rejection of the recommendation**.



The Committee considers that the information provided by the State party is thorough and extensive but fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

The Committee recommends that, in relation to **paragraph 19** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

**Carry out awareness-raising and education initiatives for both women and men on the sharing of domestic and family responsibilities between women and men.**

Accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

Hilary Gbedemah  
Rapporteur on follow-up  
Committee on the Elimination of Discrimination against Women