



Quality in Gender+ Equality Policies

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Integrated Project

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DEFICIENCIES, DEVIATIONS AND INCONSISTENCIES IN EU AND MEMBER STATE'S GENDER+ EQUALITY POLICIES

1. 'Deficiencies, deviations and inconsistencies in EU and Member State's gender+ equality laws'

1.1 Gender+ equality legislation

Legislation Year Main provision(s)

Legislation	Year	Main principles
Slovak Constitution	1992	Fundamental laws and freedoms are guaranteed to all with no regard to, <i>inter alia</i> , sex, gender, social origin, property or any other status
Labour Code	2001	Equal pay for work of equal value
		Equal treatment for women and men as regards access to employment and working conditions
		Maternity and parental leave
		Protection of pregnant women and women who have recently given birth
Antidiscrimination Act	2004	Basis of discrimination (enhanced by the amendment in 2008)
		Definition of direct and indirect discrimination
		Definition of sexual harassment (added by the amendment in 2008)
		Equal treatment in terms of employment relations
		Equal treatment in access to goods and services
		Affirmative action (added by the amendment in 2008)
		Reversed burden of proof

1.2 EU Policy and Member State Law: Comparisons and Struggles

Issue	Equal pay for equal work and work of equal value
Has law been passed or changed prior to the Directive	NO
Legislation transposing Directive	2001 Labour Code
Does the country claim to have transposed the Directive?	Yes

Significant provisions that are mentioned by experts or political actors as not being transposed	No
Important differences between law and Directive now?	NO
What is claimed to be better in law and since when?	Nothing
Content of dispute(s) + date	No disputes
Has any other inequality been part of the transposition disputes? Which inequality axis?	NO – only after the accession in 2004 by the adoption of the Antidiscrimination Act
Parties to the dispute	No disputes
Location or arena	X
Outcome of the dispute	X
Civil society engagement	No
Other notes	The existence of employers' wide scope subjective individual-assessment opportunities of employees' job-performance in the public-service sphere remains problematic. According to some experts, the definition of wage, which expressly excludes severance payment out of its scope, might be incompatible with the European Court of Justice case-law on the concept of pay.

Issue	Equal treatment in employment and occupation
Has law been passed or changed prior to the Directive	NO
Legislation transposing Directive	2001 Labour Code 2004 Act on Services of Employment 2004 Antidiscrimination Act
Does the country claim to have transposed the Directive?	Yes

Significant provisions that are mentioned by experts or political actors as not being transposed	NO
Important differences between law and Directive now?	NO
What is claimed to be better in law and since when?	The protection against discrimination in employment and occupation covers all grounds of discrimination including those not stated in the Directives.
Content of dispute(s) + date	The EC informed about the insufficient transposition of the 2000/78/ES Directive and 2004/43/ES Directive – deficiencies were solved by the adoption of the amendment of the Antidiscrimination Act in 2008. Inclusion and definition of sexual harassment – in 2001 during the adoption of the Labour Code and later in 2004 during the adoption of the Antidiscrimination Act sexual harassment was not included. It was adopted only in 2008 as a reaction to the Commission.
Has any other inequality been part of the transposition disputes? Which inequality axis?	Sexual orientation – during the adoption process of the Antidiscrimination Act in 2004, strong opposition against including the ground of sexual orientation to the Act came mainly from the conservative political party
Parties to the dispute	Academia, NGOs, legislators, EC, political parties
Location or arena	Legislative process, media, EU
Outcome of the dispute	The definition of sexual harassment was included in the amendment of the Antidiscrimination Act in 2008.
Civil society engagement	Collective comments by academia and NGOs during the legislative process in order to include sexual harassment and flexible working arrangements into the legislation, expert opinions to the European Union, e.g. through the European Network of Legal Experts in the non-discrimination field.
Other notes	Some experts suggest creating alternative out-of-court procedures in cases of discrimination and more precise procedural rules in cases of complaints addressed to employers by employees.

Issue	Discrimination
Has law been passed or changed prior to the Directive	NO
Legislation transposing Directive	1992 Slovak Constitution 2004 Antidiscrimination Act

Does the country claim to have transposed the Directive?	Yes
Significant provisions that are mentioned by experts or political actors as not being transposed	NO
Important differences between law and Directive now?	NO
What is claimed to be better in law and since when?	The grounds of discrimination are wider than those stated in the Directives. Grounds of discrimination includes marital and family status, race, language, political opinion, national or social origin and property.
Content of dispute(s) + date	The process of the adoption of the Antidiscrimination Act was highly controversial. The first two attempts to adopt it (in 2002 and 2003) were not successful. Even during the adoption in 2004 there were disputes about the inclusion of sexual orientation into the grounds of discrimination. The EC criticized insufficient implementation of Directive 2000/43/ES.
Has any other inequality been part of the transposition disputes? Which inequality axis?	Sexual orientation Ethnicity – opposition to introduction of affirmative measures (motion to the Constitutional Court)
Parties to the dispute	Christian Democratic Movement, Party of Hungarian Coalition, SMER – Social Democracy, civil society, EU
Location or arena	Governing coalition, Parliament, legislative process, media, Constitutional Court
Outcome of the dispute	After the latest amendment in 2008 discrimination on all grounds is prohibited in all areas. Constitutional Court found the existed provision on affirmative measures in case of ethnic/race disadvantages inconsistent with the Constitution. However, in the latest amendment affirmative measures were introduced in cases of social and economic disadvantages.
Civil society engagement	Collective comments, advocacy and lobbying of NGOs for the adoption of the Act
Other notes	
Issue	Equal treatment in access to goods and services
Has law been passed or changed prior to the Directive	NO

Legislation transposing Directive	2004 Antidiscrimination Act
Does the country claim to have transposed the Directive?	Yes
Significant provisions that are mentioned by experts or political actors as not being transposed	NO
Important differences between law and Directive now?	NO
What is claimed to be better in law and since when?	Protection against discrimination in access to goods and services covers all grounds of discrimination (from 2008): sex, religion or belief, nationality or ethnicity, disability, age, sexual orientation, marital and family status, race, language, political opinion, national or social origin, property, gender or other status.
Content of dispute(s) + date	Inclusion of other grounds of discrimination such as sexual orientation, age, disability, belief or religion (2007)
Has any other inequality been part of the transposition disputes? Which inequality axis?	Yes (age, disability, sexual orientation, belief or religion)
Parties to the dispute	NGO – collective comment
Location or arena	Legislative process
Outcome of the dispute	Included in 2008
Civil society engagement	Civil society representative participated in the preparation committee of the amendment
Other notes	

Issue	The burden of proof in cases of discrimination
Has law been passed or changed prior to the Directive	NO
Legislation transposing Directive	2004 Antidiscrimination Act

Does the country claim to have transposed the Directive?	Yes
Significant provisions that are mentioned by experts or political actors as not being transposed	A principle of the reversed burden of proof is applicable only in court procedures, not in administrative procedures concerning discrimination.
Important differences between law and Directive now?	NO
What is claimed to be better in law and since when?	X
Content of dispute(s) + date	NO
Has any other inequality been part of the transposition disputes? Which inequality axis?	Yes (race, ethnicity, age, disability, sexual orientation, belief or religion)
Parties to the dispute	X
Location or arena	X
Outcome of the dispute	X
Civil society engagement	X
Other notes	

Issue	Parental leave
Has law been passed or changed prior to the Directive	NO
Legislation transposing Directive	2001 Labour Code (Parental leave exists since 1990)
Does the country claim to have transposed the Directive?	YES

Significant provisions that are mentioned by experts or political actors as not being transposed	No, however experts point out the non-existence of paternity leave
Important differences between law and Directive now?	NO
What is claimed to be better in law and since when?	Longer parental leave – up to the age of 3 of a child (6 in case of a child with serious health problems) Parental leave is partly paid
Content of dispute(s) + date	Change in terminology in order to replace the term parental holiday (rodicovska dovolenka) used in Slovak to parental leave (rodicovske volno), to be able to use existing three years of parental leave up to the age of five of a child with possible breaks during this period (2007)
Has any other inequality been part of the transposition disputes? Which inequality axis?	NO
Parties to the dispute	NGOs
Location or arena	Legislative process
Outcome of the dispute	Not accepted
Civil society engagement	NGOs – public commenting
Other notes	

1.3 Do any aspects of domestic gender equality law surpass (are better, more extensive, or more developed than) or earlier than EU law?

	EU			Country		
	Provision	Year	Notes	Provision	Year	Notes
Maternity	14 weeks	1996	Pay must not be less than wage during sickness leave.	28 weeks (37 for lone mothers or in case of birth of twins)	2001 (current law) Maternity leave was introduced in 1919	Paid
Paternity	Optional	1995		NO		
Parental	3 months	1996	Unpaid	3 (6) years	2001	Partially paid

Duty on all public bodies to promote GE	No	2004	Mainstreaming required by 2006	NO		
Equalities body (employment)	Yes	2002		YES	2004	One general equality body
Equalities body (goods & services)	Yes	2004		YES	2004	
Equalities body for promotion	Yes	2006		YES	2004	
Gender pay audits	Not specified			NO		
Gender Equality plan (employment)	Yes	2002/2006		YES	2001	
Requires NGO dialogue to be encouraged	Yes/no	2002	Dialogue	Partially		Except the possibility of public commenting on governmental legislative drafts, no other forms are legally established. Civil society is consulted on ad hoc basis as participants of expert and consultation bodies.
Positive action measures	Yes/no	1975	Allowed, not required	Yes	2008	Social and economic disadvantages ¹
Public bodies to promote racial equality				Yes	2004	Same body as for other equalities
If there are no sanctions for violating the law, please state this						

¹ During the adoption process in the Parliament the wording “racial or ethnic origin” has been changed and replaced by “forms of social and economic disadvantages”. However, Slovak legislation does not define social or economic disadvantages.

Other:						
1.						
2.						
3.						
...						

1.4 Equality law on intersecting inequalities

- Is discrimination on the grounds of ethnicity/'race' illegal
 - When was this law introduced?
2004 The Act on Equal Treatment in Some Fields and on Protection against Discrimination
 - Is this restricted to employment related issues?
NO
 - Does it include the sale and supply of services?
YES
 - What disputes if any took place during its introduction?
Provision of affirmative measures

- Is discrimination on the grounds of religion illegal
 - when was this law introduced?
2004
 - Is this restricted to employment related issues?
NO, since the amendment in 2008
 - Does it include the sale and supply of services?
YES, since the amendment in 2008
 - What disputes if any took place present during its introduction?
None

- Is discrimination on the grounds of sexual orientation illegal
 - when was this law introduced?
2004
 - Is this restricted to employment related issues?
NO, not since the amendment in 2008
 - Does it include the sale and supply of services?
YES, since the amendment in 2008
 - What disputes if any took place during introduction of these laws?
There was strong opposition against including sexual orientation in the grounds protected by the Antidiscrimination Act – see bellow

- Is discrimination on the grounds of disability illegal
 - when was this law introduced?
2004
 - Is this restricted to employment related issues?
NO, not since the amendment in 2008
 - Does it include the sale and supply of services?
YES, since the amendment in 2008
 - What disputes if any took place during introduction of these laws?
None

- Is discrimination on the grounds of age illegal
 - when was this law introduced?
2004

- Is this restricted to employment related issues?
NO, not since the amendment in 2008
- Does it include the sale and supply of services?
YES, since the amendment in 2008
- What disputes if any took place during introduction of these laws?
None

- Is discrimination on the grounds of marital status illegal?
 - when was this law introduced?
2008
 - Is this restricted to employment related issues?
NO,
 - Does it include the sale and supply of services?
YES
 - What disputes if any took place during introduction of these laws?
None

- Are there further legal issues, especially disputed legal issues, concerning the intersection of equalities with gender that are relevant?

The main disputes concerned discrimination on grounds of sexual orientation and ethnicity (in case of affirmative measures) – see below

The Act on Equal Treatment in Some Fields and on Protection against Discrimination (hereinafter Antidiscrimination Act) prohibits discrimination on the grounds of sex, religion or belief, nationality or ethnicity, disability, age, sexual orientation, marital and family status, race, language, political opinion, national or social origin, property, gender or other grounds. Discrimination on all abovementioned grounds is prohibited in employment as well as in social security, healthcare, provision of goods and services and in education.²

The Antidiscrimination Act was adopted on 20 May 2004. It was significantly amended on 14 February 2008 and came in effect on 1 April 2008. The amendment broadened existing grounds of discrimination and expanded their application to both employment and provision of services. Newly included grounds of discrimination comprise marital and family status, national or social origin, political opinion, property and gender³. Up until 2008 the protection against discrimination on the basis of religion and belief, disability, age and sexual orientation did not include areas of social security, healthcare, provision of goods and services and education; the protection against discrimination on the abovementioned grounds was restricted to employment related issues. In addition, the amendment introduced sexual harassment and affirmative action to the Slovak legal system.

The latest amendment of the Antidiscrimination Act was a reaction to the European Commission's communication to the government demanding it to bring its provisions into compliance with EU Directives. Moreover, an initiative of NGOs submitted collective comments to the amendment of the Act that were almost completely incorporated into the legislative proposal. As such, the adoption of the amendment was not perceived of as controversial. However, the adoption process of the Antidiscrimination Act in 2004 brought lots of controversies. The Act was finally adopted after three year long discussions on a necessity to adopt the act of this kind. Two former attempts to adopt the Act in 2002 and 2003 were not successful. In 2002, the proposed law was rejected by the Parliament thanks to cooperation between a coalition of the Christian Democratic Movement and the Opposition Movement for a Democratic Slovakia. One of the most cited reasons was the inclusion of

² Act No 365 of 2004 on Equal Treatment in Some Fields and on Protection against Discrimination, as amended, adopted on 20 May 2004, in effect from 1 July 2004.

³ Before February 2008 the Act used only term "sex".

sexual orientation into the grounds of discrimination. The second attempt in 2003 opened extensive public discussion on the topic; the law was reviewed by international experts, civil society organised a petition in support of the law and the governmental office responsible for the agenda (led by the representative of the Party of Hungarian Coalition) prepared a public campaign promoting the law. The campaign was cancelled by the government itself after a short duration. Despite all the efforts, the proposal of the Antidiscrimination Act was again rejected twice – once as a governmental proposal and the second time as a deputy proposal proposed by the opposition party SMER. Despite of persistence of intolerance towards sexual minorities, the discourse shifted to a more “technical” one. The Christian Democratic Movement present in the governing coalition of the period argued that antidiscrimination measures are sufficiently covered by the Constitution and the Labour Code. Other coalition partners, namely the Party of Hungarian Coalition whose representative was a vice premier responsible for the agenda of human rights and the EU accession, maintained a position favourable to the adoption of the separate antidiscrimination legislation using the arguments of commitments towards the transposition of the EU legislation. In 2004, the proposal of the Antidiscrimination Act was amended several times until coalition reached consensus. As a result of the consensus, the protection against discrimination on the basis of sexual orientation is not covered in all areas of concern (it is covered in the area of labour relations but not in the areas of social security, health care and access to services). Several political leaders (the Christian Democratic Movement and the Democratic Party) at that time openly expressed that the adoption of the Act was a result of the pressure from the side of the European Union without a specific local need to protect citizens against the discrimination.⁴ The full legal protection against discrimination on the ground of sexual orientation was finally achieved in 2008. Disputes concerning other grounds of discrimination were not present during the adoption of the Antidiscrimination Act or its amendment.

Moreover, the issue of affirmative action was brought to a discussion due to the amendment of the Act in the process of its adoption in the Parliament in 2004. A deputy coming from the Party of Hungarian Coalition introduced the provision on affirmative action stating that “with a view to ensuring full equality in practice and compliance with the principle of equal treatment, specific positive actions to prevent disadvantages linked to racial or ethnic origin may be adopted.” The Government, represented by the Minister of Justice (coming from the Christian Democratic Movement), initiated a court procedure in the Constitutional Court on the consistence of the provision of affirmative action in the Antidiscrimination Act with the Slovak Constitution. In 2005, the Constitutional Court ruled by a close vote that the concerned article is inconsistent with the Constitution.

A dispute on affirmative action occurred again during the amendment of the Act in 2008. The governmental proposal suggested affirmative measures in order to eliminate disadvantages linked to racial or ethnic origin, age or disability. During the adoption process in the Parliament the wording “racial or ethnic origin” was replaced by “forms of social and economic disadvantages”. In addition, the application of affirmative action is limited to the state administration.

2. Plans and programmes

Two types of national gender equality plans are considered here. The first set of questions concerns plans specific to the country. (Please include not only if they are called ‘national gender equality plans’ or but also if they are just a sub-section of a larger national development plan.) The second set of questions refers to the National Reform Programmes for employment and National Reports (National Action Plans) on Strategies for social inclusion and social protection that the EU requires annually from each Member State. |

⁴ Some officially collected information on the process of approving the Antidiscrimination Act in the SR see at: <http://www-8.mensiny.vlada.gov.sk/index.php?ID=468> → Prehľad o tvorbe antidiskriminačného zákona. Elaborated by Piroška Gyuricsek, Bratislava, 20 October 2004.

2.1 National gender equality plans

2.1.1 Is there a national gender equality plan? Or a gender equality component of a national development plan.

- If yes please name and describe very briefly the range of issues that it covers (in particular, how far beyond employment does it go?).

The Concept of Equal Opportunities for Men and Women has set up three main priority areas: labour market; public and political life; and the reconciliation of family and working life. Although, the main focus is employment and partially covers women in decision making, a reference to gender based violence appears as well. The Concept analyses the situation concerning gender equality in the abovementioned areas, and proposes measures and recommendations for the implementation of equal opportunities.

The priority area labour market emphasises control of compliance with the principle of equal pay for women and men for equal work and for work of equal value, the promotion of flexible working arrangements and ensuring equal opportunities for women and men in pension insurance. The priority of representation of women in public and political life focuses mostly on increasing women's participation on decision-making posts in state administration and within political parties. The policy measures referring to the reconciliation of work and family life contains the improvement of service provision related to children, elderly and disabled. The rest of the measures attempt to eliminate violence against women. Finally, the Concept underlines the need for education and awareness-raising aimed at the elimination of gender stereotypes and at increasing general gender sensitiveness. In particular, it refers to the need of conducting seminars, lectures, conferences and educational programs that can bring about the necessary changes. The Concept also calls for gender-disaggregated statistics for the purpose of identifying and analysing gender relations.

- Is the focus restricted to non-discrimination?
- Is there reference to gender mainstreaming?

Both. Antidiscrimination and gender mainstreaming are mentioned as the main principles on which the Concept was elaborated. While antidiscrimination was mostly emphasised in the priority area of the labour market, other areas focus more on the elimination of gender stereotypes and other obstacles restricting women from full enjoyment of equality in families and society. Gender mainstreaming was explicitly mentioned only in an analytical part of the Concept. However, certain proposed measures suggest creation of basic administrative structures for gender mainstreaming, such as seminars and training for top officials of state administration and self-governments in issues of equal opportunities for women and men or initiating record keeping of the equal opportunities agenda at ministries and central bodies of state administration and regional and municipal offices.

- Are there named policy instruments and/ institutions, if so what?

In the area of labour market, the Ministry of Labour, Social Affairs and Family, institutions under the Ministry's competence, such as Labour offices or Labour inspectorates, and trade unions and employers' organisations are responsible for: monitoring of implementing equal pay and equal treatment principles; promoting flexible working arrangements and including them into the general agreement and collective bargaining agreements; and for providing incentives for employers to create possibilities of flexible working regimes. On the basis of the Concept, the Ministry of Labour, Social Affairs and Family initiated the annual competition "Family and Employment", rewarding the most family-friendly employers.

In the priority area of public and political life, temporary measures to improve the representation of women, such as trainings and quotas, were provisioned. Despite this stipulation in the Concept, the quota system was not introduced.

The priority area of reconciliation is referred to by the Concept as aiming at ensuring equal opportunities of women and men in family life. A proposed measure is the expansion of social services for children, elderly and dependant; the task was assigned to regional and municipal offices. In the context of equal opportunities in families, the issue of domestic violence and the development of the National Strategy for the Elimination of Violence Against Women and in the Families receives the majority of the attention. The Strategy was proposed together with further legislative changes in the area of domestic violence and trainings for law enforcement agencies. The responsible actors are the Ministry of Labour, Social Affairs and Family, the Ministry of Interior and the Ministry of Justice.

Other responsible institutions are the Ministry of Health (for supporting family planning and reproductive health projects) and the Ministry of Education (for inclusion of gender sensitive education into school curricula as well as into the system of life-long learning and for inclusion of issues of gender based violence to school curricula).

Other measures refer to international cooperation and commitments such as the adoption of ILO Convention No. 156 - on equal opportunities and equal treatment of men and women responsible for the family or to prepare conditions for the implementation of the Fifth Medium-term Action Program of the European Union on Equal Opportunities of Women and Men. Only one measure explicitly mentions the participation of civil society in awareness raising activities.

- Are there indicators and statistics to evaluate the policies?

No, but one proposed measure includes research and development of statistical indicators in areas covered by the Concept.

- Is there reference to EU targets (European Employment Strategy targets: Lisbon (2000) female employment rate of 60% by 2010; Barcelona (2002) provision of childcare by 2010 to at least 90% of children between 3 years old and the mandatory school age and at least 33% of children under 3 years of age)? (Add age here)

NO

2.1.2 Is gender equality integrated with other equalities in a national plan?

If yes please name and describe very briefly the range of issues that it covers, in particular, how far beyond employment does it go? Is it framed by equality or by diversity or both or a similar goal (e.g. equal opportunities)? If so, please specify.

NO

2.1.3 Is there a gender equality (or similar) plan in the area of gender based violence

The **National Action Plan for the Prevention and Elimination of Violence against Women** was developed for the period of 2005 to 2008 with the aim to set up the principal framework for action in the area.

If yes please name the plan. Does it cover:

- Domestic violence and violence in partnerships

YES

- Sexual assault/violence and rape

NO

- Sexual harassment and stalking

YES

- Trafficking and prostitution

NO

- Forced marriage, honour crimes and FGM

NO

Does the plan include:

- named policy instruments and/or institutions, if so what;
- indicators and statistics to evaluate the policies, if so which?

The National Action Plan for the Prevention and Elimination of Violence against Women covers four main areas: legislative changes, service provision, prevention and research.

The following measures are provisioned in the legislative area:

- to conduct a comparative study on legal protection instruments for women – victims of violence in Slovakia and other EU countries;
- to monitor activities of law enforcement agencies on implementation of the existent legislation in order to improve their performance;
- to elaborate methodological guidelines for investigation that would prevent secondary victimization and traumatising of women – victims of violence.

The main responsible actors for these measures are the Ministry of Interior, the Ministry of Justice, the Ministry of Labour, Social Affairs and Families, General Prosecution and the National Centre for Human Rights.

In the area of service provision the Action plan allocates the following tasks:

- to renew the functioning of the Expert Group for the Prevention of Violence Committed against Women and in Families;
- to revise subsidy policy of the Ministry of Labour in 2006 in order to improve financing of services taking into account diverse needs of women victims of violence;
- to elaborate standards of services reflecting diverse needs of women facing violence or violent threats on the basis of EU standards;
- to develop methodologies and training programs on how to deal with women victims of violence for law enforcement agencies, health and social work professionals;
- to facilitate coordinative approaches of all professionals providing protection and help to women victims of violence on local levels;
- to include a development of a specialized network of help-lines and crises centres as a reimbursable budget line in projects financed by the European Social Fund;
- to include specialised counselling to women victims of violence into the competencies of psychological counselling centres;
- to raise awareness on signals of violence against women and possibilities of help in such cases through helping professions (with focus especially on vulnerable groups of women);
- to include the issue of violence against women into professional training of all concerned groups of professionals;
- to carry out trainings of trainers for professional groups in close cooperation with NGO experts;
- to develop special programmes for sentenced perpetrators of violent crimes against women;
- to support nongovernmental activities related to the elimination of violence against women in the forms of calls for proposals or other means.

The actors responsible for the fulfilment of these tasks are the Ministry of Interior, the Ministry of Justice, the Ministry of Labour, Social Affairs and Families, the Ministry of

Education, the Ministry of Culture, the Expert Group for the Prevention of Violence Committed against Women and in Families, regional self-governments and Offices of Labour and Social Affairs.

In the area of prevention, the attention is paid to:

- include the agenda of violence against women into the National Plan for Human Rights Education;
- include the agenda of violence against women into educational documents dealing with human rights;
- conduct trainings for journalists and the media on the issue of violence against women;
- establish working groups in public media with the aim to inform the public on violence against women and experts' opinions on the issue;
- carry out awareness raising campaigns in order to improve the legal awareness of the public on harassment in working relations;
- inform women from marginalised and vulnerable groups about violence against women and the possibilities of help;
- publish contacts to help lines and centres on a webpage.

The institutions responsible for prevention comprise the Ministry of Labour, Social Affairs and Families, the Ministry of Education, the National Centre for Human Rights, the Office for Migration, and the Office of the Plenipotentiary for Roma Communities (special focus on ethnic minorities). Tripartite partners, the media and NGOs are named among actors of cooperation.

The research area should focus on:

- improvement of statistical databases of sectors;
- improvement of further analysis of statistics and its regular publishing;
- research on the issue of violence against women with special focus on marginalised groups of women carried out by state research institutions;
- involvement of the Slovak Republic in the EU programs focusing on research in the area of violence against women;
- elaboration of monitoring reports on policy implementation dealing with the issue of the elimination of violence against women with regard to common EU indicators in order to map the situation in Slovakia.

The following actors are responsible for these measures: the Ministry of Interior, the Ministry of Justice, the Ministry of Labour, Social Affairs and Families, the Ministry of Education, the Ministry of Culture, the Ministry of Finance, the Expert Group for the Prevention of Violence Committed against Women and in Families and the Statistical Office.

No indicators are foreseen in the legislation section. The indicators included in the service provision section are mostly quantitative, namely: the amount of resources allocated to projects focusing on violence against women and service provision; the number of local pilot intervention teams; the number of trainings for concerned professionals; the number of methodological text books and their inclusion into the school curricula; or the number of programmes for perpetrators of violent crimes against women. The foreseen indicators for prevention include: the number of educational text about violence against women; the number of trainings for media representatives and employers (special focus on sexual harassment); and the number of various preventive activities. Indicators for the research area are mainly focusing on: the development of new statistical indicators of crimes related to violence against women; monitoring reports; new research conducted; and the involvement of Slovakia into European research programmes.

2.2 EU required National Reform Programme (National Action Plan) for Employment

- Does the EU required National Reform Programme for employment (in which one of the ten guidelines concerns gender mainstreaming) include a significant set of actions concerning gender equality? If so, what are these?

Member state reports 2006: http://ec.europa.eu/growthandjobs/key/nrp2006_en.htm)

The Slovak National Reform Programme (NRP) does not include gender mainstreaming at all. In fact, the term “gender” is explicitly mentioned only once in the whole document. All chapters are gender neutral, even the chapter on employment that mentions only parents after parental leave. Women are explicitly mentioned solely in the chapter on demography, specifically mothers of children up to 12 years of age as one of the groups with low employment rate. The employment rate of this group is the only gender specific indicator of the Slovak NRP. Gender equality is implicitly referred to in the section on “harmonization of family and work life”, however the aim of the measures proposed is to improve fertility rates and the employment rates of mothers.

- Did the EU appointed National Expert (part of the EU Network of Experts on Gender and Employment and Social Inclusion) made (have) critical or positive comments on the gender equality dimension of the member state’s programme? If so, what are these?

EGGSIE 2005 report see:

http://ec.europa.eu/employment_social/gender_equality/docs/2006/final_nrp_synthesis_2005_en.pdf

The national expert, Magdalena Piscova criticized the lack of a gender perspective and a limited use of gender mainstreaming. She stated that although the NRP adopts the Lisbon targets, including that for women of 60%, “the policies to meet the large employment gaps for all groups are presented in an entirely gender neutral way” and the NRP does not consider gender disaggregated statistics. According to Piscova, “there is still a problem of low gender sensitivity in Slovakia. In fact it could not really be expected that the NRP would stress gender aspects; in practice these are rather sparse within the NRP, limited to guidelines 17 and 18. However, some progress is evident in statistical indicators probably because of the pressure from the EU, but still there is a lack of data by gender for remuneration or parental leave.” Although the employment rate of women in Slovakia is not progressing, there is significant horizontal and vertical segregation and the long-term female unemployment rate is increasing, the NRP does not present any gender analysis of employment policies or the linkages with the gender pay gap. Moreover, the NRP does not include any equal pay policies. The Expert’s report further stated: “The employment strategy in Slovakia is presented as gender neutral as gender mainstreaming has not yet become an integral part of policy development. Adoption of legislative norms on equal opportunities corresponding to European standards is considered to be a sufficient instrument while only weak attention is paid to mechanisms monitoring their observation.”

- Did the EU Commission’s response to the National Reform Programme for employment include recommendations on gender equality? If so, what were these?

EC response: http://ec.europa.eu/growthandjobs/annual-report-1206_en.htm)

The Commission underlined the need to solve the gender pay gap. On one hand, it appreciated legislative changes concerning equal pay and the prohibition of discrimination on grounds of gender, on the other hand, it criticized the Strategy of Reconciliation of Work and

Family Life for not bringing any significant opportunities to increase the female employment rate or to introduce flexible working arrangements.

2.3 EU required National Reports (National Action Plans) on Strategies for Social Protection and Social Inclusion

- Does the EU required National Report on Strategies for Social Inclusion include a significant set of actions concerning gender equality, including gender-based violence? If so, what are these?

Member state reports: http://ec.europa.eu/employment_social/social_inclusion/naps_en.htm

The **National Report on the Strategies for Social Protection and Social Inclusion 2006-2008** takes gender equality into consideration to a limited extent. Although, gender equality is mentioned in the analytical part and it is even presented among the key challenges, the proposed measures do almost not reflect gender equality at all. The only measure concerning gender equality proposes the creation of institutional structures and application of gender mainstreaming. The measure is formulated in a very general way without any further specification. Gender based violence is represented even to a lower extent, within measures concerning social services provision and proposes "introduction of specific assistance to women in specific situations (e.g. victims of violence)."⁵

- Did the EU Expert Group on Gender, Social Inclusion and Employment have critical or positive comments on the gender equality dimension of the report (including gender-based violence)? If so, what are these?

EGGSIE Synthesis report (2006)

http://ec.europa.eu/employment_social/publications/2006/ke7606201_en.pdf

The EGGSIE Synthesis report (2006) did not make any specific remarks about the gender equality dimension of the Slovak report. The case of Slovakia is mostly mentioned in relation to the situation of Roma communities and gender aspects could be found only in parts concerning forced sterilisation of Roma women (historical perspective), prostitution and trafficking of Roma women (without any data) and in criticizing the absence of gender mainstreaming in the Slovak Roma Decade programme.

- Did the EU Commission's response to the National Report on Strategies for Social Protection and Social Inclusion include recommendations on gender equality (including gender based violence)? If so, what were these?

EC report: http://ec.europa.eu/employment_social/social_inclusion/jrep_en.htm

NO

2.4 EU funding

- Does the EU provide funding in your country that has / has had a significant gender impact?⁶ Structural funds to consider include the European Social Fund⁷ and the European Regional Development Funds⁸,

YES, EU funding is currently the most important financial source in Slovakia in the area of gender equality.

⁵ The National Report on the Strategies for Social Protection and Social Inclusion 2006-2008, p. 22

⁶ The following link may serve as a useful starting point (see drop-down menus along the top of the page and links on the left hand side): http://ec.europa.eu/regional_policy/policy/history/index_en.htm

⁷ http://ec.europa.eu/regional_policy/funds/fse/index_en.htm

⁸ http://ec.europa.eu/regional_policy/funds/feder/index_en.htm

- If yes, how much and over what period of time?

The first programming period of European Funds in Slovakia (2004-2006) has had a significant impact on gender equality, in particular through the European Social Fund (ESF) and IC EQUAL. Despite the fact that gender equality was stated as horizontal priority, other European funds did not have an impact on the area at all as the evaluation of a possible gender impact in the projects was rather formal and considered as marginal. However, it is not possible to evaluate the impact of ESF and IC EQUAL in exact detail, as there is no official evaluation published and the projects funded by IC EQUAL are currently in the final phases of their realisation.

The main measure funded by the ESF related to gender equality targeted the elimination of obstacles to gender equality at the labour market with a special focus on reconciliation of work and family life, which was the first call for proposal of its kind in Slovakia. The most significant impact of European funding during this period was the IC EQUAL gender priority, which focused on "gender research, audit and gender sensibilization as a measure to reach gender equality at the labour market". This definition of the priority reflected the results of the Slovak ex-ante study carried out by a feminist organisation, which indicated a lack of gender research and data in Slovakia. At the same time, the call for proposals required prior gender expertise in preparing and carrying out projects. As such it supported the production of important research data in areas such as the situation of different categories of women in the labour market (women over 45, women on parental leave, women in rural areas, Roma women), research on sexual harassment, and preparation and application of gender mainstreaming in certain regions or sectoral areas. As the projects are currently in the final phases of their realisation, it is not possible to evaluate their overall impact. Nevertheless, their partial results in form of research publication serve as an important source of information in the area of gender equality in the labour market.

- If yes, comment upon the extent to which gender was mainstreamed in associated plans and programmes (e.g. the National Development Plans for 2000-2006)?

The programming period of European Funds coincided with the period of development of associated plans so it would be possible to include results of projects only into the next plan development period.

3. Governmental Machinery For Equalities

Provide a summary of the history of governmental machinery for equality provided in the issue history D11, up-dated if appropriate. In particular, consider if there have been any developments in the relationship between the gender machinery and other equalities machinery (e.g. proposed mergers).
(Approx. 250 words)

The first institutional mechanism dealing with the issue of gender equality in Slovakia was established in 1996. **The Coordination Committee for Women's Issues** (Koordinačný výbor pre problematiku žien) was positioned at the executive level as an "advisory, coordinating and initiative governmental authority dealing with questions that affect positions and interests of women in all areas of life".⁹ The Committee was dismissed in 2001. In 1999 the **Department for Equal Opportunities of women and men** (Odbor rovnosti príležitostí

⁹ Farkašová, Katarína. 1998. CEDAW shadow report: Slovakia 1998. Bratislava: Aliancia žien Slovenska.
http://www.alianciazien.sk/files/CEDAW_98_eng.pdf

žien a mužov) was established at the Ministry of Labour, Social Affairs and Family. The responsibility and areas covered by the only gender equality machinery positioned on the executive level was continually broadened without an expansion of its human resources. In 2003 its competence were extended to include other issues of antidiscrimination. In 2005, the department was renamed to the **Department for Family and Gender Policies** (Odbor rodinnej a rodovej politiky). A shift appeared in 2007, when the gender equality agenda was assigned to the newly created **Department of Gender Equality and Equal Opportunities** (Odbor rodovej rovnosti a rovnosti príležitostí). . In contrast to former departments, which were placed at lower hierarchical ministerial levels, the Department of Gender Equality and Equal Opportunities was positioned directly under the supervision of the Minister. Nevertheless, there are no gender equality units in other ministries or state administration institutions. In October 2007 the government adopted the Governmental decision on the establishment of the **Governmental Council for Gender Equality** (Rada vlády SR pre rodovú rovnosť) as its coordinative, advisory and initiative body. The gender machinery thus was promoted to the inter-sectoral body on the governmental level. In relation to Council Directives 2000/43/EC and 2000/78/EC requiring the establishment of the national specialised equality body, the role of already existing **Slovak National Centre for Human Rights** (Slovenské národné centrum pre ľudské práva) was extended in 2004 by the adoption of the Antidiscrimination Act¹⁰. New tasks in the area of monitoring and assessment of antidiscrimination principles provisioned in the act were assigned to the Centre.

Do any or all of these forms of gender machinery exist in the country, and if so what are they called?

- governmental (civil servants and ministers in central government); **Governmental Council for Gender Equality** (Rada vlády SR pre rodovú rovnosť)
- enforcement and/or monitoring agency (e.g. equality authority, ombudsperson); **Slovak National Centre for Human Rights** (Slovenské národné centrum pre ľudské práva)
- special legal apparatus (e.g. special courts, mediation or arbitration bodies for employment or domestic violence);

NO

- body for consultation / dialogue with women's NGOs, or with NGOs representing other axes of inequality

The Consultation Committee to the Governmental Council for Gender Equality
The Expert Group for the Prevention of Violence against Women and in Families

- Other, for example, Parliamentary Committees

The Committee for Human Rights, Minorities, and Status of Women of the National Council of the Slovak Republic (Výbor Národnej rady Slovenskej republiky pre ľudské práva, národnosti a postavenie žien)

- Is there gender machinery that meets the minimum legal requirements of the EU?

YES

- A body for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on the grounds of sex:
- providing independent assistance to victims of discrimination in pursuing their complaints about discrimination;
- conducting independent surveys concerning discrimination;
- publishing independent reports and
- making recommendations on any issue relating to such discrimination.

As mentioned above, the main national equality body in Slovakia is the **Slovak National Centre for Human Rights**. The Centre deals with all forms of discrimination and equal

¹⁰ Act No 365 of 2004 on Equal Treatment in Certain Fields and on the Protection against Discrimination, and on Amending and Complementing Certain Laws, adopted on May 20, 2004, in effect from July 1, 2004.

treatment, including gender equality and is regarded as a “specialised” body meeting the requirements of the EU. The tasks of the Centre include:

- monitoring and assessment of the observance of human rights and the observance of the principle of equal treatment;
- provision of legal aid for victims of discrimination and expressions of intolerance including the authority to represent a party in proceedings related to the violation of the equal treatment principles;
- caring out research and surveys on the provision of information in the area of human rights, and gathers and disseminates information in this area;
- issuing at the request of natural or legal persons, or at its own initiative, expert standpoints on matters relating to the observance of the principle of equality of treatment;
- caring out independent investigations concerning discrimination (included by the amendment of the Antidiscrimination Act in 2008)
- elaborating and publishing of reports and recommendations related to discrimination (included by the amendment of the Antidiscrimination Act in 2008)
- preparation of educational activities and participation in information campaigns aimed at increasing tolerance in society;
- gathering and provision upon request information on racism, xenophobia and anti-Semitism in the Slovak Republic;
- provision of library services and provision of services in the area of human rights.¹¹
- Is there a gender machinery that meets the ‘Paris Principles’? YES
 - independence guaranteed by a constitutional or legislative framework, autonomy from government,
 - pluralism including pluralism of composition,
 - a broad mandate,
 - adequate powers of investigation,
 - sufficient resources

The Centre is an independent legal person set up by law.¹² The organs of the Centre are the Board and the Executive Director assigned by the Board. The Board has nine members, selected from among persons who exercise natural authority and trust in the field of human rights and who are installed by heads of institutions such as law faculties, ombudsman, prime minister based on a NGO proposal, and minister of employment, each by one person. The Board decides on the basis of bare majority.¹³

As mentioned above, the Centre exercises a broad mandate, such as implementing research and education programmes, elaborating and publishing of reports and recommendations related to discrimination; monitoring and assessment of the observance of human rights and the observance of the principle of equal treatment; caring out research and surveys on the provision of information in the area of human rights; issuing at the request of natural or legal persons, or at its own initiative, expert standpoints on matters relating to the observance of the principle of equality of treatment according to a separate provision. The Centre is not included in the bodies with an obligation to comment on legislative proposals. Neither has it

¹¹ See: http://www.snslp.sk/rs/snslp_rs.nsf/vdb_Homepage/homepage_E?OpenDocument

¹² Act No 308 of 1993 on the Slovak National Centre for Human Rights, as amended, adopted on December 15, 1993, in effect from January 1, 1994, Article 2

¹³ Ibid, Article 2,3.

had a power to enforce compliance of Slovak legislation with the international human rights standards.¹⁴

The Centre is competent to investigate individual complaints to the extent needed for making expert opinions regarding the observance of the principle of equal treatment, or for representing a party in the proceedings in the matter of violating the principle of equal treatment.¹⁵

The Centre is financed from subsidies from the state budget, and it can also finance its activities mainly from donations from domestic and foreign natural and legal persons.¹⁶

- Is there gender machinery that meets the further requirements of the UN Platform for Action?
 - responsibility vested at the level of a Cabinet minister.
 - Develop indicators and statistics to monitor policy

The **Governmental Council for Gender Equality** is a governmental body for gender equality and gender mainstreaming. The Council consists of representatives of all ministries, state administration (National Labour Inspectorate, Statistical Office, Office of Plenipotentiary for Roma Issues), the Parliament, tripartite institutions (trade unions and employers' associations), both regional and local self-governments, general prosecutor, ombudsperson, director of Slovak National Centre for Human Rights, academia and NGOs. The head of the Council is the minister of Labour, Social Affairs and Family. The executive body of the Council, responsible for the implementation of decisions of the Council, consists of ministerial representatives, a representative of an office of the Plenipotentiary for Roma communities, the National Labour Inspectorate and the Institute for Work and Family Research. The Council is assisted by a consultative body consisting of representatives of women's NGOs and gender equality experts.¹⁷

The main competencies of the Council include coordination in the area of gender equality and gender mainstreaming, elaboration of proposals and recommendation in the abovementioned areas, and commenting on related legislation and policies.¹⁸ The role of the Council is neither to develop policies nor to monitor their implementation. This role remained primarily on the Department of Gender Equality and Equal Opportunities at the Ministry of Labour, Social Affairs and Family. The department has the responsibility to gather statistics related to gender equality, not to develop indicators or statistics. Certain policy documents already include indicators of their fulfilment; though it is not the case of all policies. Moreover, the monitoring of the implementation of gender equality or other gender or equality related policies is often criticized to be formal and no responsibility was so far drawn for non-fulfilment of the tasks allocated to individual institutions.

- How close to the centre of power (e.g. Prime Minister or other) is the governmental machinery located?
 - centre of power/ PM's office
 - Other powerful department.
 - Other department

The **Governmental Council for Gender Equality** is an inter-sectoral governmental body that includes representatives of all ministries. The head of the Council is the minister of Labour, Social Affairs and Family.

¹⁴ See: http://www.snsip.sk/rs/snsip_rs.nsf/0/35A25CA0ADEC8813C125726F005FB2EB?OpenDocument

¹⁵ See: http://www.snsip.sk/rs/snsip_rs.nsf/0/35A25CA0ADEC8813C125726F005FB2EB?OpenDocument

¹⁶ Act No 308 of 1993 on the Slovak National Centre for Human Rights, as amended, adopted on December 15, 1993, in effect from January 1, 1994, Article 2

¹⁷ Statute of the Governmental Council for Gender Equality:

<http://www.rokovania.sk/Appl/material.nsf/0/28BE50C78E088294C12573680035DF93?OpenDocument>

¹⁸ Ibid.

- Would any of the bodies be described as following a 'feminist' agenda?
 - Briefly explain the reasoning behind your answer.
 - If yes, then indicate which vision of gender equality (equality through sameness, equal valuation of different contributions, or transformation) fits best.

None of the abovementioned bodies is following a 'feminist' agenda. The **Slovak National Centre for Human Rights** has a broad mandate covering all forms of discrimination and human rights; as such it has a limited capacity to focus on gender or feminist agenda. The **Governmental Council for Gender Equality** is a newly established machinery; for the time being it is difficult to assess its orientation. The wording of the statute copies "EU discourse" on gender equality and gender mainstreaming rather than developing the agenda further. Moreover, the document does not use a gender sensitive language, e.g. it does not reflect the gender dimension of nouns in the Slovak language. In addition, if judged by the broad composition of the body and a general lack of expertise of gender and feminist issues in state and public institutions it is unlikely that it will follow a feminist agenda. In general, a feminist agenda in Slovakia is developed mainly by women's NGOs, the number of which is limited to three representatives in the machinery so it would be difficult to promote the agenda in its operation.

- Are there other policy groups relevant to gender equality that are embedded in particular departments, but which are not usually known as gender machinery e.g. domestic violence group within the home affairs or justice department? If yes, when was it set up, what does it do, what are its resources?

With regard to governmental commitments towards issues related to gender based violence the **Expert Group for the Prevention of Violence against Women and in Families** was created in 1999 and was formally functioning up to 2002. Its operation was renewed in 2005 in relation to the adoption of the National Action Plan for the Prevention and Elimination of Violence against Women. The Expert group works under the Governmental Council for Criminality Prevention and is coordinated by the Ministry of Interior. The main task of the Expert group is to coordinate activities assigned in the National Action Plan for the Prevention and Elimination of Violence against Women, monitoring and assessment of the fulfilment of the Action plan, development of indicators for assessing the progress in the area of violence against women and development of standards of service provision to victims of violence. The Expert group consists of representatives of ministries, general prosecution, police, regional self-governments, statistical office, legal experts and NGO representatives.¹⁹ Its members are not allocated any additional working time and remuneration. According to Filadelfiova and Butorova,²⁰ during the first year of the functioning of the Expert Group only three sessions (including the inauguration one) were held and the activity decreased probably due to approaching elections in 2006. In 2007 no sessions of the Expert Group took place.²¹

- Are there any special legal institutions such as special courts to assist the implementation of gender equality laws e.g. employment tribunals, domestic violence courts?

There is no specialised legal apparatus for issues concerning discrimination or domestic violence; breaches of the law can be filed in general courts.

¹⁹ See http://www.minv.sk/prevenicia/index.php?idx=pages/expert_skup/nasilie

²⁰ Filadelfiová, Jarmila, and Zora Bútorová, 2006. Rovnosť žien a mužov/ Gender Equality. In Miroslav Kollár, Grigorij Mesežnikov, and Martin Bútorá, ed., Slovensko 2006. Súhrnná správa o stave spoločnosti/ Slovakia 2006. Global Report on the State of Society. Bratislava: Inštitút pre verejné otázky, s. 696-697.

²¹ An interview with an NGO member of the Expert Group.

Dedicated to gender or integrated with other equalities?

- Is the gender equality body (enforcement or monitoring agency) integrated with machinery for other equalities issues (if so which) or for human rights? If yes,
 - When did this happen?
 - Was the change controversial (who fought whom, allied to whom)?
 - Is the division of responsibilities by function or by strand?
 - Is there a separate mechanism for consulting civil society by strand, including women?
 - Does the equality body actively engage with the issue of intersecting inequalities (e.g. gender and ethnicity, gender and disability)? If yes, please specify the intersections that are taken into account.

As mentioned above, there are two principle machineries dealing with gender equality: the **Slovak National Centre for Human Rights** as an independent body and the **Governmental Council for Gender Equality**. The Council is a governmental machinery dealing with issues of gender equality and gender mainstreaming. The Slovak National Centre for Human Rights deals with all types of discrimination, xenophobia, human rights and children's rights. Gender equality thus forms only one part of the attention of the Centre and the Centre does not have a specialised unit for gender equality. As it is obvious from the title of the institution, it was set up as a human rights institution; the equal treatment agenda on all grounds was added to the Centre's tasks in relation to the adoption of the Antidiscrimination Act. This arrangement was not disputed at all and a discussion about a separate independent body for gender equality e.g. gender equality ombudsperson never appeared in the Slovak context. After reviewing the activities of the Centre during past three years it can be said that the Centre does not pay special attention to the intersection of inequalities in its research and monitoring activities. Education and public outreach activities concern all types of discrimination and the whole scope of the antidiscrimination agenda. However, the special outline of possible intersections is generally lacking.

- If the gender equality body is not integrated with machinery for other equality issues, does the gender equality body and any other single strand equality body actively engage with the issue of intersecting inequalities? If yes, please specify the intersections that are taken into account by each of the equality bodies.

The Governmental Council for Gender Equality formed in 2008 is a specialised machinery. In general, it is perceived of as a positive step after the years of non-existence of a body of this type in Slovakia. The former bodies lacked the inter-sectoral character and adequate decision-making and enforcement powers as they were positioned under a single ministry without any effect on other ministries' policies. Due to its novelty, it is impossible to judge its impact, orientation or further changes in gender equality policies.

Relationship of machinery with civil society

- Are there procedures for the consultation of women's groups in civil society by the gender or equalities machinery?
 - If so, are they routinised or occasional?

The **National Centre for Human Rights** does not have a regulated mechanism for consultations with civil society or women's groups. Despite this fact, the Centre cooperates with several NGOs, including its monitoring and investigating activities. In addition, NGOs take part in the preparation of the Centre's reports. The statute of the **Governmental Council for Gender Equality** stipulates consultations with civil society in the form of a Consultation Committee that will be formed by representatives of women's groups, human rights groups and gender experts. The Consultation Committee has a right to propose materials and agenda for sessions of the Council. It is an expert consultation body of the

Council without real impact on the Council's decisions. The Consultation Committee is supposed to meet four times per year.²²

4. Policy summary questions

4.1 Non-employment

Tax system

Is the tax system household based or individualised?

The tax system in Slovakia is individualised; however, there are two instruments taking into consideration the family status of a taxpayer. The fixed part of the tax base that is exempt from income tax is extended if a spouse with no or low income lives with the taxpayer in the same household. Working parents may also receive a tax relief if a child is living in the same household with a taxpayer. The gender of a taxpayer does not influence the possibility to claim tax bonus or tax benefit in any way. The only exception is while determining the order of taxpayers, if both fulfil the conditions for claiming tax bonus and if they do not achieve an agreement in this matter, the mother takes priority over father or over any other entitled person.

Benefit system

Is the benefit system household based or individualised?

MIXED

How long is it legitimate for lone parents not to be in paid work? (i.e. at what age does the youngest child reach before parent is required to be available for employment and benefit stops).

UP TO THE AGE OF 3 OR 6 IF A CHILD HAS SPECIAL HEALTH CARE NEEDS

Social security in Slovakia currently takes three basic forms: (1) social insurance, (2) social assistance, and (3) social benefits. While the first two are individualised, the social benefit system is household based. It comprises of family allowances and an allowance in material need. Family allowances take two forms: a child and a parental allowance. A child allowance is paid per every dependent child until the completion of compulsory education but not longer than until the child reaches 25 years of age. It is paid regardless of family income. A parental allowance is paid to a parent or foster caregiver taking care of a child under the age of 4 or under the age of 7 if the child has special health care needs. The same regulation applies to lone parents and parents living in the same household. An allowance in material need takes into consideration spouse, number of children and parents living in the same household if they do not have any earnings or their earnings are on the level of minimal wage and they are not eligible for other types of support such as unemployment benefit or permanent disability benefit.

Are there *active* labour market programmes (i.e. programmes to help people who are out of labour market back into paid employment, includes training and job placement schemes) for lone parents?

NOT SPECIFICALLY

²² The statute of the Governmental Council for Gender Equality:
<http://www.rokovania.sk/Apply/material.nsf/0/28BE50C78E088294C12573680035DF93?OpenDocument>

Are there active labour market programmes for women who are returning to employment after lengthy period of time out of the labour market?

YES

Are there active labour market programmes for any other category of citizens, and if so which categories?

LONG TERM UNEMPLOYED, ROMA

Active labour market programmes consist of several types of services, including job placement counselling, training programmes and so called *minimis scheme* that provides allowance for groups disadvantaged at the labour market in case of starting their self-employment and allowances to employers in case they recruit a person belonging to one of disadvantaged groups. Job placement counselling is offered to all registered unemployed persons by the Labour and Social Affairs Offices. Training programmes are offered by the Labour and Social Affairs Offices, private and nongovernmental institutions. The state reimburses travel expenses and expenses covering child care to a person attending a training programme if she or he is taking care of a child in a pre-school age. The first training aiming at gaining new job qualification is fully covered by the state; if a person attends the second training programme she or he is supposed to contribute 25% towards the training fee. However, there are a variety of free of charge job training programmes financed by the European Social Fund or by private donors in case programmes are run by NGOs. In recent years, NGOs have been very active in providing job training programmes for disadvantaged groups of women such as women on parental leave or Roma women. Specialised programmes for lone parents are rather rare.

The *minimis scheme* providing allowances for employers and allowances supporting self-employment defines disadvantaged groups as follows:

- young people up to the age of 25 who did not manage to find employment in a two years period after finishing their education,
- persons in the age over 50,
- long-term unemployed,
- persons who were not employed or did not continue education due to childcare,
- parents with three and more children,
- lone parents,
- disabled,
- foreigners with asylum status.

What is the minimum amount of childcare that is provided by the state? (e.g. number of hours, no. of weeks per annum)

- Childcare: care (under 3 years)
- Childcare: pre-primary education (3 yrs- school age)

NOT STATED

What is the predominant form of childcare provision? i.e. public, private or mixed.

MIXED

How is childcare financed (e.g. by public funds, privately or mixed)?

MIXED

The information on childcare for children less than three years is difficult to gather due to the fact that the act on nurseries was cancelled in 1991. Since then, there is no central state level agency responsible for this type of childcare facilities. In practice, this means that there are no statistics or any quality monitoring system. Municipal offices are entitled to found such childcare centres, and are then responsible for their financing. The Centre for Work and

Family Studies carried out the only existing research on this type of childcare facility.²³ According to this research, only one nursery is available in a majority of towns and municipalities (with two exceptions: Bratislava Old Town and Žilina). If judged by the existence of waiting lists to some nurseries, a significant establishment of mothers' centres and development in private childcare services, the existing services are not sufficient. The payment for these services differs; in most of the cases it is unitary (the highest sum was approximately on the level of paid parental leave). In bigger cities, the fee may be means-tested.

Pre-primary education lies within the responsibility of the Ministry of Education. According to the Ministry's statistics, there were 2 818 state founded, 40 church-founded and 52 private-owned kindergartens in 2007.²⁴ The coverage of this type of childcare services represents 62 percent of the child population²⁵. Childcare is financed by a mix of public and private funding. In the decentralization process, the founding and funding of educational institutions were transferred to the municipalities. Parents contribute to the financing of facilities in small amounts (significantly lower than in case of nurseries).

Is the pension age the same for women and men? If so, since when?

In 2004 the Pension reform was adopted in Slovakia. An important part of the reform was a rise of pension age to 62 years for both genders. Initial pension age was 60 years for men and 53-57 for women (depending on the number of children). The rise of the pension age is implemented gradually at rate of 9 months a year until it will reach the level of 62 years.

4.2 Intimate citizenship

Is abortion legal? If so, in what year did this happen?

YES, 1957

Up to which week of pregnancy is abortion legal?

12

Are there any other conditions? If so, what are these (e.g. consent of doctor/s, counselling)?

See below.

How many abortions are carried out per year (select most recent year where data available. If illegal, approximately how many women travel to access abortion services in another country?)

12.261 in 2005

Are there any restrictions on abortion for certain categories of people? (e.g. age, nationality)

AGE, TEMPORARY RESIDENCE

Abortion has been legal in Slovakia since 1957. The actual law on abortion was adopted in 1986 and is in effect since 1987. According to the law, abortion is legal up to the 12th week of pregnancy and on a woman's demand, in case of threat to woman's life or health or a life or health of a foetus and in case of genetic damage of a foetus. Abortion can be performed on women older than 16 years; if a woman demanding abortion is younger than 16, the parents' or tutors' consent is required. Parents or tutors are informed about the abortion if a woman is

²³ Gerbery, Dušan, and Kvapilová, Erika, 2003. Zariadenia detskej starostlivosti o deti predškolského veku vo vybraných krajinách Európskej únie a na Slovensku / Childcare Facilities in Selected EU Countries and in Slovakia. Bratislava: Centre for Work and Family Studies.

²⁴ <http://www.uips.sk/statis/trnseparat/ms2007.html>

²⁵ According to Gerbery and Kvapilova, *op.cit.*, p. 57.

aged between 16 and 18, but their consent is not required. Abortions cannot be performed on foreigners without a temporary or permanent residence permit in Slovakia.²⁶

According to a ministerial order²⁷, abortions for genetic reasons could be performed up to the 24th week of pregnancy. However, the Constitutional Court of the Slovak Republic, when deciding about the constitutionality of the Act on Abortion in 2007, decided that the ministerial order surpasses the Act on Abortion that states the legality of abortions only up to 12th week and the lower legal act cannot provide for rights not stated in the Act positioned higher in a legislative hierarchy. The Constitutional Court decision states that abortions are in compliance with the Slovak Constitution, however due to its decision, the status of abortions up to the 24th week of pregnancy is unclear at the moment.

According to the statistics²⁸, in 2005 12.261 induced abortions were performed in the Slovak republic, which forms a rate of 3.5 abortions per 1000 inhabitants and 35.1 per 100 births. Since 1989, there is a decreasing tendency in the number of abortions in Slovakia.

Is a marriage a state based contract, religious contract or both?

A marriage between a woman and a man is declared during a wedding ceremony performed either by a religious official of a registered church or by a representative of a local self-government in a civil procedure.

Is divorce legal and what are the conditions for divorcing (e.g. is mutual consent necessary / sufficient)?

Divorce is legal and decided by courts. A court can approve divorce based on the application of one of the spouses if: the relationship is permanently broken or if the marriage is not fulfilling its purpose and restoration of the marital relation is unlikely. A court **examines** the conditions that have led to a split or whether one or more of spousal responsibilities were broken.²⁹ The attempt to simplify the divorce procedure in case of mutual consent of partners presented in 2005 in the Parliament was not successful.

If divorce is not legal, what are the conditions for separation or annulment?

Not applicable

Are there any restrictions to marriage other than the sex of the partners (e.g. nationality, country of origin)?

Marriage is restricted to adults; a court allowance is required for marriage between the age 16-18); and relatives (ancestors, descendants, siblings), persons without legal capacity and persons already married cannot marry.³⁰

Are civil partnerships/civil unions/gay marriage legal and if so, are the legal rights the same as for heterosexual marriage? Consider the following (Yes/no+year when introduced):

Does it extend to:

- survivors' benefits in pensions?
- adoption rights?
- parental leave?
- assisted reproduction?
- Family reunification – have partners the right to settle and be employed in the country where their partners live?

²⁶ Act NO. 73/1980 Coll. On abortion, as amended.

²⁷ Order of the Ministry of Health No. 74/1986 Coll. Which executes the No. 73/1986 Coll., as amended.

²⁸ Abortions in Slovakia, 2006. Bratislava: National Centre of Health Information.

²⁹ Act No. 36/2005 Coll. on Family, Article 22, 23.

³⁰ Act No. 36/2005 Coll. on Family.

Number of registered civil partnerships, annually and in total?

N/A

Slovak legislation does not recognise any form of a same sex partnership despite long term advocacy efforts of LGBT activists to adopt an act on registered partnership.³¹

4.3 Gender-based violence

Has there been a national survey on gender based violence? When was the most recent one carried out? Does it include:

- Domestic violence and violence in partnerships?
YES
- Sexual assault/violence and rape?
YES
- Sexual harassment and stalking?
NO
- Trafficking
NO
- Prostitution?
NO
- Forced marriage?
NO
- Honour crimes?
NO
- FGM?
NO

The first and only representative research survey on violence against women was carried out in 2002 and published in 2003 by the International Centre for Family Research.³² The research concentrated mainly on domestic violence and on sexual harassment, sexual assault and stalking. Other types of violence against women such as trafficking or prostitution were not included in the research. There are no available official statistics on trafficking or prostitution. The abovementioned also applies to forced marriage, honour crimes and female genital mutilation; these issues are considered nonexistent in Slovakia.

4.3.1 Domestic violence

What legal devices are available to prevent domestic violence? Do they target perpetrators and/or victims? (Yes/no +year when introduced). Devices could for instance include:

- restraining orders
YES
- non-molestation orders
NO
- occupation orders
NOT SPECIFICALLY
- state funded perpetrator programs
NO

³¹ For more information see Issue History: Series of Timelines of Policy Debates. Slovakia.

³² Bodnárová, Bernardína, and Filadelfiová, Jarmila, 2003. Domáce násilie a násilie páchané na ženách v SR/Domestic violence and violence against women in the SR. Bratislava: Medzinárodné stredisko pre výskum rodiny.

- other devices?

In 2002 several legal devices protecting victims of violence in intimate relationships (domestic violence) were introduced into the Slovak legal system by the amendment of the Code of Civil Procedure³³. The devices include:

- provisional remedy barring the person suspected of violence against closely related persons to enter the residence of a person who he/she has committed violence against (Article 76).

- limiting the property rights of a perpetrator of violence of a household in common ownership before and after a divorce. In case of a divorce, the injured party, if continued residency in the commonly owned property, is not obliged to provide a perpetrator with compensations.

According to the Act of Police, a person who endangers the life or health of another person or property or if there is legitimate apprehension that s/he will continue committing a crime or a delinquency, may be detained by the police for 24 hours. However, women's rights activists state that the device is not frequently used in cases of violence in intimate relationships although it would help a woman to undertake necessary arrangements to leave the household. The Ministry of Interior announced that it is planning an amendment of the Act on Police, which would allow the police to expel a perpetrator of domestic violence from the household for a period of one week.

There are no specialised programmes for perpetrators neither in prison nor outside of it.

What is the prevalence of domestic violence against women, in one year? (from the survey)
NOT AVAILABLE

What is the life time prevalence of domestic violence against women? (from the survey)
29%

What is the number of incidents of domestic violence against women, in one year (from the survey)
NOT AVAILABLE

What is the number of incidents of domestic violence reported to the police (annual)? (If not available, say so)
NOT AVAILABLE

What is the number of domestic violence convictions in the courts? (If not available say so)
297 IN 2006

What is the attrition rate for domestic violence in the criminal justice system (convictions as % of reports to police)? (if not available say so)
NOT AVAILABLE

If there is any information on the previous questions broken down by age, class, sexual orientation, race/ethnicity etc, give it here too.
NO

The only representative research carried out in Slovakia on violence against women focused only on lifetime prevalence of violence in intimate relationships. According to Bodnarova and

³³ Act No. 99/1963 Call. Code of Civil Procedure, as amended.

Filadelfiova³⁴ almost every third adult woman in Slovakia, who has had a partner, has had a personal experience with violence from at least one of her partners. 29% of Slovak women aged between 18-65, who have had a partner in their lives (at the time of survey or in the past), experienced violence from at least one of their partners. Out of those 29%, 25% had experienced violence from a current partner. A year prevalence of domestic violence is not known. According to the statistics of the General prosecution in the year 2006, 156 men were accused of violence against closely related person and 297 were condemned³⁵. As it is visible from the figures, it is not possible to state the attrition rate according to the published information as it probably contains also some of cases reported in 2005. Other law enforcement agencies, courts or the Ministry of Justice do not publish statistics on violence in intimate relationship. The most recent police statistics are from 2001, a year prior to the legislative changes so the figure includes all cases of domestic violence without breaking it down by gender or by the perpetrator/victim relationship. The statistics of the General prosecutor do not provide specific information about the age, class, ethnicity, etc. of victims or perpetrators.

4.3.2 Rape & Sexual assault

When was marital rape criminalized?

Slovak legislation does not recognise marital rape by definition. Even in the definition of violence against closely related persons (defining violence in intimate relationships) there is no notion of sexual violence. The Criminal Code defines acts of rape (Article 199), sexual violence (Article 200) and sexual abuse (Article 201). The definition of all these crimes comprises use of violence, a threat of violence and a misuse of a person's vulnerability. In theory, Article 199 can be applied to cases of marital rape. However, the research on marital rape in Slovakia is missing and the issue was never raised, neither by legislators nor by women's NGOs.

What is the number of annually reported incidents to the police?

According to the statistics of the General prosecution in 2005³⁶, 221 cases of rape were investigated by the police out of which 122 perpetrators were accused and 76 condemned.

What is the attrition rate for rape in the criminal justice system (convictions as % of reports to police)? (if not available say so)

The attrition rate (2005) is 34%.³⁷

What is required for an act to be considered to be rape, e.g.:

- lack of consent (since when)
- physical resistance? (since when)
- Other?

Is any characteristic of victim or perpetrator considered relevant (e.g. age, sex), and if so which characteristic?

As there was no research or monitoring of rape cases carried out it is difficult to judge what characteristics are considered relevant in investigating and court practice. Obviously, the law does not provide any specific characteristics neither of a perpetrator nor of a victim.

³⁴ Bodnárová, Bernardína, and Filadelfiová, Jarmila, 2003. Domáce násilie a násilie páchané na ženách v SR/Domestic violence and violence against women in the SR. Bratislava: Medzinárodné stredisko pre výskum rodiny.

³⁵ See: <http://www.genpro.gov.sk/index/go.php?id=693&idf=185&lang=sk>

³⁶ http://www.genpro.gov.sk/index/statistiky.php?id=600&stat_result=true&lang=sk

³⁷ http://www.genpro.gov.sk/index/statistiky.php?id=600&stat_result=true&lang=sk

4.3.3 Trafficking for sexual exploitation

Has the government signed and ratified the EU convention on human trafficking (date)

The Slovak Republic signed the Council of Europe Convention on Action against Trafficking in Human Beings on 19 May, 2006.

Is trafficking primarily seen as a problem of the sending or the receiving country?

Slovakia is considered as a transition country and to a lesser extent a country of origin. Due to minimal experience with persons trafficked to Slovakia; the trafficking discourse focus on trafficking as a problem of the sending country. It is also reflected in terms of service provision to trafficked persons as there are no programmes for foreigners in Slovakia, but there are return and reintegration programmes for Slovaks trafficked abroad.

Are women victims of trafficking, when identified as such, given temporary/permanent residence permits? How long? (date)

According to the Act on Residence of Foreigners³⁸ a person identified as a victim of trafficking has a 40 day period for considering cooperating with the police. During this period a status of tolerated residence is granted to the person and it can be extended if needed. The obtaining of temporary or permanent residence permits is independent of the fact that a person is a victim of trafficking.

4.3.4 Intersections

Have specialised policies and practices on gender based violence that address gender as intersecting with race/ethnicity, class, sexual orientation been developed by:

- Police?
NO
- NGOs?
YES, PARTIALLY
- Local Authorities / government?
GOVERNMENT PARTIALLY
- Other?
NO

In general, class is the most frequently appearing inequality intersecting with gender, although not explicitly mentioned, as women surviving violence usually also face difficult social situations.

There are no specialised policies on gender in gender based violence intersecting with race/ethnicity, or sexual orientation developed by state or public actors. However, the National Action Plan for the Prevention and Elimination of Violence against Women assigns a task to the Migrant Office and the Office of the Plenipotentiary for Roma Communities to inform minority women about the issue of violence against women and about possible services to victims. No other intersections are taking into account. Nevertheless, the only organisation that pays attention to the possibly different situation of women from different ethnic origins are women's NGOs. Two women's NGOs experienced in the area of violence against women in cooperation with migrant and Roma organisations carried out a project aiming at developing manuals for service providers reflecting the specific needs of Roma and migrant women – victims of violence in intimate relationships. Disability or sexual orientation is disregarded.

³⁸ Act No. 693/2006 Coll. on amendment of the Act on Residence of Foreigners and on amendments of other acts.

4.3.5 Service provision

Are there refuges and/or sexual assault centres? (dates)

YES

How many are there?

24

When was the first set up?

1999

Are they state funded, to what extent?

75%

Currently, there are 24 operational refuges for women and children in Slovakia. The quantity and the quality of services do not comply with European standards. Only six of the refuges have a secret address, some of them are specialised on service provision for lone parents (may include fathers) or whole families rather than for women and children. Moreover, it is critical that few of refuges offer their services to all people in need and thus mixing victims of domestic violence with homeless people regardless of the specific needs of these different groups. The number of crises centres providing psychological, social and legal counselling to victims of gender based violence is 37 but their distribution throughout Slovakia is uneven and varies by region. However, not all of them are able to provide a complex range of services needed by women who has experienced violence.³⁹

According to a mapping carried out by the women's organisation Fenestra⁴⁰, refuges are publicly funded up to 75%, while public funding of crisis centres reaches 40%. The vast majority of services is provided by NGOs. Despite the fact that NGOs are the leading providers of services for victims of violence against women on a professional level the state and self-government funding do not cover all of their services. Due to the abovementioned, every year organisations face the need to mobilize resources for their service activities as well as for projects aiming at systematic changes in combating violence against women.

CIVIL SOCIETY AND ENGAGEMENT IN POLICY MAKING

5. Political system

5.1 Is the state unitary or federal?

UNITARY

5.2 To what extent and how are social partners (employers & trade unions/capital & labour) integrated in policy decisions?

Are there legally binding decision-making processes similar to the EU framework agreements (e.g. as the Parental Leave Directive)?

Would the political system be possible to describe as corporatist or neocorporatist, where hierarchically ordered trade unions and/or employer and/or other civil society organisations are institutionally incorporated in policy making?

What is the gender composition in the decision making process of agreements made by the social partners (if there are any such agreements)?

The political system is neocorporatist, the social partners are institutionally integrated in policy making through the tripartite institution that was established by the law (Act No. 103/2007 on Tripartite Consultations at the National Level and on Amending and Supplementing Certain Acts (Tripartite Act) as a consultation and negotiation body of the

³⁹ Elaborated according to the list of service providers published on http://www.zastavmenasilie.sk/?pomoc_vo_vasom_regione

⁴⁰ Mapping of services for women and children experiencing violence. 2006. Internal material, Fenestra.

Slovak Government. Among 35 representatives of the tripartite institution, only four are female.

5.3 In which policy environment (ministry) is a decision on the issue predominantly made (for each area: general gender equality policies; non-employment; intimate citizenship; gender-based violence)?

The Ministry of Labour, Family and Social Affairs is predominantly responsible for all gender equality policies, including non-employment, gender based violence and to a certain extent intimate citizenship (certain family policies). In the area of gender based violence the competencies are divided between the Ministry of Labour and the Ministry of Interior. The policy environment of intimate citizenship is divided by sub-issues – the Ministry of Health in case of abortion, the Ministry of Justice in case of marriage and divorce and finally, same sex partnership would belong to the competencies of the Deputy Prime Minister of the Government of the Slovak Republic for Knowledge-Based Society, European Affairs, Human Rights and Minorities.

5.4 Political cleavages

Is the state consociational or not, i.e. are there major internal divisions (ethnic, language, religion etc) where neither of the groups form a majority while, at the same time, the political regime can be considered to be stable?

NO

What are the main existing salient political cleavages within the state, and on what dimension (e.g. language, region, religion, nationality)?

The main political cleavages within Slovakia run along nationality lines between the Slovak majority and the Hungarian minority. The cleavages are mainly connected to the extent of the exercising of minority rights of the Hungarian minority and are partially connected to bilateral relationships of Slovakia and Hungary.

Minor political cleavages exist between different regions, mainly the capital and the rest of Slovakia.

Although the ethnicity division Roma/Non-Roma is highly present in Slovak society, it does not cause political cleavages. Political representation across the whole spectrum agrees upon the seriousness of the issue and the necessity of measures to be taken. If discussions occur, they focus on what approach to be taken (social disadvantages versus ethnicity/nationality), nevertheless, none of the ways has so far been well founded on arguments or successfully transposed into policy.

5.5 International obligations and links

CEDAW was ratified by the former Czechoslovakia in 1982 and adopted on the basis of succession by the Slovak Republic in 1993.

Slovakia joined the EU on 1 May 2004.

6. Political Representation

6.1 The development of women's political representation, including:

- Date of female suffrage⁴¹
1918
- Note any caveats, e.g. age, property qualification, ethnicity, and when removed.
NONE
- Date of male suffrage
1848 during Austro-Hungarian empire with property restrictions, 1918 with no restriction.
- Use of quotas⁴²
DURING THE SOCIALIST REGIM
 - When introduced
 - What form e.g. party, electoral, constitutional
- What is the numerical representation of women in parliament? (over QUING period)
2006 up to now – 16.7%
2004 – 2006 – 14.6%
1998 – 2002 – 12.7%
1994 – 1998 – 14.7%
- Was the increase in women's representation a gradual increase since suffrage, or were there any key turning points? E.g. quotas, 1989.
SLIGHTLY
- Other important developments

Since the foundation of the Czechoslovak republic in 1918, the suffrage was guaranteed to all citizens regardless of their gender, age, property qualification or ethnicity. This state of affairs has remained throughout all state regimes in the territory of Slovakia. With regard to political representation of women, after the elections in 2006, 16% of deputies are women. In the last parliamentary period the percentage was 14.6, so a slight increase can be observed. However, since the independence of the Slovak republic in 1993 there has not been any significant improvement in the political representation of women.

There are no official quotas for women on election lists. The quotas for women were a subject of a lively public discussion provoked by NGOs proposition to the amendment of election legislation in 2004 but the public as well as legislators were strongly opposing the idea. However, some small political parties introduced the zip system their nomination system but none of the parties is currently present in the Parliament.

6.2 Political representation for intersecting inequalities:

- Class (e.g. was male suffrage granted in stages with property qualifications; representation in parliament)
YES DURING SOCIALIST REGIM
- ethnicity/religion (what exclusions and when; numerical representation in parliament)
NO

⁴¹See Inter-Parliamentary union (IPU) website: <http://www.ipu.org/wmn-e/world.htm>

⁴² See IDEA: <http://www.idea.int/gender/index.cfm>

- Other important intersecting inequalities, any quotas

As mentioned above, suffrage is guaranteed to all citizens of the Slovak republic. There are no official exclusions barring any person from being elected. There are no quota systems or reserved seats for any type of inequality in Slovakia. This system leads to a serious under-representation of certain ethnic groups such as the Roma in decision-making; there is no Roma deputy in the Parliament. The only minority represented in the Parliament is the Hungarian minority that formed a party (Party of Hungarian Coalition) and it was a part of governing coalition in two former election periods.

6.3 Political parties and gender

- Does women's political representation vary by Party;
 - if so, do these Parties tend to represent different class, ethnic, religious or other interests?

Political parties in general do not publish statistics on the gender representation of their membership. A certain gender orientation can be visible from the patterns of composition of election candidate lists. According to Kobova⁴³ only 5 parties had 30% or more women on their candidate lists. Out of these parties, only one was elected to the Parliament – The Movement for Democratic Slovakia (Hnutie za demokratické Slovensko), which has the highest percentage of women deputies in the Parliament (26,6). Seven parties included less than 20% of women into their candidate lists out of which three were elected to the Parliament – Smer – Social Democracy (Smer – Sociálna demokracia), Christian Democratic Movement (Kresťansko-demokratické hnutie) and Slovak National Party (Slovenská národná strana). It is clearly visible that low interest in the representation of women occurs not only in so called conservative parties but also in the party with a social democratic orientation. Although The Movement for Democratic Slovakia nominated 30% of women in the candidate list, its orientation towards gender equality or equality in general is not obvious in its political actions.

- What is the current Party / Parties in Government:
 - With which European Parliament political group is this Party / Parties affiliated?⁴⁴

The governing coalition in Slovakia is composed by three parties - Smer – Social Democracy (affiliated with the Party of European Socialists), the Movement for Democratic Slovakia (affiliated with European Free Alliance) and the Slovak National Party (not affiliated with European Parliament political group).

- What political party / parties have held office during 1995-2007?

Outline of political parties having held office during 1995 – 2007:

1994 – 1998: the Movement for Democratic Slovakia, the Slovak National Party, the Association of Slovak Workers

1998 – 2002: the Slovak Democratic Coalition, the Party of Democratic Left, the Party of Hungarian Coalition, the Party of Civil Understanding

2002 – 2006: the Slovak Democratic and Christian Union, the Christian Democratic Movement, the Party of Hungarian Coalition, the Alliance of a New Citizen

⁴³ Kobová, Ľubica, and Maďarová, Zuzana, 2007. Kradmá ruka feministky rozvažuje za plentou : aspekty parlamentných volieb / A feminist invisible hand reasons behind the voting screen : aspects of parliamentary elections.] Bratislava : ASPEKT.

⁴⁴ See list Of EP political groups: http://www.europarl.europa.eu/groups/default_en.htm

2006 – 2010: Smer – Social Democracy the Movement for Democratic Slovakia, the Slovak National Party

6.4 Representation in government

- What percentage of government Ministers are female?⁴⁵
- To which Ministries do female ministers belong?

In the current Slovak government there are two female ministers out of 14 ministers. Women head the Ministry of Labour, Social Affairs and Family and the Ministry of Agriculture.

7. Civil Society

7.1 Gender

Is there one (or more than one) national organisation that coordinates feminist and women's organisations. If so,

- is this the same as the body which is affiliated to the European Women's Lobby?
YES

- when was it established?
2004

- how many organisations are affiliated to the national body?
27

- how many women are so coordinated?
NOT STATED

- How many staff work for the organisation (how many paid, how many unpaid)?
NO PAID STAFF, 5 UNPAID

- What is its budget?
NOT STATED, VERY LIMITED

- What is its range of activities (are these in an annual report)?
LOBBYING, LAST ANNUAL REPORT PUBLISHED IN 2005

- Does the national body engage with all or only some of our 3 issues
ALL

- Are there national coordinating organisations for feminist/women's activities in: employment/non-employment; gender based violence; and intimate citizenship (if so name them)?
GBV – FIFTH WOMAN, IC - PROCHOICE

The Slovak Women's Lobby (SWL) was established by the initiative of several women's organisations in 2004 as an umbrella organisation representing women's NGOs in the European Women's Lobby. Currently it has 27 member organisations. SWL is not legally registered and thus serves only as an unofficial women's platform. This fact limits the SWL capacities, as it is not eligible for any grant procedures, which results in an almost nonexistent budget and no paid staff. The coordinative body of the SWL is composed of 5 representatives of member organisations, including one Roma representative.⁴⁶ Generally,

⁴⁵ See IPU: <http://www.ipu.org/wmn-e/world.htm>

⁴⁶ According to SWL's webpage available on <http://www.zenskaloby.szm.sk/>

SWL activities focus mostly on joint statements by women's organisations on actual policy developments on national level (e.g. public comments on governmental proposal on establishing the Council for Gender Equality or on legislation concerning gender equality). The SWL statements covers all sub-issues and according to its goals it attempts to embrace intersectionality as well (women facing multiple discrimination due to their age, ethnicity, race, religion, disability or migrant status). However, its membership does not include representatives of other inequality axes except the representation of Roma and old women (represented each by one organisation).

To summarise SWL activities, they were reactive (to national policy developments) rather than proactive with the exception of a public call for the implementation of the Beijing Platform for Action in 2005, related to the 10th anniversary of Beijing. While the SWL was rather active up to 2006, it has lost public visibility over the last years and its webpage was last updated in 2006, which may be interpreted as the signal of diminishing activities and a deficit of coordination among its membership. The abovementioned problems probably resulted from insufficient financial and organisational back-up, partially caused by its unofficial status of the and a general lack of resources faced by women's organisations in the last years (priority for members of the coordinative body is mostly on sustainability of their respective organisations rather than organizing of SWL).

Generally, the level of coordination of women's organisations in Slovakia is rather low and mostly connected to the mobilization around certain women's rights issues. The Platform the Fifth Woman may serve as the successful example of joint women's activities. The Platform was formed in 2001 in order to promote the issue of violence against women, to advocate for legislative and policy changes in the area and to gain visibility, which was all successfully accomplished. The other example of women's organisation mobilization around a certain issue was the Pro-choice Platform advocating for reproductive rights and against proposed restrictions to the abortion law.

List the key women's / feminist civil society organisations and their main methods / activities

Generally, women's organisations build autonomous institutions and their activities are oriented towards service provision, campaigning, lobbying the state and, to a lesser extent, research. Public protests in Slovakia are rather rare and if they appear, they are mostly organised by trade unions.

Women's organisations can be divided into two main categories:

- a) multi-issue organisations (including feminist and women's organisations)
- b) issue oriented organisations (divided according to sub-issues).

A) Multi-issues organisations are usually dealing with several issues related to gender equality or with gender equality in general. The key organisations are the following:

Aspekt – feminist organisation oriented towards the promotion of gender equality, feminist research and studies, feminist publishing and culture. Main areas of activities include research, publishing, education and campaigning and they thematically embrace all sub-issues. It is one of the most influential and publicly recognised feminist organisations. Representatives of Aspekt participate in various governmental consultation bodies, e.g. the Council for Gender Equality. Aspekt has had a significant influence on some policies concerning gender equality, its publications often serve as the resource documents for policy development and its research influenced the shaping of the EQUAL programme in Slovakia. Aspekt is centralised.

Union of Women – ancestor of the socialist women's organisation. As such, it is probably one of the most numerous in membership and is dispersed around Slovakia. However, the profile of the organisation is rather unclear, some of its regional branches are active in the promotion of gender equality locally or regionally, others function more as women's clubs. Its impact on national politics is marginal.

Union of Mother's Centres – rapidly growing dispersed organisation. Mother's Centres are relatively new grass-root form of women's organising; they provide support, services and education to women on maternity and parental leave. The orientation of Mother's Centres varies across Slovakia, some of them focus exclusively on pregnancy, breast-feeding and child care, others try to address the lack of child care services and provide capacity building education for mothers. In recent years, it is visible that the Centres attempts to react to other gender equality issues, namely discrimination at the labour market, domestic violence or improvement of status of women on parental leave. Many of them are politically active on local level. The Union, as the umbrella organisation, has become significantly active on national level in the area of gender equality, logically, focusing mostly on non-employment issues.

EsFEM – feminist NGO focusing mostly on gender sensitive and anti-gender based violence education. Its activities are oriented on research, development of educational methodologies and campaigning. EsFEM was very active in nation-wide mobilization campaigns against violence and on gender equality.

ProChoice – the organisation was established on the basis of an unofficial platform defending women's reproductive rights. As such, its main focus was on that issue, however, in recent years, a shift in orientation to general gender equality is visible. The organisation's methods comprise campaigning, research, trainings and lobbying. Representatives of the organisation are very active on the national political level and are represented in several governmental consultation bodies.

B) Issue oriented women's organisations are focusing mostly on service provision, campaigning and training; research is rather marginal.

Gender based violence – organisations provide mainly services to victims but some of them are active in research, campaigning and lobbying. The most experienced organisations are publicly recognized and represented in governmental consultation bodies dealing with the issue, namely Pro Familia, Fenestra, Slniecko, Nadej, Alliancia zien. A majority of organisations active on the national political level claim to be feminist, however, they represent a minority among all service providers, which comprise of a wide range of orientations and ethical principles, including the Christian one.

Intimate Citizenship – within the issue, two antagonist poles can be observed, representing pro-choice and pro-life approaches which obviously provokes controversies among them. The pro-choice platform is represented mainly by ProChoice and the Slovak Society for Family Planning and Family Education. The most visible representatives of the second pole are the Society for Family and Responsible Parenthood and Life Forum. Both poles are active on the national political level and have comparable impact. The main methods of activities are similar, mainly lobbying and campaigning. In addition, the pro-choice platform invests its capacities in research, while the pro-life platform focuses more on service provision.

Non-employment – this issue, or rather discrimination of women in the labour market, is the focus of several women's organisations, however, a feminist perspective is rather rare. Organisations are mainly oriented towards training and social counselling or towards building networks of women entrepreneurs (Network of Women Entrepreneurs). A majority of them

are active on the local level; only three have a dispersed structure (Network of Women Entrepreneurs, Professional Women Association, and the Association of Slovak Women). However, even in these cases the impact on national level is rather low.

Are there any men's groups / organisations that are supportive of women's / feminist organisations?

NO

Women's / feminist organisations in civil society

- What are the major distinctions in civil society between different types of organisations/projects e.g. feminist, pro-family etc.?

Women's organisations in Slovakia present a wide spectrum of philosophical bases ranging from feminist to pro-family ones (mainly with Christian affiliation). However, the majority of organisations referred to themselves simply as women's organisations without any significant reference to feminism or conservatism, often without having a reflection on their value orientation. These organisations recognize certain women's rights issues such as discrimination or gender based violence and are willing to support them, while they remain indifferent to more ideologically based issues of intimate citizenship where clashes between the two significant groups are mostly present. General negativity against feminism in the Slovak society is copied by women's organising. Although some organisations apply, consciously or not, feminist principles in their activities, they refuse to use feminist labelling and are often rather antagonistic towards possible cooperation with feminist NGOs.

- Do women's organisations actively engage with other intersecting inequalities (in each area?)

In recent years, the tendency of women's organisations to incorporate intersecting inequalities has increased. However, not all of the intersections are taken into account. Organisations try to address mainly age, ethnicity and sexual orientation. The age and ethnicity axes are mostly present in employment and non-employment issues and their significance increases in the area of gender based violence. The intersection of gender and sexual orientation is dealt with exclusively by feminist organisations.

- Do they have good alliances with those representing other inequalities or not? (in each area)

The best working alliance is found among feminist organisations and organisations representing sexual minorities. These organisations have coordinated their activities related to the amendment of the Antidiscrimination Act and sexual orientation is often reflected in Slovak feminist texts. With respect to other axes, it is difficult to refer to alliances, as it is present as individual cooperation among organisations rather than as a stable coordinative approach/alliance. It is positive, that the issue of gender based violence against minority women is becoming more recognized both by women's organisations and minority organisations.

- Are there alliances between women's / feminist organisations and men's groups (if these exist in your country)?

NO

- Are there many organisations of minoritised women? (in each area)

There are three organisations representing lesbian women. They focus mostly on the area of discrimination and same sex partnership but they took part in actions organised by women's organisations regarding gender based violence, reproductive rights and gender equality in general. In many cases, activists advocating lesbian rights are simultaneously feminist activists.

Roma women organising is becoming more and more frequent, currently there are 12 Roma women's organisations but Roma women are active in many community activities. Roma women's NGOs are mostly active in non-employment issues providing social counselling, employment trainings and reproductive health counselling. However, their sensitivity towards other gender equality issues is increasing and many of them include gender based violence in their focus.

Other ethnic minority women are not organised.

There is only one small women's organisation focusing specifically on elderly women – the Silver Head Club, its activities are more club oriented.

There is no specific organisation for disabled women; however, women are very active in disability organisations. (See below)

- What links are there with international? / EU level / bilateral bodies? (in each area)

The Slovak Women's Lobby is a member of the European Women's Lobby. Similarly, Fenestra is a member of European gender based violence network WAVE. Roma activists participate in OSI Roma Women Initiative – a network of Roma women activists from Central and South-East Europe. ProChoice cooperates with similarly oriented international organisations such as the Centre for Reproductive Rights in New York. Women activists regularly participate on UN gatherings on Beijing or CEDAW. Traditionally, there is a strong cooperation between Czech and Slovak NGOs. Many organisations cooperate with other foreign NGOs either in the scope of international projects such as EQUAL or based on mutual interest and positive experiences from the past.

- Is organised feminism engaged with the state, or does it follow an autonomous or separatist agenda building its own institutions? For example, is it invited to report to consultations; does it take money from the state; is it commissioned by the state to undertake specific tasks?
 - Does this vary between issue areas?
 - Has this changed over time?
 - When engaging with the state is a coalition form of organising common or not?

Feminism in Slovakia is organised autonomously by building separate institutions and separate agendas. In general, it can be stated that feminism is in opposition to the state. However, some activists participate in governmental consultative bodies but it is perceived of as a window of opportunity to influence the state agenda rather than as a coalition with the state. As participants of certain committees, they may cooperate on the development of some specific tasks, e.g. the development of standards for service provision for gender based violence victims. Nevertheless, it has rarely a form of sub-contracting and it is mostly perceived by state administration as an opportunity for women's NGOs to promote their agenda rather than as an active engagement in policy making (NGOs have no control over final results). Contrary, the state administration often uses civil society activities and results as examples of implementation of policies in reporting although it did not contribute to it with

financial or human resources. Generally, state funding for women's NGOs is very limited and is mostly covered by European funding (ESF, EQUAL). According to the survey carried out by the Slovak-Czech Women's Fund in 2006, state funding represented only 14% of women's organisations' overall financing.

The abovementioned situation applies to all issue areas and has not change over time.

- Does it make sense to talk of a 'women's movement' or not?
 - Briefly explain your answer.

The women's movement in Slovakia is rather fragmented and divided by different ideological backgrounds influencing the approaches to various sub-issues. However, there were examples of organising of women's organisations across the spectrum around certain issues such as domestic violence, antidiscrimination and the political representation of women. The whole spectrum (with the exception of explicitly Christian oriented organisations) agrees that the persistence of gender stereotypes prevents women from enjoying full equality and rights. As the movement is relatively new – a significant number of women's organisations appeared only in the second half of nineties - its rapid development is a sign of growing mobilization of women and of a need to promote the gender equality agenda to a higher extent. The mushrooming of mothers' centres may serve as a best example. Centres started as local grass-root initiatives and in a few years they were transformed to a wide network successfully adopting lobbying and advocacy mechanisms. In addition, there is a visible shift in focus of centres, while they started as support and counselling centres, currently many of them are transforming to service providers to domestic violence victims and advocate non-employment and gender equality in general. Although the differences among women's organisations outweigh similarities in this period, there is a visible tendency to overcome isolation of issues and approaches they deal with and to establish working links as a basis for future coordination on issues of common interest. The strengthening of the institutional development of the Slovak Women's Lobby might facilitate the process.

- Is there a tendency towards one of the three major visions of gender equality (sameness, equal valuation of difference, transformation)? (missing?)

No theoretical reflection on gender equality exists in Slovakia. Similarly, women's organisations rarely reflect on their orientation towards major visions of gender equality. If judged by activities and statements of (mainly) feminist organisations, they are inclined to lean towards the vision of transformation. Feminist organisations most often criticize structural reasons of gender inequality and promote a need for structural changes to eliminate inequality as well as tools connected with transformation such as gender mainstreaming or gender impact assessment. Feminists often criticize the concept of sameness. However, some women's organisation may be evaluated as inclined to equal valuation of difference focusing mainly on quasi positive actions for women such as specialised trainings or counselling for women. None of these organisations states its values explicitly but implicitly they focus on a need for a specific approach for women and acceptance of their specific needs. Sameness is almost exclusively missing.

On a state level, there is no consistent policy towards one of the visions; policy making is deliberately choosing convenient actions that include specific actions for women (mainly in the area of the labour market and work life balance) as well as some of the gender mainstreaming tools such as gender impact assessment. However, the vision of transformation is rather rare on political level.

- Is there a preferred model of care work: support for a domestic regime or support for a public (state or market provision) regime?

For children in pre-school age (3-6) a public regime is preferred. For children up to the age of three, the situation has changed in last decades. While in eighties, there was a functioning

network of nurseries all over Slovakia, the increased rise of a conservative agenda and the abolishment of the Act on Nurseries in 1991 resulted in a significant diminishment of nurseries, the preferred (or imposed) model if care for small children is a domestic regime.

- How closely aligned is feminism with social democracy?

Feminism is not aligned to social democracy due to the form of social democracy in Slovakia. Although the current government is mostly composed of social democrats and gender equality was stated as one of government's priorities, it is not reflected in real politics. Despite some positive changes on structural level (an establishment of the Governmental Council for Gender Equality and introduction of gender impact assessments to legislative process), the rhetoric of main social democracy representatives has remained rather gender insensitive.

Notes on the history of the development of gendered or feminist civil society organisations:

- Is there a history of divisions as to where on a continuum between autonomous or close to state is most appropriate?
 - Does this vary by 4 areas (general, employment, intimate citizenship, gender based violence)?

Feminist civil society has always been autonomous.

- Is there a history of divisions as to: socialist, radical, liberal?
 - Does this vary by 4 areas?

Similar to other post-socialist democracies, socialist or liberal divisions are not as clearly stated as in other European countries. The public perception of feminism in Slovakia considers it as being radical; however, it is part of connotations of the term "feminism" rather than provoked by activities of feminist organisations. Many feminist activists would refer to themselves as rather liberal although with some socialist elements emphasising the role of the state in gender equality issues. Nevertheless, as it was stated above, liberal and socialist values are rather confused in Slovak society due to its socio-political history. Feminist organisations strive to balance their interests in a predominantly liberal economic discourse and policy making have had a significant impact on the lives of women. There is a historically based distrust in state institutions, and no existing clear socialist opposition on the political level (the socialist party is populist rather than socialist in a European understanding). In the European context, the closest alternative to describe Slovak feminism would be socialist.

- Is there a history of changing engagement with class, ethnic and religious forces?
 - Does this vary by 4 areas?

NO. Although in recent years, women's organisations have started to engage in Roma issues.

- Is feminist research organised in Universities and research institutes?
 - Are there named centres?
 - If yes, are they important?
 - If not, is important feminist research primarily dispersed or mainstreamed?

There is only one Centre for Gender Studies on university level and it is not officially established as a department but it functions under the Department of Philosophy. As a result, it is impossible to obtain any university degree in gender studies. Consequently, feminist research is dispersed through universities and civil society organisations. On university level, with the exception of the Centre for Gender Studies, it usually depends on personal interest and orientation of female researchers. The feminist organisation Aspekt plays an important

role in developing Slovak feminist studies by publishing translations and original research. Recently, research on gender equality is becoming part of the focus of some independent think-tanks (e.g. Institute for Public Affairs), which has carried out sociological research on employment and discrimination.

- Are there specific positions, funds or journals within the country (or region e.g. Nordic)?

During 1993–2003 *Aspekt* published a feminist journal. Currently, there is no specialised journal.

- Is there a national association for women's studies/gender studies?

NO

- Are there feminist lawyers' organisations?

NO. There existed a network of female advocates called *AdvoCats* focusing on domestic violence and discrimination of women but it is not active any more.

- Are there radical lawyers' organisations that support justice claims for one or more of the inequalities?

No, but there are some civil society organisations that provide legal aid including legal representation and they represent clients in discrimination cases (so far connected mainly with ethnicity, gender was present in an intersectional case of forced sterilization of Roma women).

7.2 Class

- A short history of the development of organisations representing class interests.

The history of trade unions in Slovakia can be traced to the beginning of the 20th century and their greatest development happened during the first Czechoslovak republic. During the socialist regime in Czechoslovakia, trade unions were closely related to the governing Communist Party and membership was almost obligatory. The close alliance of trade unions and the socialist regime influenced their position after the fall of the regime and trade unions significantly lost their status. The role of trade unions began to rise in the second half of nineties. Currently, trade unions represent an important part of the social dialogue in Slovakia and as such they mainly influence policies related to labour market and social policies.

- How strong are trade unions? Use the following four measures of trade union strength (Data: European Industrial Relations Observatory Online, national sources)
 - density (proportion of workers that are organised),

32,2%

- coverage (what proportion of workers are covered by collective bargaining agreements),

No data available

- centralisation of collective bargaining,
 - is there are national body of trade unions;
 - what proportion of TU members and unions are affiliated?
- coordination of collective bargaining.

- Does the national body of trade unions negotiate on behalf of trade unions
- Can it coerce or discipline member unions to enforce agreement?

The social dialogue in Slovakia is organised on three levels:

- 1) national level – through the tripartite institution representing state, trade unions and employers' associations
- 2) sectoral level – employers and trade unions within respective sectors – collective bargaining agreements on sectoral level
- 3) enterprise level – collective bargaining on the level of an enterprise or firm leading to collective bargaining agreements.

On the national level, trade unions are represented by their national body – the Confederation of Trade Unions in the Slovak Republic. The Confederation unites 35 sectoral trade unions that represents majority of trade unions in Slovakia. There are some small independent trade unions but their impact is visible mainly on local level.

o Women and trade unions:

- What percentage of *total* trade union membership (i.e. including unions not affiliated with national body and those that are affiliated) is female? (Use national Labour Force Survey. Website providing links to country LFS available from International Labour Organisation: <http://www.ilo.org/dyn/lfsurvey/lfsurvey.home>)

No available data

- How are women organised in trade unions and the central trade union body (e.g. caucuses, separate branches, fully integrated)?

Women are integrated in trade unions functioning on all levels. The only specialist body dealing with gender equality within trade unions is the Committee for Equal Opportunities of Women and Men. The Committee is functioning within the Confederation of Trade Unions (national body). It has a consultative status and is composed of 21 women and one man. The Committee's priority is gender equality and it is active on national and international levels. However, the impact of the Committee's activities is not significant and it is mainly focusing on the promotion of a gender equality agenda within the trade unions' work and on increasing the representation of women in trade unions' bodies.

- What proportion of women are in the executive of (major) trade unions?

The Presidium of the Confederation of Trade Unions is solely composed by men, the situation is slightly better in the Board where women are represented by one fifth. Within the 35 sectoral trade unions, 7 leaders are female.

- Is gender equality high or low on the bargaining agenda?
- Is it seen as an issue for women, or for all trade unionists?

Generally, gender equality is rather marginal on the bargaining agenda and collective bargaining agreements are mostly gender neutral. According to the survey on gender equality in collective bargaining⁴⁷ trade unions representatives admit their responsibility in the area but they do not perceive of gender equality as their main priority and if it appears, it is

⁴⁷ Čambalíková, Monika. 2006. Rovnosť a zosúladovanie v kolektívnom vyjednávaní a zmluve/Equality and Reconciliation in Collective Bargaining and Agreement in Slovensko na ceste k rodovej rovnosti/Slovakia on the road to Gender Equality. Bratislava: European Roma Employment Agency and Institute for Sociology of Slovak Academy of Science.

connected to antidiscrimination provisions in collective bargaining agreements or to some measures concerning reconciliation of work and family life. Trade unions' representatives argued that gender equality is sufficiently guaranteed by Slovak legislation and a majority of them claimed that discrimination against women is non-existent in their areas of functioning (which is in sharp contrast to other surveys). In explaining their low engagement in the gender equality area, they stated that there are other, more burning priorities such as remuneration and there is no pressure from the side of employees or women to promote the agenda further.⁴⁸

- How well organised are employers?
 - Do they have a single (or more) national organisation?
 - Is it powerful or not? E.g. can it control its members?

There are two principal employers organisations: the National Union of Employers representing employers employ almost two thirds of employees in Slovakia and the Federation of Employers' Associations of the Slovak Republic represent 13 sectoral associations.

- Are they indifferent or hostile to gender equality in the workplace?

Both organisations are rather indifferent to gender equality, none of them has ever publicly claimed neither positive nor negative attitude towards it. The National Union of Employers supported a public NGO position commenting on the amendment of the Labour Code regarding flexible working arrangements.

- Do they oppose the development of gender machinery, gender equality policies and gender equality laws?

NO, but they do not support them neither.

- Do they support 'diversity management'? (e.g. policies that emphasise the gains associated with the promotion of diversity in the organisation, in contrast to an emphasis on equality / equal opportunities).

The diversity management concept is rather new in Slovakia and it is not strongly promoted so far. With regard to gender equality, thanks to the competition of family friendly employers that include gender equality measures, the equal opportunity concept is more accepted and promoted, however, still on an isolated individual basis.

- Did they lobby for a merged rather than separate equalities bodies?

As the equality body in Slovakia initially comprised all inequalities, there has never been a discussion of separate bodies.

- Are there tri-partite or corporatist bodies including employers, trade unions and government that make important national decisions?
 - Are women represented in such bodies?

The tripartite institution in Slovakia is called the Economic and Social Council of the Slovak Republic and its main role is to "mutually bargain and negotiate principal issues in the field of economic and social development and development of employment in order to reach the

⁴⁸ Ibid.

agreement on such issues“.⁴⁹ It is composed of the representatives of the state administration on ministerial level, trade unions and both employers association representatives and one representative of the Association of Towns and Municipalities.

Among the state representatives, there are three women among the 18 members; trade unions are represented by 9 representatives out of which one is a woman. No other bodies are represented by women.

- Are there EU, bilateral or other international level links for either trade union or employer organisations?
 - Are these links important (e.g. in lobbying government at national level)

Both, trade unions and employers associations are members of international organisations such as the ETUC, Business Europe and the IOE.

7.3 Other intersecting social inequalities

7.3.1 Ethnicised / racialised groupings

- What is the composition of the national population by ethnicity?

There are no statistics based on the ethnicity of the population in Slovakia. The only official data available is the census from the year 2001. According to the census, only 1,7% of the population claimed to be of Roma nationality. However, the number is underestimated due to the method of the census, in which inhabitants choose national affiliation rather than ethnicity. The 1.7% equates to 90 000 Roma inhabitants but according to the unofficial estimation there are 380 000 Roma in Slovakia.⁵⁰ Except for the Roma population, there is no other significant ethnic minority in Slovakia.

- What are considered to be the most important ethnicised, racialised, and linguistic divisions politically (e.g. Roma/non-Roma, Black/White, citizen/migrant, language communities)?

The most important divisions are connected to the two most numerous minorities in Slovakia, one of which is based on ethnicity (Roma/non-Roma) and the other is based on nationality (Hungarians/Slovaks). While the Hungarian minority is active on a political level both in the polity and civil society, the Roma population is mainly represented and present in civil society. The Hungarian minority is represented in Parliament by the Party of Hungarian Coalition, and has been so since the foundation of the Slovak Republic. The civil society organising is oriented towards cultural activities. Although there were attempts to established Roma political parties and autonomous institutions such as a Roma parliament, they did not gain significant support neither from majority nor from minority communities. Other nationality minority communities (Czech or Ruthenian) are not visible to any major extent and are mainly organised around cultural activities.

- Is ethnicity considered to be intersected by religion (e.g. Islamic/non-Islamic)?

NO

⁴⁹ Act No. 103/2007 on Tripartite Consultations at the National Level and on Amending and Supplementing Certain Acts (Tripartite Act)

⁵⁰ According to the webpage of the Plenipotentiary for Roma communities: www.romovia.vlada.gov.sk

- Prioritise the ones that have been the most important in the development of gender+ equality policies.

Generally, gender equality policies have not reflected intersections of gender and ethnicity. However, discussions about the Roma population were present in general equality and antidiscrimination policies, as the Roma comprise the most important ethnic minority and implicitly represent the ethnicity axis. The most significant discussion was connected with the introduction of affirmative measures to the Slovak legislative system during the adoption process of the Antidiscrimination Act. The first attempt to introduce affirmative measures for people disadvantaged by their racial or ethnic origin failed. The motion was filed to the Constitutional Court, which decided that affirmative action on racial or ethnic grounds are anti-constitutional. Due to the Constitutional Court's decision, the provision on affirmative measures was reformulated during the amendment of the Antidiscrimination Act in 2008 and currently, affirmative action can be provided by state and public institutions in cases of disadvantages caused by social and economic status (still, the Roma population has remained the main target group although without specific reference to the group).

- What is the citizenship status of (all or part) of each of the minoritised groups (e.g. do any groups lack the right to political participation, employment, residence, social security benefits, or visit)?

According to the legislation, all minoritised groups have citizenship status and all rights are guaranteed to them. (With the exception of asylum seekers and migrants, which comprise of a small group of several thousand individuals.)

- In what way are ethnicised and racialised groups organised? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

In the last decade, there was significant development of Roma civil society engagement. Roma organisations are either represented by Roma representatives or by a combination of minority and majority groups. Roma NGOs are mainly active on local and community levels in the form of community centres providing educational services to children, youth and adults, employment trainings and counselling and social and health counselling. Community centres often serve as negotiators between communities and municipalities. Other significant activities include projects on improvement of the representation of Roma representatives in municipal councils, cultural projects and development of Roma media (Roma Press Agency, Roma magazine). There is no centralised Roma civil society body advocating a Roma agenda. The human rights agenda concerning Roma is mostly organised by non-Roma NGOs, although with close cooperation with Roma civil society. However, Roma representatives actively participate in state institutions specialising in Roma issues, mainly the Office of the Plenipotentiary and its regional branches.

- In what way are women engaged in these organisations?
- Do minoritised women organise separately within or outside of such organisations?

Women are often engaged in Roma civil society, either in Roma community organising or in Roma women's organisations. According to the estimations of experts and Roma women activists, women dominate Roma civil society.⁵¹ Many of Roma women activists are

⁵¹ Bútorová, Zora, Jarmila Filadelfiová and Lýdia Maróšiová. 2004. Ženské mimovládne organizácie: trendy, problémy, výzvy/Women's NGOs: tendencies, problems and challenges in Jozef Majchrák, Boris Strečanský, Martin Bútorá (eds.). Keď ľahostajnosť nie je odpoveď/When Indifference Is Not a Respond. Bratislava: Institute for Public Affairs.

simultaneously active in the state and public administration and they often successfully combine their civil society and public administration activities.

- Are there any groups organised against certain ethnic groups?

The Slovak society has faced growing racism in recent years. Attacks are mainly oriented towards the Roma population but also towards representatives of different ethnicities/races. While during the nineties, racist groups were rather unorganised, in the last years there has been a clear tendency of organising. An organisation called Slovak Commonalty (Slovenská pospolitost') is an officially registered NGO and represents radical right wing nationalist opinions. The organisation tried to form a political party but it was refused by the Ministry of Interior during the registration process due to its extremism. The NGO is organising public protests and demonstrations for nationalist causes and against European multicultural policies.

7.3.2 Religion/belief/faith

- What is the composition of the national population by religion / faith

Slovakia is by majority Catholic (69% of Roma Catholics and 4% of Greek Catholics). 7% of population is protestant and 13% claims to be atheists. Other religions are represented by less than 1% of population.⁵²

- What proportion of the population are practising members of an organised religion?

According to the 2001 Census, 87% of the population claimed to be religious, however, it is difficult to estimate the proportion that regularly practise religion.

- What are the main religious organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

Religious organisations may be divided to two groups – organisations established by churches (various forms of charity and social service providers) and organisations created by practicing religious citizens. In 2003, religious civil society organisations represented 6% of all registered NGOs.⁵³ Their main activities include charity and service provision. However, there are organisations active on political level as well, using the methods of campaigning, lobbying and to lesser extent public protests.

- How are women represented or not within them?

No data on representation of women in religious organisations are available but it can be estimated that they are significantly present mainly in charities and service provision but there are several female representatives active on public and political level as well.

- Do they oppose gender equality in general and in our three issues?
- What is their preferred model of womanhood?

The Christian model of womanhood presented by Christian organisations is closely connected to a traditional division between men and women and emphasises women's role

⁵² Data from the last census in 2001.

⁵³ Majchrák, Jozef. 2004. Aktivity kresťanských mimovládnych organizácií na Slovensku/Activities of Christian NGOs in Slovakia in Jozef Majchrák, Boris Strečanský, Martin Bútorá (eds.). Keď ľahostajnosť nie je odpoveď/When Indifference Is Not a Respond. Bratislava: Institute for Public Affairs.

within the family and motherhood. These organisations main value is the natural family and its preservation.

None of these organisations explicitly state their opposition to gender equality in general, on the contrary, they admit the existence of gender inequality in society but their proposed solution is oriented towards the strengthening of a status of women within families and greater social valuation of motherhood. Obviously, these values influence their approach towards all sub-issues: in non-employment they prefer family oriented policies; they state opposition to gender based violence and prostitution; and some of the organisations are active in service provision to victims of violence against women. Logically, the greatest opposition is within the intimate citizenship issues and some organisations are very active in pro-life movement including campaigning and lobbying. (More in chapter 7.4.)

- Do they support or oppose the other equalities issues?

Generally, these organisations are not active in antidiscrimination advocacy. On the level of service provision it can be stated that they support other equality issues except issues related to sexual orientation. Obviously, they are strongly opposing gay and lesbian rights, which are perceived of as a threat to the natural family.

- Are they in alliance with any other inequalities or not?

NO

- Are there any groups organised against certain religious groups?

NO

7.3.3 Sexual orientation

- Are there gay/lesbian/trans/bisexual/queer organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

There are several LGBT organisations including lesbian organisations active within communities but also on a national political level advocating mainly antidiscrimination, same sex partnership and social acceptance. Their activities include research, campaigning and lobbying.

- Do they have a national organisation?

In 2000 the LGBT initiative called Difference (Inakost') was formed as a national platform of LGBT organisations. The platform was supported by feminist and human rights organisations. The main aim of the initiative was to gain visibility for sexual minorities and to lobby for same sex partnership registration. The initiative was also very active in antidiscrimination. In 2007, the initiative was officially registered as an NGO. Although the NGO is continuing the promotion of the agenda of the initiative, to a certain extent it lost its status as a representative national organisation of LGBT movement.

- In what way are women engaged in and represented in these organisations?

Women were actively involved in the initiative Difference; however Difference is currently mainly represented by men. Lesbian organisations are obviously formed solely by women and they actively cooperate with gay organisations.

- Do they work in alliance with other inequalities or not?

As mentioned above, LGBT organisations were very active in the promotion of an antidiscrimination agenda in Slovakia and were supportive of other inequalities, Alliances

mainly with feminist and human rights organisations have been created. However, even though LGBT communities support other inequality grounds, they do not incorporate intersectional issues into their own work (sexual orientation in ethnic minorities, of people with disability, etc.).

- Are there any groups organised against gay / lesbian / trans-people?

Strong opposition to LGBT issues is present within Christian and nationalist organisations. However, LGBT is not a main target of these groups.

7.3.4 Disability

- Are there disability organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

There are two main disability organisations in Slovakia – the National Council of Citizens with Disability and the Slovak Association of Disabled. Both of them serve as umbrella organisations of various national organisations organised around concrete disabilities and health diagnosis. Except membership services (service provision, awareness raising, education, supportive networks), both organisations are active on the national political level using campaigning and lobbying.

- In what way are women engaged in and represented in these organisations?

Women are particularly active within disability organisations. With regard to the umbrella organisations, the Slovak Association of Disabled is almost exclusively governed by women (90%). Representation in governing bodies of the National Council of Citizens with Disability is more gender balanced, but women represent at least 50%.

7.3.5 Age

- Are there organisations of / for older people? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

The main organisation representing seniors in Slovakia is the Association of Slovak Seniors, a dispersed organisation organised on local, regional and national levels. On local and regional levels, it is mostly focused on service provision, club, educational, sport and cultural activities. On national level the Association is active in lobbying the state (public commenting on the legislation, it has initiated the creation of the Governmental Council for Seniors), advocacy for seniors' rights and monitoring of seniors' life conditions.

- How are women engaged in and represented in these organisations?

Women represent about 60% of the Association membership and its decision making bodies are gender balanced, the composition of its national body is 49% women and 51% men.

In each case, are there EU, bilateral or other international links?

Roma organisations do not have significant international links except individual cooperation with similar Czech organisations, limited cooperation with European Roma Rights Centre (ERRC) and participation in some international projects such as OSI Roma Women Initiative or Roma Decade.

Christian organisations are often part of international networks (YMCA, Silesians of Don Bosco, etc.). Recently, pro-life organisations have established strong links with the U.S. and European pro-life movement.

LGBT organisations cooperate on a non-institutionalised basis mainly with similar Czech and other European countries' organisations.

Both disability organisations are active in European structures of disability organisations including women's disability movement (mainly the Slovak Association of Disabled).

The Association of Slovak Seniors cooperates with similar organisations in neighbouring countries (the Czech Republic, Austria, and Hungary) and is represented in international seniors' organisations such as EURAG (European Federation of Older People) and European Senior Organization.

7.4 Hotspots and Alliances

Is there a history of controversies or 'hotspots' between certain of the intersecting inequalities, rather than others (if so, which)? For example is gender/religion or sexuality/religion a regular source of controversy? Is this hostility best described as endemic or constant, or as occasional and issue based?

The main hotspots arise around religion/gender and religion/sexuality intersections and have mainly been connected to reproductive rights issues, registered same-sex partnership and discrimination on the ground of sexual orientation. Both controversies are rather endemic. The religion/gender hotspot focus on long lasting pro-life and pro-choice discussions; however, it is not limited solely to the issue of abortion. The Catholic Church and Christian organisations have successfully managed to block several attempts to adopt the National Programme of Reproductive Health Protection in the Slovak Republic and they permanently attack sexual education at schools. Legislation on registered same sex partnership is as of yet not adopted and is still considered a threat to the concept of the traditional family.

Do some organisations representing inequalities often form alliances with each other (if so, which)? For example, feminism and trade unions, or feminism and gay/lesbian groups? Are such alliances best characterised as routine and institutionalised, or as ad hoc and issue based?

Feminist and LGBT organisations form an alliance in the antidiscrimination area and over the issue of registered same/sex partnership. LGBT organisations (mainly lesbian organisations) support a feminist agenda. Other alliances, if they occur, are created rather on an ad hoc basis around certain issues.

WIDER SOCIAL INSTITUTIONS

8. Wider Social Environment

Population, economic development, economic inequality and state welfare

	Country	EU
GDP per capita PPP (Purchasing Power Parity) 2003 (OECD 2006)	12900	
Population size 2006 (Eurostat 2006)	5 400 000	
% of workforce in agriculture 2003 (World Bank 2006)	4,7	
Longevity 2005 (World Bank 2005)	73,9	
Gini (measure of economic inequality) 2005 (Eurostat 2007)	26	
% GDP/gov. expenditure on social expenditure 2003 (OECD 2007)	16,9	
% GDP/gov. expenditure on active labour market policies 2003 (OECD 2007)	n/a	
% GDP/government expenditure on childcare (forthcoming OECD)	0,1	
% GDP/Government expenditure on military (World Bank 2005)	1,737	

Gender Regime

		Female	Male
Employment rate (2005, Eurostat)⁵⁴	57,7	50,9	64,6
Unemployment rate (2005, Eurostat)⁵⁵	16,3	17,2	
Share of women in adult labour force % (2004, UN)⁵⁶	46		
Women's share of part-time employment % (2004, UN)⁵⁷	73		
Gender pay gap, unadjusted (gap= difference between average gross hourly earnings of male and female employees given as % of average gross hourly earnings of male paid employees, unadjusted form 2005 Eurostat)⁵⁸	24		
School enrolment tertiary % gross (2004, World Development Indicators)⁵⁹	36,1	39,8	32,5
Women in Parliament % of parliamentary seats in single or lower chamber occupied by women (UN 2007)⁶⁰	19,3		
Women's share of legislators and managers % (UN 2005)⁶¹	31		
% one parent families (dependent children)			
Mean age at first marriage (Eurostat, 2003)⁶²		25,3	27,9

⁵⁴ Employment rates:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em012

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em013

⁵⁵ Unemployment rates:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em072

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em073

⁵⁶ Share of women in adult labour force: percentage of the economically active who are women:

<http://unstats.un.org/unsd/demographic/products/indwrm/tab5a.htm>

⁵⁷ Women's share part-time employment:

<http://unstats.un.org/unsd/demographic/products/indwrm/tab5b.htm>

⁵⁸ Gender pay gap:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em030

⁵⁹ World Development Indicators, World Bank (September 2006)

⁶⁰ Women in parliament:

<http://unstats.un.org/unsd/demographic/products/indwrm/tab6a.htm>

⁶¹ Women's share legislators and managers:

<http://unstats.un.org/unsd/demographic/products/indwrm/tab5d.htm>

⁶² Mean age at first marriage:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=Yearlies_new_population&root=Yearlies_new_population/C/C1/C13/cab11024

Marriage rate (2003, UN)⁶³	4,85		
Divorce rate (2003, UN)⁶⁴	2,1		
Fertility rate (2004 , World Development Indicators)⁶⁵	1,3		

9. SUMMARY

9.1 'Deficiencies, deviations and inconsistencies in EU and MS's gender+ equality laws'

	Fully transposed	Before/ after EU	Year	Less, equal to EU, or beyond	ECJ for CEC/Country	EU references
Issues						
<i>Example: Parental leave UK</i>	Yes	<i>After</i>	<i>1998</i>	<i>Beyond 2002</i>	<i>CEC</i>	<i>No</i>
1 Equal pay/equal treatment	Yes	After	2001			
2 Sexual harassment and discrimination	Yes	After	2004 (sexual harassment 2008)			YES – EC information about insufficient transposition
3 Equality bodies	Yes	After	2004			YES – EC information about insufficient transposition
4 NGO/civil society dialogue	Except public commenting during the legislative process there is no institutionalised legal form of cooperation					
5 Parental leave	Yes	After	2001	Beyond		NO
6 Organisation of working time	Yes	After	2001			NO

⁶³ Marriage rate, table 23: <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2003%20DYB.pdf>

⁶⁴ Divorce rate:

<http://unstats.un.org/unsd/demographic/products/dyb/DYB2003/Table25.pdf>

⁶⁵ World Development Indicators, World Bank (September 2006)

Gender Machinery					
<i>Slovak National Centre for Human Rights</i>	Yes	<i>After</i>	<i>2004 (amendment in 2008)</i>		YES – EC information about insufficient transposition

Except of a legislative proposal on registered same-sex partnership no reference to ECJ decisions was made.

9.2 Plans and programmes

National general gender equality plan (current)	Yes				No
Reference to Lisbon targets					X
Reference to Barcelona targets					X
Targets and indicators	None X	Weak	Moderate	Strong	

National plan: Gender-based violence (current)	National Action Plan for the Prevention and Elimination of Violence against Women				No
Targets and indicators	None	Weak	Moderate	Strong	

Focus on gender	No	Yes:	Weak	Moderate	Strong
Employment plan (general assessment)	X				
Social protection and social inclusion plan (general assessment)	X				
Reference to gender based violence			X		

9.3 Gender machineries

National gender machineries	Yes (specify date)		No	Notes
	Gender specific	General equality		
Central government gender equality body with senior minister	YES			Governmental Council for Gender Equality – inter-sectoral body on governmental level
Independent equality body (research, monitoring, and enforcement)		YES		Slovak National Centre for Human Rights
National consultative / representative body linking state and women's NGOs	YES			The Consultation Committee of the Governmental Council for Gender Equality
Any other body / bodies (e.g. parliamentary committees) Please name: 1. 2...		YES		The Committee for Human Rights, Minorities, and Status of Women of the National Council of the Slovak Republic

9.4 Policy

	No -Not at all	Yes / Low	Yes / Moderate	Yes / High
General To what extent is gender mainstreamed throughout policies?	X			
Non-employment (4.1)				
Extent to which mothers can be legitimately non-employed			X	
Intimate citizenship (4.2)				
Extent to which women have access to abortion (in country of residence)				X
Extent to which state policies are highly heteronormative				X
Gender-based violence (4.3)				
Extent to which policies on GBV go beyond domestic violence		X		
Strength, resources and co-ordination of GBV policies		X		

9.5 Civil society and state interface

	Not at all	Low	Moderate	High
Strength of national co-ordinating gender equality body (centralisation, co-ordination, representativeness, resources)*		X		
Extent to which the women's NGOs participate in policy making		X		
Extent to which women's NGOs are close to state	X			
Extent to which women's NGOs engage with intersecting inequalities			X	
Extent to which women's NGOs are state funded		X		
Extent of influence of trade union body on policy making			X	
Extent of power of women within trade union body		X		

* The Governmental Council for Gender Equality is currently in the period of its formation so for the time being it is difficult to judge its activities.