Gender equality policies in Slovakia

STUDY FOR THE FEMM COMMITTEE

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Gender equality policies in Slovakia

Abstract

The Slovak Republic addresses equality between women and men both in its national legislation and relevant strategic materials and documents. With the aim to strengthen institutional support for women and development of effective policies and programmes, the Slovak republic made necessary changes in legislation and adjusted policies to better facilitate creation of conditions for effective implementation of systematic measures at the institutional level. These have been essential in the effort to achieve gender equality and eliminate gender inequalities in the society.
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EXECUTIVE SUMMARY

Institutional and legislative assurance of gender equality is one of the priorities of the overall political framework in the Slovak Republic and presents a relevant part of the National strategy for Gender Equality of the Slovak Republic.

The Slovak Republic has strengthened its legislative and institutional frameworks for gender equality in accordance with the EU legislation, in particular by amending the Labour Code, the Act on Labour Inspection, and other legislative materials. Prohibition of discrimination on grounds of sex/gender and the obligation of equal pay for equal work or work of equal value for men and women are enshrined in the Labour Code.

The period prior to accessing the European Union was crucial as important changes and additions to the existing legislation had to take place. The next milestone is then precisely the membership of the Slovak republic in the European Union as it helped bring about important changes and identify possible solution to relevant issues in the area of gender equality and equal opportunities.

Equality between men and women is enshrined in the Constitution of the Slovak Republic as one of the building blocks of a democratic society and further elaborated in country’s specific legislation. The Act No. 365/2004 on equal treatment in certain areas and protection against discrimination and the amendment of certain acts, also known as The Anti-discrimination Act, adopted in 2004, is specifically relevant as it prohibits discrimination on grounds of sex/gender. It equally emphasizes prevention of discrimination and the need for adoption of preventive measures. The latest amendment to the act extends the possibility of the adoption of affirmative action on the grounds of sex/gender for all public administration bodies and legal entities.

The above mentioned strategic documents present the public interest and the political will to implement gender mainstreaming in public policy at all levels and at all stages of implementation. They have been prepared not only in order to comply with the Slovak Republic’s undertakings resulting from international treaties and its membership of the European Union, but above all in order to address persistent gender inequalities and eliminate gender discrimination. Placing gender issues at the centre of policy requires changes in the way policy is made and implemented, a new organisational culture and cooperation between participants at all levels.

Generally speaking, full recognition and promotion of the principles of gender equality and equal opportunities in all areas of public policy are the ultimate goals of all relevant policy-making and initiatives taken by relevant actors who actively facilitate this process.
1. GENDER EQUALITY LAW AND SOCIAL POLICY IN SLOVAKIA

1.1. Legislative and institutional framework

Slovak Republic is a party to several international human rights treaties including the International Covenant on Civil and Political Rights, the European Convention on Human Rights and the UN Convention on the Elimination of All Forms of Discrimination against Women.

The Constitution of the Slovak Republic states that human rights are guaranteed to every individual regardless of sex, race, skin colour, language, belief, religion, political affiliation or conviction, national or social origin, nationality or ethnic origin, property, lineage or any other status. No person shall be denied their legal rights, discriminated against or favoured on any of these grounds. Serious offensive and discriminatory behaviour is outlawed separately by the Criminal Code.

In response to the need to implement the EU Employment and Racial Equality Directives, The Slovak republic adopted the Anti-Discrimination Act on 20 May 2004, the first in its history. Apart from the Anti-discrimination Act, several special laws were amended in the area of education, health care and employment. These amendments basically refer to the Anti-discrimination Act, sometimes extend the scope of grounds protected by it (sex, religion or belief, race, affiliation with nationality or an ethnic group, disability, age, sexual orientation, marital status and family status, colour of skin, language, political or other opinion, national or social origin, property, lineage or other status), and in some cases also contain special mechanisms for invoking the right to equal treatment.


The Antidiscrimination Act applies to the area of labour law, social security, and healthcare, provision of goods and services and education. The area of labour relations includes access to employment, occupation, or other for-profit activities or functions (hereinafter referred to as “employment”), including requirements for admission to employment and the conditions and method of selection for employment, employment and conditions of work, including employment remuneration, promotion and dismissal, access to vocational training, advanced vocational training and participation in active labour market measures, including access to job counselling services or membership and activity in employee organizations and organizations associating professionals in various fields, including the benefits that these organizations provide to their members.

The Antidiscrimination Act also regulates the use of temporary affirmative actions which are an exception from the principle of non-discrimination. The aim is to eliminate existing disadvantages imposed on the grounds of racial or ethnic origin, association with a national minority or ethnic group, gender or sex, age or disability. Their objective is to ensure application of the equal opportunities principle in practice. Such measures may be adopted by state authorities and local governments as well as all legal entities (citizens’ associations, schools, companies, etc.).
An amendment to the Labour Code, effective as of 1 April 2011, extended the scope of the protected grounds to include sexual orientation and thus to get the list of protected grounds into compliance with the Anti-Discrimination Act. The amendment also included “genetic features” as a new protected ground, not covered by any piece of the Slovak legislation yet.

However, the enforcement of the rules established by the Anti-discrimination Act has not yet been fully effective in practice. Although there are already some court decisions (mainly in relation to racial discrimination in access to services and in relation to sex/gender discrimination in employment) and some more are pending, people in general do not recourse to courts to litigate for their right not to be discriminated against.

In accordance with the Antidiscrimination Act, a party to anti-discrimination case can be represented by a legal person, which is entitled by law. Pursuant to the Act No. 308/1993 Coll. on the Establishment of the Slovak National Centre for Human rights — an equality body, the Slovak National Centre for Human Rights (the Centre) fulfils several tasks in the area of the protection of the principle of equal treatment. The Centre, among others, provides legal assistance to victims of discrimination and manifestations of intolerance, issues expert opinions concerning the observance of the principle of equal treatment (upon request of legal persons, individuals or on its own initiative) and undertakes independent investigations concerning discrimination, prepares and publishes reports and recommendations concerning discrimination.


Government of the Slovak republic adopted on November 20th 2014 the new National strategy for gender equality for years 2014-2019 (“the Strategy”) and a related Action plan for gender equality for years 2014-2019 (“the action plan”). Specific activities and measures were prepared and discussed in cooperation with NGOs and the Government Council for Human Rights, Ethnic Minorities and Gender Equality. The strategy and the action plan are interconnected and represent a comprehensive conceptual framework for the promotion of gender equality in practice.

The documents address and propose measures in 6 areas of concern:

1. Economic empowerment and independence
2. Decision-making
3. Education
4. Dignity
5. Institutional mechanisms
6. International cooperation

The Strategy and related action plan stem from the basic strategic documents of the European Union and the Council of Europe. These bind the member states to adopt positive measures aimed at reaching gender equality. Both documents simultaneously reflect the recommendations made by relevant international monitoring bodies, particularly recommendations formulated in the Concluding observations of the Committee on the Elimination of Discrimination against Women: Slovak Republic as well as the commitments made by the Slovak republic itself as a response to these recommendations. Last but not least, the documents incorporate the tasks introduced in the Partnership Agreement with
Slovakia on using EU Structural and Investment Funds for growth and jobs in 2014 and the highlighted importance of equality between men and women as a horizontal principle, as well as the ex-ante conditionality for utilizing the ESIF. Eventually, the strategy reflects the recommendations of the Council of the European Union made for the national programme of reforms of the Slovak Republic addressing areas relevant to gender equality.

1.3. National machinery for the advancement of women

Since 2010, the agenda of gender equality has been discussed and covered in the framework of the Committee of the National Council for Human rights and National Minorities of the National Council. In 2011, the reconstruction process of the consultative bodies resulted in creation of a new institutional mechanism — the Governmental Council for Human Rights, National Minorities and Gender Equality.

According to the approved statute, the Government Council for Human Rights, National Minorities and Gender Equality is a permanent professional, advisory, coordinating and consultative body of the Government of the Slovak Republic, among other activities responsible for promoting of the principle of equal treatment and equality, including gender equality. It consists of several specific committees. The Committee on Gender Equality is one of them. It functions as an advisory body.

In September 2012 the National Council of the Slovak Republic approved the government bill amending and supplementing the Act No. 575/2001 Coll. on the Organization of the Activity of the Government and on the Organization of the Central State Administration, whereby the gender equality and equal opportunities agenda has become the competence of the Ministry of Labour, Social Affairs and Family of the Slovak republic ("MLSAF"). Since then, MLSAF, specifically the Department of Gender Equality and Equal Opportunities (the Department) has been responsible for coordination of national policy in the area. The Department plays a prominent role in coordinating the implementation of gender equality and non-discrimination horizontal principle across all operational programs of European structural funds. The Department was very visible when implementing a media campaign on equal pay within the national project Institute of Gender Equality.

Since January 2015 the Department reports directly to the minister which has further strengthened its position. To date, the Department has currently employed 14 persons as full time employees and about further 5 to 10 temporary contracts. It also ensures the cross-departmental implementation of gender equality within ministry and beyond.

Gender equality and equal opportunities agenda has been further supported and facilitated in the framework of several projects in the reviewed period. We would particularly like to mention a very important project - the National Project of Institute for Gender Equality supported by the Operational Programme Employment and Social Inclusion which took place from 2009 to 2014. The aim of the project was to establish efficient mechanisms, instruments and methods for the implementation of the gender equality principles into practice, raise awareness about gender equality, and reinforce expertise of relevant stakeholders who work in the area of prevention and elimination of gender inequality. A nation-wide awareness raising campaign focusing primary on explaining the gender pay gap in the context of gender equality took place in 2014. The campaign’s objective was to explain that gender stereotypes are present since the birth of a child and gender-stereotypical upbringing extensively

influence the future position of women and men in the society at all levels, in public as well as in private life.

The support of equality between men and women and respect for equal opportunities and non-discrimination are applied as horizontal principles (HP) in the programming period 2014–2020 and will be implemented according to their relevance to the given areas of support subject to ESIF interventions.

In December 2014, the Operational Program Human Resources (OP HR) was approved by the European Commission. The OP HR outlined specific actions related to gender equality, in particular:

**Investment priority 3.2** Equality between men and women in all areas, including in access to employment, career progression, reconciliation of work and private life and promotion of equal pay for equal work

Specific objective 3.2.1 To increase employment of persons with parental duties, especially women, by improving the conditions for reconciliation of work and family life

Specific objective 3.2.1 To reduce horizontal and vertical gender segregation in the labour market and vocational training.

Specific objective 4.1.2 Prevention and elimination of all forms of discrimination.

### 1.4. CEDAW

The Slovak republic ratified Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1993. Convention has become a leading document when implementing gender equality in different areas of public and private life in the Slovak republic. To date, 3 reports were submitted to CEDAW; the initial report in 1996, the 2nd, 3rd and 4th report in 2007 and the 5th and 6th periodic report in 2014.

In November 2015, the Committee on the Elimination of Discrimination against Women (CEDAW) reviewed the combined fifth and sixth periodic report on implementation of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women and presented concluding observation.

### 1.5. Social policies in the Slovak republic

The Slovak Republic has a system of special measures established in law to support particularly vulnerable members of society. The system of assistance in material need, through which assistance is provided if the income of members of a household is less than the subsistence minimum defined by applicable legislation, sets conditions for entitlement to the provision of assistance in material need that are the same for women and men. In order to encourage responsible attitude to the protection of women’s health during pregnancy, the healthy prenatal development of the child and parenthood as such, a pregnant woman is entitled to a protective allowance from the fourth month of pregnancy if she attends a regular monthly preventative check-up with a doctor specialising in gynaecology or obstetrics. A parent is also entitled to a protective allowance in the given amount if she/he provides personal, full-time, proper care to a child up to one year of age.
Since 2004 the principles the Anti-discrimination Act have been fully incorporated into Act No. 461/2003 Coll. on social insurance, as amended (hereinafter the “Social Insurance Act”). During the preparation of every amendment of the Social Insurance Act close attention was paid to ensure that these principles would be consistently applied.

The Social Insurance Act lays down special measures for the protection of pregnant women. It stipulates that an insured woman who is pregnant or is caring for a new-born child is entitled to a maternity benefit if she was insured for at least 270 days in the two years before giving birth. The period of 270 days includes periods during which an employee’s mandatory sickness insurance is suspended due to use of parental leave in accordance with applicable legislation and periods of suspension of a self-employed person’s sickness insurance if she was entitled to a parental allowance pursuant to applicable legislation and did not perform activities of a self-employed person for which sickness insurance and pension insurance are mandatory. This provision means that if a woman has another child, the period for which sickness insurance was suspended will be counted with period of sickness insurance for the purposes of calculating entitlement to maternity benefit. Another step that has improved the standing of pregnant working women is the extension of the protective period from 6 months to 8 months, which means in practice that if their sickness insurance ends during pregnancy they are entitled to maternity benefit because the protective period lasts until the start of maternity leave.

In accordance with the Social Insurance Act, a female employee is entitled to an equalisation benefit if she is assigned to other work during pregnancy because the work that she previously performed is prohibited for pregnant women under applicable legislation or because a medical opinion finds that it would put her pregnancy at risk, and she has a lower income in the work to which she is assigned without any fault on her part. The same applies to women up to the end of the ninth month after birth. Equalisation benefit is paid by the Social Insurance Agency. These provisions protect working women against loss of income by reason of pregnancy or maternity.

In order to improve the social status of persons (in our conditions typically women) who care for a child under the age of six years and, in the case of a child with a long-term adverse health condition, after the child’s sixth birthday at longest until the child’s 18th birthday, the law requires that these persons must have pension insurance and the state must pay the pension contributions. In practice, this means that certain pension entitlements are recognised for a period of due care for a child and therefore the period is included in the period of pension insurance and contributes to the amount of the calculation of the pension according to the relevant procedure.

Pursuant to Act No. 43/2004 Coll. on old-age pension saving, the state pays mandatory contributions to the fully-funded pillar for persons enrolled in old-age pension savings during the period of due care for a child under the age of six years and, in the case of a child with a long-term adverse health condition, after the child’s sixth birthday (at longest until the child’s 18th birthday), likewise during receipt of a carer’s allowance and likewise for a saver for whom, as an employee or self-employed person, the state pays pension insurance contributions during the provision of maternity benefit. The saver must also satisfy the conditions laid down by Act No 461/2003 Coll. on social insurance, as amended.

In accordance with the Social Insurance Act, the period of unemployment insurance for entitlement to unemployment benefit includes the period for which an employee’s mandatory unemployment insurance is suspended due to use of parental leave. This provision means
Gender equality policies in Slovakia

that persons who have taken parental leave pursuant to applicable law are entitled to unemployment benefit if they cannot find work after the end of their parental leave.

As of January 2017, there has been an increase in maternity benefit to 75% of the daily assessment base. With effect from 01 January 2011 there was also an extension of the period for which maternity benefit is paid — from the original 28 weeks to 34 weeks. In the case of women who give birth to two or more children and care for at least two of them, the duration of maternity benefit was extended from 37 weeks to 43 weeks. A single mother is entitled to maternity benefit until the end of the 37th week from the start of entitlement to maternity benefit.

1.6. Father’s involvement in child care

Entitlement to maternity allowance may also be used by the father of a child if the mother returns to the labour market and does not receive any maternity or parental allowance. However, the father may not request the maternity benefit before six weeks from the day of delivery (this time is fully dedicated to a mother) and not after the child is 3 years old. The maternity allowance paid for the father is the same as for the mother, precisely 75% of income before taking maternity leave (maximum height in 2017 following a change in the law in the 31-day calendar month will be 1,260 euros, whereas previously in 2016 it was 945 euros).

Thanks to these measures, the trend of increasing number of Slovak women on maternity leave is rather significant. While in September 2014 there were 292 male parents using it, in September 2015 the number increased to 733 and in the same month in 2016 the maternity benefit was being used by 1,341 men.

In terms of efforts to solve the problem of poverty and social exclusion, gender is a factor that increases the risk of poverty. In general, women are at greater risk of poverty than men. This means that gender equality is an important cross-cutting issue when designing and adopting instruments to support solutions for poverty and social exclusion. At the same time, it should be noted that the EU SILC 2012 findings indicate almost the same risk of poverty for both sexes. For women it was 13.3% and for men it was 13.2%. In terms of economic activity, gender disparities are most pronounced in the categories of inactive persons and retired persons. Women who were inactive were the most exposed to the risk of poverty — 20.3% whereas for such men the percentage was 15.0%. Amongst retired persons, 8.8% of women were at risk of poverty compared to 5.8% of men, which is 1.5 time more often. The smallest gender gap was for employed persons, where 6.6% of men were at risk of poverty compared to 5.6% of employed women.

Regarding the implementation of state policy for the support of especially vulnerable population groups from marginalised Roma communities (hereinafter “MRC”), the Office of the Government Plenipotentiary for Roma Communities (OGPRC), which is an advisory body to the government of the Slovak Republic, deals with issues affecting Roma communities. It focuses on implementing systematic measures to improve their standing and social integration. It implements and coordinates more effective policies and systematic measures aimed at preventing the social exclusion of Roma communities and supports their social integration.

Government Resolution No. 1 of 11 January 2012 approved the Strategy of the Slovak Republic for Roma integration to 2020 (hereinafter the “Roma Strategy”) and at the same time made the revised national action plan for the Decade the Slovak Republic’s action plan for Roma integration to 2020 in the areas of education, employment, health and housing. The adopted material also established policies for financial integration, non-discrimination and approaches to majority society — the Initiative for Roma Integration through Communication. The strategy itself is based on the principles of a comprehensive solution, destigmatisation, desegregation and deghettoisation. The implementation principles include solidarity, legality, partnership, comprehensiveness, conceptuality, a systematic approach and sustainability, respect for regional and subjective characteristics, gender equality, responsibility and predictability.

One of the global objectives of the Roma Strategy is to focus on the elimination of the multiple discrimination of women and the reduction of gender inequality in the private and public life of marginalised Roma communities and to support the economic independence of Roma women by means of gender equality outreach activities in cooperation with NGOs concerned with gender equality. The Roma Strategy also includes multiple objectives for increasing gender equality in all areas that it covers. Indicators of gender status are specified for the monitoring of task performance for individual objectives in the strategy. The strategy sets special measures, particularly in the recommended areas — i.e. health, employment, housing and education, and also includes measures to increase Roma participation, including women’s participation, in public and political life.

To support the promotion of gender equality and mitigation of the effects of multiple disadvantage and discrimination long faced by Roma women and girls, especially those from marginalised Roma communities, the OGPRC provides grants from the public administration budgets that contribute to improved access to healthcare and support the area of employment and employability.

Table 1: Mean age of population of the SR

<table>
<thead>
<tr>
<th>Year</th>
<th>Females</th>
<th>Males</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>40,28</td>
<td>37,09</td>
</tr>
<tr>
<td>2011</td>
<td>40,61</td>
<td>37,41</td>
</tr>
<tr>
<td>2012</td>
<td>40,87</td>
<td>37,68</td>
</tr>
<tr>
<td>2013</td>
<td>41,15</td>
<td>37,96</td>
</tr>
<tr>
<td>2014</td>
<td>41,43</td>
<td>38,24</td>
</tr>
<tr>
<td>2015</td>
<td>41,68</td>
<td>38,50</td>
</tr>
</tbody>
</table>

*Source: Statistical Office of the Slovak Republic*
Table 2: Age structure of population

<table>
<thead>
<tr>
<th>Age</th>
<th>Males 2015</th>
<th>Males 2010</th>
<th>Females 2015</th>
<th>Females 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>85+</td>
<td>20 365</td>
<td>16 684</td>
<td>53 081</td>
<td>43 057</td>
</tr>
<tr>
<td>80-84</td>
<td>31 616</td>
<td>28 785</td>
<td>66 028</td>
<td>62 442</td>
</tr>
<tr>
<td>75-79</td>
<td>50 947</td>
<td>48 057</td>
<td>90 302</td>
<td>87 050</td>
</tr>
<tr>
<td>70-74</td>
<td>77 303</td>
<td>66 059</td>
<td>115 461</td>
<td>103 569</td>
</tr>
<tr>
<td>65-69</td>
<td>123 182</td>
<td>91 776</td>
<td>155 651</td>
<td>125 245</td>
</tr>
<tr>
<td>60-64</td>
<td>169 809</td>
<td>138 728</td>
<td>193 483</td>
<td>164 110</td>
</tr>
<tr>
<td>55-59</td>
<td>181 239</td>
<td>184 426</td>
<td>192 035</td>
<td>201 007</td>
</tr>
<tr>
<td>50-54</td>
<td>182 529</td>
<td>191 821</td>
<td>185 443</td>
<td>197 826</td>
</tr>
<tr>
<td>45-49</td>
<td>177 516</td>
<td>189 439</td>
<td>175 144</td>
<td>190 144</td>
</tr>
<tr>
<td>40-44</td>
<td>213 541</td>
<td>182 314</td>
<td>205 362</td>
<td>178 859</td>
</tr>
<tr>
<td>35-39</td>
<td>235 819</td>
<td>218 542</td>
<td>221 954</td>
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</tr>
<tr>
<td>30-34</td>
<td>224 152</td>
<td>241 962</td>
<td>212 596</td>
<td>231 236</td>
</tr>
<tr>
<td>25-29</td>
<td>205 716</td>
<td>229 886</td>
<td>198 001</td>
<td>219 966</td>
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<tr>
<td>20-24</td>
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<td>171 326</td>
<td>200 647</td>
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<tr>
<td>15-19</td>
<td>146 755</td>
<td>178 891</td>
<td>139 214</td>
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<tr>
<td>10-14</td>
<td>134 927</td>
<td>145 488</td>
<td>127 504</td>
<td>138 429</td>
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<tr>
<td>5-9</td>
<td>145 231</td>
<td>133 728</td>
<td>138 106</td>
<td>126 574</td>
</tr>
<tr>
<td>0-4</td>
<td>146 796</td>
<td>146 374</td>
<td>139 479</td>
<td>136 864</td>
</tr>
</tbody>
</table>

Source: Statistical Office of the Slovak Republic

Table 3: Life expectancy

<table>
<thead>
<tr>
<th>Year</th>
<th>Females/Years</th>
<th>Males/Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>78,20</td>
<td>70,40</td>
</tr>
<tr>
<td>2007</td>
<td>78,08</td>
<td>70,51</td>
</tr>
<tr>
<td>2008</td>
<td>78,73</td>
<td>70,85</td>
</tr>
<tr>
<td>2009</td>
<td>78,74</td>
<td>71,27</td>
</tr>
<tr>
<td>2010</td>
<td>78,84</td>
<td>71,62</td>
</tr>
<tr>
<td>2011</td>
<td>79,35</td>
<td>72,17</td>
</tr>
<tr>
<td>2012</td>
<td>79,45</td>
<td>72,47</td>
</tr>
<tr>
<td>2013</td>
<td>79,61</td>
<td>72,90</td>
</tr>
<tr>
<td>2014</td>
<td>80,00</td>
<td>73,19</td>
</tr>
<tr>
<td>2015</td>
<td>79,73</td>
<td>73,03</td>
</tr>
</tbody>
</table>

Source: Statistical Office of the Slovak Republic
### Table 4: Natality and fertility

<table>
<thead>
<tr>
<th>Year</th>
<th>Average age of mother at 1st live birth children</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>26.95</td>
</tr>
<tr>
<td>2010</td>
<td>27.31</td>
</tr>
<tr>
<td>2011</td>
<td>27.78</td>
</tr>
<tr>
<td>2012</td>
<td>27.29</td>
</tr>
<tr>
<td>2013</td>
<td>27.43</td>
</tr>
<tr>
<td>2014</td>
<td>27.61</td>
</tr>
<tr>
<td>2015</td>
<td>27.73</td>
</tr>
</tbody>
</table>

*Source:* Statistical Office of the Slovak Republic

### Table 5: Abortion

<table>
<thead>
<tr>
<th>Year</th>
<th>Induced abortions</th>
<th>Total abortions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>12 582</td>
<td>17 218</td>
</tr>
<tr>
<td>2011</td>
<td>11 789</td>
<td>16 872</td>
</tr>
<tr>
<td>2012</td>
<td>11 214</td>
<td>16 377</td>
</tr>
<tr>
<td>2013</td>
<td>11 105</td>
<td>16 347</td>
</tr>
<tr>
<td>2014</td>
<td>10 582</td>
<td>15 615</td>
</tr>
<tr>
<td>2015</td>
<td>10 058</td>
<td>15 637</td>
</tr>
</tbody>
</table>

*Source:* Statistical Office of the Slovak Republic
2. PARTICIPATION OF WOMEN AND MEN IN DECISION MAKING IN PUBLIC AND PRIVATE SPHERE

In most European Union member states, including the Slovak republic, **women continue to be underrepresented in decision-making processes and in leadership positions, particularly at the highest level.** This situation persists despite the fact that in the European Union ("the EU") women and girls represent nearly half the workforce and more than half of new university graduates. Equal opportunities for all to pursue their career or social ambitions regardless of one’s sex are among the fundamental principles of a democratic society. Yet, women only make up a third of all the legislators and managers and continue to have minority representation in most of the decision making bodies and central government bodies.

Despite the formal equality (equality de jure) and adoption of important strategic and conceptual documents, it must be noted that inequalities between women and men persist in almost all areas of public and private life in Slovakia. For example: more than two decades of democracy did not deliver equal political representation for women, no legal measures in this area... Currently (2017) women are 31 from 150 members of parliament, 2 ministers out of 15 in government. Since 1990, the proportion of women in parliament has varied between 14 and 19 percent. At all three levels of politics (national, regional, local) the women´s representation in Slovakia have not exceeded 25% level, with the exception of women´s representation in the European Parliament.

In Slovakia, there is institutional framework that should be favourable for female candidates. The electoral system is highly proportional with single district and semi-open ballots (four preferential votes).

Over the years, both men and women have become more interested in elected posts in government and in parliament, which is reflected in an increasing number of male and female candidates in all types of elections. Yet, the percentage of successful women´s candidates is generally lower than men´s and as a result, women´s involvement in the public life is much lower.

What about political parties and public opinion discourse? Neither political parties nor public opinion in Slovakia is in favour of introducing voluntary or legislative quotas. None of 8 political parties represented in the parliament has voluntary quotas. Quotas and gender equality are not the important issues for the party leaders, because the party strongly advocates in favour of economic issues.

The survey (Eurobarometer, March 2011) revealed that only 28 percent of Slovaks support the idea of equality-based representation on the election lists of political parties. When asked whether this should be required by law, 20 percent of Slovaks said yes. Idea of gender quotas is not supported by women. According to the survey, as many as 38 percent of Slovaks believe that the world of politics is ruled by men who don´t sufficiently recognize women´s qualities and experience.

Both men and women are increasingly interested in the elected posts in local government as well as in the parliament. This trend results in a growing number of both male and female candidates in elections at all levels. The percentage of successful female candidates, however, is consistently lower than in the case of male candidates. Slovak labour market is among the most gender segregated labour markets in Europe. This means that women, despite their increasing share in leadership and management positions, continue to dominate
in the lower positions as opposed to men. Although the level of women's education is just as good, this often does not reflect in the promotion processes. The continuous inability to utilize the educational potential of women is not only a loss for women themselves, it is a loss for the whole society.

### 2.1. Recommendations of international monitoring bodies

The Universal Periodic Review repeatedly recommended the Slovak Republic to adopt temporary special measures to increase the participation of women in decision-making, to reduce the gender pay gap, eliminate discrimination against Roma women and girls and ensure effective prevention of discrimination.

The UN Committee on the Elimination of Discrimination against Women recommends that the Slovak republic:

- reflects the provisions of the Convention in all relevant legislation and policies across all sectors, introduces educational and awareness raising programmes on the Convention and the rights of women and implements measures to raise awareness among women regarding their rights;
- adopts positive measures for the accelerated achievement of substantive equality for women especially at the highest levels of decision making;
- strengthens the institutional framework of support for women and develops policies and programmes aimed at achieving gender equality in a comprehensive and effective manner and in the framework of human rights;
- implements programmes to eliminate traditional gender stereotypes;
- adopts comprehensive and cross-cutting measures to address all forms of violence against women, including their trafficking;
- strengthens efforts to eliminate horizontal and vertical occupational segregation, as well as the elimination of the gender pay gap and facilitates reconciliation of family and professional responsibilities of women while sensitizing men to their equal participation in family responsibilities;
- sets clear rules for application of conscientious objection in the area of sexual and reproductive health and rights by the health professionals so as to ensure full access to health care for women;
- ensures availability of information and sex education for young people and monitors the health facilities and their exercise of informed consent before performing sterilization.

The Slovak labour market is among the most vertically segregated labour markets in Europe, meaning that women, despite their increasing participation in leadership and management, remain working in lower positions as opposed to men. Although the level of education in case of women is similarly high, it does not seem to reflect in earning promotions, unlike in the case of men. Poor utilization of women’s intellectual and political potential is not only a loss for the women themselves but for the entire society.

The most fundamental obstacle to a more balanced representation of women and men in decision-making positions is the absence of fair and binding rules of conduct within public institutions and commercial companies as well as the non-transparent rules and eligibility requirements for promotion into decision-making positions.
The informal structures contribute to the existence of the so-called **glass ceiling** - seemingly invisible barrier that limits vertical advancement of women "above" certain level. The glass ceiling can be directly related to the lack of female role models in the top positions and the weak or absent support from women to women.

**Gender stereotypes** are simplified, unrealistic images of "masculinity" and "femininity", idealized and expected patterns present in all spheres of life. Their continuous reproduction shapes our understanding of what is natural and creates constricts in personal decisions and ambitions, at the same time, they also play a role in decision-making and leadership.

**Institutional discrimination** represents a collective failure of an organization to ensure equal opportunities in employment, career advancement and other areas, through the application of such processes, attitudes and behaviour that is influenced by prejudices, ignorance, inattention and stereotyping. The definition of institutionalized discrimination illustrates the difficulties and problems that the equal opportunity policy has to face.

The impact of parenthood and family care on women and the reasons for their choices may vary from lack of care services for children at an early age or simply quality services, through unequal treatment of women with young children, poor overall situation in the labour market, small chance for flexible working hours, through setting up support to parents of young children and value preferences in the area of childcare.

There is a lack of flexible organization of working time even though the legislation of the Slovak republic allows for flexible forms of work. The use of part-time work is among the lowest in the EU – for both women and men. The low numbers of the actual use of available flexible forms of work on one side, and the declared - much higher interest in them on the other side, signals either a problem with the willingness of employers to implement the flexible forms of work or the lack of interest of the female and male workers to use such schemes due to disadvantages they also represent.

Why are women in the Slovak republic still underrepresented? The constraints for women in political participation are structural, institutional and cultural. There is no effective reconciliation of family and work life, what prevails is one-sided and incompetent reporting in the media and lack of support as well as lack of political will provided by political parties.

The Presidency of the Slovak Republic in the EU Council in 2016 presented an important context for the implementation of the principle of equal treatment, including question of women in political decision-making. It was also an opportunity for the country to participate in shaping and implementing EU policies in this area! The Slovak presidency had an opportunity for introducing activities aimed and highlighting gender equality in all areas.

Gender inequalities in the political decision as well as in other areas tend to be caused by a number of factors. Among the most prominent ones are the traditional division of gender roles, low awareness of one’s rights and gender based inequalities, the absence of affirmative action.

Elimination of gender inequalities requires a comprehensive approach, one that takes many aspects into account. Existing changes in legislation and policies facilitated the creation of necessary conditions for implementation of systematic measures at the institutional level.

Promoting gender equality in decision-making in the Slovak republic requires:
• improvement of the knowledge base on the impact of the gender dimension on the representation of women;
• information on existing barriers and examples of good practice in the area of decision-making;
• creation of tools to enhance gender equality in decision-making;
• exchange of experiences and good practices and support to networking of key stakeholders on European level;
• raising awareness and encouraging women to expand their political careers and become leading female candidates for the positions;
• analysis of the good practices in this field on European level;
• methodological guide on how to implement measures for balanced participation of women and men in political life.

Research topics should address the following issues:

• glass ceiling and identification of existing obstacles for women;
• difficulties in reconciling work, private and family life;
• stereotypes, prejudices and discrimination against women in the career building process in politics;
• necessary supporting mechanisms and measures to overcome the existing obstacles and glass ceiling.

Table 6: Results of elections by sex – elected representatives by sex

<table>
<thead>
<tr>
<th>Elections</th>
<th>Females (%)</th>
<th>Males (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The National Council of the SR (March 2016)</td>
<td>24</td>
<td>76</td>
</tr>
<tr>
<td>The European Parliament (May 2014)</td>
<td>30</td>
<td>70</td>
</tr>
<tr>
<td>Bodies of the self-governing regions (November 2013)</td>
<td>18,6</td>
<td>81,4</td>
</tr>
<tr>
<td>Mayors of towns and municipalities (October 2015)</td>
<td>23,5</td>
<td>76,5</td>
</tr>
</tbody>
</table>

Source: Statistical Office of the Slovak Republic
Table 7: Public life and decision making

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Share in %</td>
<td>fem</td>
<td>ma</td>
<td>fem</td>
<td>ma</td>
<td>fem</td>
<td>ma</td>
</tr>
<tr>
<td>Elected members of the National Council of the SR</td>
<td>15,3</td>
<td>84,7</td>
<td>15,3</td>
<td>84,7</td>
<td>16,0</td>
<td>84,0</td>
</tr>
<tr>
<td>Candidat es for representatives of the NC of the SR</td>
<td>22,8</td>
<td>77,2</td>
<td>x</td>
<td>x</td>
<td>26,2</td>
<td>73,8</td>
</tr>
<tr>
<td>Elected representatives of self-governing regions</td>
<td>15,4</td>
<td>84,6</td>
<td>15,4</td>
<td>84,6</td>
<td>15,4</td>
<td>84,6</td>
</tr>
<tr>
<td>Elected mayors of towns and municipalities</td>
<td>22,4</td>
<td>77,6</td>
<td>22,6</td>
<td>77,4</td>
<td>22,9</td>
<td>77,1</td>
</tr>
<tr>
<td>Government ministers</td>
<td>13,3</td>
<td>86,7</td>
<td>7,1</td>
<td>92,9</td>
<td>6,7</td>
<td>93,3</td>
</tr>
<tr>
<td>Heads of universities</td>
<td>12,1</td>
<td>87,9</td>
<td>14,7</td>
<td>85,3</td>
<td>14,3</td>
<td>85,7</td>
</tr>
</tbody>
</table>

Source: Statistical Office of the Slovak Republic
3. HIGHER EDUCATION AND ECONOMIC INDEPENDENCE FOR WOMEN AND MEN

The economic activity rate in the case of women increased to 62,9% in 2014, and to 77,6% in the case of men. The gender gap is still persistent, at 14,7%. The employment rate of women between 20 and 49 years with children deceased to 68,5%. The employment rate of men is 82,6%. The gender gap between persons with children in the 20 - 49 age group was 14,1% in 2014. The employment rate of women between 20 – 49 with children younger than six years was 37,6%, while in the case of men the employment rate was 86,5%. Gender gap of 49,2% was very obvious and to the disadvantage of women. The part time job use was very low in the case of women in 2014, only 6,8% and the rate for men was 4,5%3.

Gender pay gap reached 19,8% in 2014. In general, the trend is that the gender pay gap is decreasing, yet, women continue to be paid ¼ less for the same work or work of same value as opposed to men.

The representation of women in sectors typically associated with men has not changed significantly. For instance, in the construction industry their employment rate only increased to 6,4% in 2013. In manufacturing it even decreased to 33,1% and in the case of information technologies and communication sector it even decreased significantly.

The rate of self employed women reached 28,6% while the men’s rate was 74,4% in 2014. The gender gap in this area was 42,8%.

In 2014, women accounted for 30% of managerial positions, men for 70%. The gender gap was 40%.

The number of female entrepreneurs increased to 28,3% in 2014, while men accounted for 71,7% The gender gap in this area was 43,7%.

The number of female pensioners in 2012 was 804 353 while in the case of men the figure was much lower, 489 357 pensioners. This was largely due to higher retirement age in the case of men. Pensions were being paid to the total of 626 111 persons. And thus, very high number of women lives on a very small or minimum pension, or without any pension whatsoever. The poverty limit per household was 3 670 EUR in 2011, hence 305 EUR per month. This is a very small sum to live on comfortably and with dignity.

The work legislation of the Slovak republic provides sufficient conditions for facilitation of employing persons with care responsibilities. Undoubtedly, the workplace and good work conditions play an important role in satisfaction of the employees, their lower fluctuation and their higher performance, hence better results for the employer. However, despite their formal availability, the various flexible forms of work are used seldom.

For example, the 2010 report prepared by the National Labour Inspectorate states that the limited use of flexible forms of work remains a problem, as well as the non-compliance with existing provisions of the Labour Code on the side of the employers. Flexibility of work and time might bring many disadvantages. The greatest drawback when it comes to part-time work is definitely the lower salary corresponding with the reduction in working hours. Generally, the fear of losing one’s job in the time of crisis tends to be a huge advantage for the employers.

3 http://www.statistics.sk/pls/ellisw/objekt.send?uic=1046&m_sso=2&m_so=15&ic=39
The available empirical data shows that a large proportion of the adult population of the Slovak republic maintains a positive attitude regarding the classical working time - full time work with fixed working hours. Simultaneously, rather large groups of people would prefer other modes of work such as flexible working hours, work from home, teleworking or part time work. The preferred work organization shows significant differences by gender, education, age and residence, but mostly by the parenthood status. Employees with children favoured flexible working hours, work from home and part-time work.

Despite favourable legislative conditions, significant gaps persist in the area of flexible forms of work and reconciling work and family life in the Slovak republic. Very few employers apply flexible forms of work and the Slovak republic has long been among the EU countries with the lowest share of part-time employment. In Western countries, almost half of working mothers with young children hold part-time jobs. The demand for childcare services has been consistently higher than the supply and the situation is not improving significantly.

There is a significant gender dimension to the impact of parenthood on employment of women and men in the Slovak republic, the employment rate for women with children under 6 years is less than 40 percent (compared with 83 percent of men in the same group). The lack of available childcare services further disadvantages mothers with younger children. In 2015, the Ministry of Labour, Social Affairs and the Family of the Slovak Republic (hereinafter the "MLSAF") started with an implementation of the project titled 'Family and Work' using affirmative action to support employment of mothers of small children.

The project directly supported flexible forms of work — shorter working hours, shared work and teleworking. The aim was to promote the so-called ‘flexisecurity’ — meaning flexible yet socially secure jobs. The goal was also to encourage employers to create new jobs and hire either person on parental leave (mothers or fathers) or mothers of children below 6 years. 90 percent of the monthly wage (the total real cost of labour within the limit of the average wage in the national economy) was reimbursed. In a case of employed mothers with children aged 6-10 years, the total contribution was 50 percent of the monthly wage.

In addition to the flexible working arrangements, the project supported flexible child care facilities providing care for working mothers, as addition to the official kindergartens that are a part of the education system. Within the project, around 1 500 flexible positions for mothers and 33 child care facilities were supported. Currently, the MLSAF is preparing a call for proposals based on the experience from the pilot project. It will offer support to flexible working arrangements for mothers of small children (fathers will be entitled if taking a parental leave) as well as a support for flexible child care facilities.

Eventually, an annual competition 'Family, gender equality and equal opportunities — friendly employer' organised by MLSAF is an example of good practice of awareness-raising for the employers. The primary aim of the competition is to motivate employers to create conditions that are sensitive to the family and other personal responsibilities of the employees as well as to the creation of equal opportunities for women and men.

3.1. National projects to support advancement of women

As mentioned above, in 2015 MLSAF started with an implementation of the project ‘Family and Work’ using affirmative action to support employment of mothers of small children. The pilot project was crucial both in terms of facilitating the creation of innovative forms of childcare as well as in encouraging employers to introduce flexible forms of work and employment for parents, especially mothers with children in preschool age.
Prior to this project, gender equality and equal opportunities agenda had been supported and facilitated in the framework of several projects in the reviewed period, namely the National Project of Institute for Gender Equality supported by the Operational Programme Employment and Social Inclusion which took place from 2009 to 2014. The aim of the project was to establish efficient mechanisms, instruments and methods for the implementation of the gender equality principles into practice, raise awareness about gender equality, and reinforce expertise of relevant stakeholders who work in the area of prevention and elimination of gender inequalities.

3.2. Female Entrepreneurship in Slovakia

The Slovak republic is one of the EU countries with the highest proportion of women in research and development (R&D) with over 40% in the long term (42.3% in 2011). However, the participation in entrepreneurship is rather small; one in four entrepreneurs is a woman.

Supporting work-life balance is a key issue for an increased participation of women in the labour market; therefore the Slovak republic in the framework of the Presidency in the European Council hosted an international conference “Work-life Balance in a Changing Society” on 20-21st September. The conference focused on exchange of good practices among EU Member States, international organisations and the social partners. The ability to work flexible hours was referred to as very attractive to women who want to combine work and family responsibilities. Women may also gravitate towards self-employment because of a lack of alternative positions, limited mobility or the inability to find a job that fits their skills.

Strengthening of women’s economic independence through elimination of gender disparities in the labour market is one of the strategic objectives in the framework of the newly adopted National strategy for Gender Equality 2014-2019. The following operational objective is particularly relevant to elimination of horizontal segregation and support of women’s entrepreneurship:

- Promoting women’s entrepreneurship by creating systematic measures, including the support for reconciliation of work and family life;

Another strategic area dedicated to increasing entrepreneurship of women addresses the issue of horizontal segregation by placing the focus on mainstreaming women into areas typically known as male with an emphasis on private sector. One of the operational objectives is then to promote women’s entrepreneurship by creating systematic measures, including the support for reconciliation of work and family life.

Eventually, the strategic area of science and research aims to address women and girls and support the use of their talents and skills as well as ambitions in the field of science, technologies and IT with related START-UP support. The following are some of the relevant operational objectives:

- Improving the level of knowledge in the field of women’s human rights and gender equality by ensuring continuous and comprehensive education in the framework of lifelong learning;
- Elimination of negative gender stereotypes in education;
- Creating a suitable environment and effective mechanisms for the implementation of gender equality in the field of science, research and higher education;
• Enhancing the knowledge on existing forms of inequalities between women and men by strengthening the research in this area as well as up-to-date gender statistics.

3.3. Women in IT and R&D

When it comes to awareness raising, already young girls are targeted with the aim to help them make informed choices regarding their future studies and careers. Interestingly enough, this particular strategic area received mixed and emotionally-charged feedback. Negative responses were received mainly from catholic based organizations claiming that active motivation of women and girls in favour of entering science, technologies and IT is artificial and unnatural.

One of the most successful projects in terms awareness raising aiming to provide all relevant and available information to girls and young women regarding information technologies is the ‘You too in IT’ (http://www.ajtyvit.sk/). The initiative has a track of successful events, education activities and courses reaching out to many girls and young women.

The Ministry of Education of the Slovak republic launched a comprehensive campaign promoting science to both girls and boys (http://www.veda-technika.sk/). The campaign is inclusive and as of its launch it has been providing positive examples and images of girls in science and technologies. Along with other smaller-scale initiatives and campaigns, these are rather new, thus it is too early to make conclusions regarding their impact.

3.4. Projects to Support Female Entrepreneurship in Slovakia

3.4.1. Slovak Business Agency Projects

Another interesting relevant activity is the EU Network of Female Entrepreneurship Ambassadors project implemented by the Slovak Business Agency (“SBA”) in 2009–2011. The result was creation of a network of female ambassadors – mentors for women launching business.

Another project - Guardian Angels for Female Entrepreneurs – was launched as a reaction of the Slovak Business Agency and RAIC Presov to the call of the European Commission, known as "European Network of mentors for Women Entrepreneurs" to support businesswomen.

Further on, the project “Boosting the female entrepreneurship in Slovakia” was launched to inspire potential entrepreneurs, mainly through business stories and practical advices of ambassadors to inspire women to consider self-employment. The aim of the Project “Guardian Angels for Female Entrepreneurs” was to promote and support women’s entrepreneurship in the Slovak republic and in the EU, through creation of a network of mentors for start-up entrepreneurs. The mentors or "the guardian angels" are supposed to further inspire and lead the start-up female entrepreneurs.

The project fulfilled the principle number 1 of the Small Business Act: Create an environment in which entrepreneurs and family businesses can thrive and entrepreneurship is rewarded.

3.4.2. Women Entrepreneurship Forum

Embassy of the United States in the Slovak republic in cooperation with the Rural Organization for Community Activities launched a mentoring program dedicated to women entrepreneurs called the Women Entrepreneurship Forum 4.

During twelve months (2013-2014), the participants had a chance to develop their entrepreneurial skills under the supervision of well-trained mentors from the United States and the Slovak republic. Mentors provided the entrepreneurs with detailed consultations on how to run their businesses. At the same time, mentees were guided as to how to improve their social skills and leadership. The primary goal of this project was to support female entrepreneurship in the Slovak republic and achieve synergy in the cooperation among women organizations and associations which have long been active in this area. The project was managed through a continuing cooperation between mentors and mentees, the organization of workshops and a final conference.

The target audience included both start-up/experienced entrepreneurs as well as women employed in corporations. The project focused on 60 mentees (20 mentees from the west of the country, 20 from central Slovakia and 20 from eastern Slovakia) and 60 mentors, in the period from 02/2013 to 10/2013.

As the result of the Women Entrepreneurship Forum, solid cooperation among women organizations in the Slovak republic has been established, new relations between the mentors and mentees have been developed throughout the program and selected participants will have the opportunity to attend a programme in the United States.

3.4.3. Operational programme research and innovation for the programming period 2014 - 2020

The Operational Programme Research and Innovation (OP R&I) represents a joint programme document of the Ministry of Education, Science, Research and Sports of the Slovak Republic (MoESRS SR) and the Ministry of Economy of the Slovak Republic (MoE SR) for the granting of support from European Structural and Investment Funds (ESIF) during the programming period 2014–2020. It aims to create a stable innovation-friendly environment for all relevant entities and to promote the efficiency and performance of the system of research, development and innovations as a basic pillar for reinforcing competitiveness, sustainable economic growth and employment.

The OP R&I is based on the priorities of the Europe 2020 strategy and on the main recommendations of the Small Business Act and the Entrepreneurship 2020 Action Plan.

In 2012, the total spending on R&D in the Slovak Republic (SR) constituted only 0.82%1 of the GDP (EU28 2.06%, EU15 2.15% and V4 1.27%). By 2020, Slovakia plans to increase the share of private sources in the total R&D spending in line with the Europe 2020 Strategy, while preserving at least the current share of public sources in the total R&D spending, so that the proportion of public and private sources was 1:2 with minimum total R&D spending of 1.2% GDP. One of the main tools to achieve this objective is the implementation of the OP R&I with an aim to enhance the innovation activity and competitiveness of enterprises in order to increase their added value, stimulate growth and job creation, and improve

4 www.usembassy.sk
performance in R&I, including quality of higher education and increased private investments in R&I.

Support under the OP R&I will also seek to increase the participation of disadvantaged social groups (women, young people up to 30 years, senior people over 50 years, long-term unemployed, third-country nationals, persons with social or health handicaps) in business. Further to the Strategy of the SR for the Integration of Roma by 2020, approved by the Government of the SR in 2012, special attention will be paid to supporting the entrepreneurship of Roma.

The OP R&I foresees several activities to support female entrepreneurship:

**Support for new SMEs and start-ups through grants and financial instruments** (loan programme to support new SMEs and start-ups, venture capital fund for start-ups at seed and start-up stages). This activity is designed to address the problem of limited access to funds which threatens the viability of new SMEs and start-ups. This activity also creates conditions for sustainable performance of SMEs. The financial instruments represent a suitable complement to the portfolio of other measures (support for the networking of informal investors, non-financial support through activities of business centres, provision of counselling services etc.). The financial schemes can be combined with a grant component (tied to the fulfilment of certain conditions).

The proposed financial instruments aim to promote business development also with respect to social innovation, i.e. the support of disadvantaged social groups of people (women, young people under 30 years, senior people over 50 years, long-term unemployed, third-country nationals, handicapped people, the Roma, etc.) and support of business entities operating in the social economy.

The aim of this activity is to

- improve access to funds for new SMEs and start-ups;
- help and support the launch and development of business;
- apply innovative business systems, methods, and instruments;
- support the transfer of personal experience and expert knowledge upon start of business;
- make funds accessible to SMEs through loans under favourable conditions with minimum distortion impacts on the market.

This action will be implemented by means of assistance schemes and financial instruments.

**Provision of long-term counselling services.** This activity seeks to provide systematic professional help to new entrepreneurs in order to increase the survival rate of new SMEs during the first three years of business (the survival rate of SMEs in Slovakia is significantly below EU average). This activity is a follow-up of the support programmes of short-term counselling implemented during the previous period. Long-term systematic support and mentoring will be provided to start-ups and people interested in entering business:

- advising at the stage preceding the establishment of an enterprise during the preparation and definition of a business plan and analysis of its potential;
- advising at the stage of the launch of business, establishment and starting up of an enterprise;
• advising at the stage of initial business activities of SMEs throughout a maximum three-year start-up period.

Advising/mentoring services will be provided to different target groups of new SMEs, such as innovative and technology-oriented start-ups, SMEs in various traditional industrial and manufacturing sectors, etc. Likewise, this activity will be specifically designed for disadvantaged social groups.

**Identification and use of social innovations for business and job creation, especially for disadvantaged social groups (women, young people under 30 years of age, senior people over 50 years of age, long-term unemployed, third-country nationals, handicapped people, Roma).** This activity is based on the need to engage all social groups in business.

The SBA implemented several projects aimed to support women’s entrepreneurship in the previous period. This activity is a follow-up on the previous projects. It aims to encourage and promote the creation of new SMEs by disadvantaged social groups, to eliminate social and cultural barriers affecting the business opportunities of disadvantaged social groups, and to increase the proportion of these groups in business in the total number of entrepreneurs, placing special emphasis on the entrepreneurship of women. Another area of actions is the support of business entities providing social services and development of the social economy. This activity envisages cooperation with public authorities.

The activity will be implemented through:

• provision of information and expert counselling (e.g. business plan preparation, facilitation of access to seed capital);

• short-term and long-term courses with module structure curricula tailored to the needs and specific features of target groups and target enterprises;

• provision of incentives for entrepreneurs engaged in services oriented on disadvantaged social groups,

• support of the national institutional platform to promote women’s entrepreneurship;

• support of specialised structures focused on encouraging the entrepreneurship of other disadvantaged social groups;

• professional events, presentations, seminars, etc.

**Supporting the development of alternative forms of entrepreneurship.** In terms of content, this activity is based on the studies of alternative forms of entrepreneurship (e.g. family business, simplified joint stock company) prepared during the previous period, which proved the need of alternative forms of entrepreneurship with respect to some types of business activities (agricultural activities, crafts, capital investments). This measure will seek to create favourable conditions for the entrepreneurship of disadvantaged social groups (women, young people under 30 years, senior people over 50 years, long-term unemployed, third-country nationals, handicapped people) and also to favour forms of entrepreneurship specialised on support of social economy and for specific forms of entrepreneurship. The activity will comprise:

• analysis of the legislative environment;

• preparation of draft legislation to define the legal status of alternative business models;
• definition of systemic support mechanisms and incentives for the support and stabilisation of alternatives forms of entrepreneurship;

• promotion of specialised structures aimed to stimulate the entrepreneurship of women and other disadvantaged social groups;

• pilot projects for the testing of the proposed alternative forms of entrepreneurship, support mechanisms and measures;

• awareness-raising, development of the skills and competences of entrepreneurs from disadvantaged social groups;

• support for the creation of marketable products and services of entrepreneurs from disadvantaged social groups.

Childcare and care for other family members tends to be the most common reason for the economic inactivity of women of working age. In 2012, the figure of economically inactive women was 188 200 women, and only 16 000 men.

The female employment lags significantly behind men's employment: The Slovak republic ranked seventh lowest in the female employment rate among EU member states. There also is the fifth largest gender gap in employment.

The largest gender gap has long been evident in the age group of 25-34 years. In 2012, the employment rate of women aged 25-29 years was behind by 21.1%, and 26.9 percentage points in the 30-34 age group. The gender scissors in employment open up at this stage of women’s care for children. In fact, comparison of 2012 and 2004 reveals a growing lag, not wiping the difference.

The impact of parenthood on women and men in the Slovak republic is significantly different. The employment rate of women aged 20 to 49 years with children compared to women without children dropped by more than 30 points. The fathers on the other hand, unlike childless men, show higher employment rate, increased by about 12 percentage points. Such an "parenthood effect" is present in almost all EU countries. Yet, in the Slovak republic this is extremely powerful. The reasons for the parenthood effect may vary from lack of care services for children at an early age or simply quality services, through unequal treatment of women with young children, poor overall situation in the labour market, small chance for flexible working hours, through setting up support to parents of young children and value preferences in the area of childcare.

A long time off from active participation in the labour market due to childcare has a negative impact on women's career, such as higher unemployment of women at the time of returning to the labour market after parental leave, performing work below formal qualifications, worse position in the labour market and worse social situation of women in old age (accepting marginal and unstable jobs, lower remuneration, and consequently lower pensions, etc.). Career breaks due to care for other dependents tend to have a negative impact on women’s employment. The scope might not be as broad as in the case of childcare, yet, with the deepening of the aging population the impact of this factor is expected to grow.

Flexible forms of work and working time arrangements, with the potential to facilitate the employment of persons with family responsibilities, are only used marginally in the Slovak republic, despite the existence of formal and legal framework for application of the flexible forms of work. The share of part-time work in the Slovak labour market is among the lowest in the EU.

Although the Slovak republic lags in employment in general, some populations are more affected and in a much worse situation than the average population. Extreme exclusion is experienced by the Roma population, particularly in geographically isolated and excluded
locations. Subsequently, the Roma women show extremely negative figures - even compared to the Roma men.

The poor result of Slovakia's employment and economic independence for women are to some extent caused by the lack of childcare services. The existing interest in care services is consistently higher than the supply and the situation has not improved significantly. Since the fulfilment of the Barcelona target for children under 3 years (proportion of children attending pre-school at the level of 33%), the Slovak republic is behind and compared to other countries often occupying the last positions. As for children aged 3 – 6 years (target 90%), the Slovak republic is eight from the end.

Quality and affordable child care encourages the participation of parents in the labour market and offers better life chances for children. However, there are problems in terms of their availability and accessibility, as well as the competence and the parents' choice. The most vulnerable families (with many children, single parents, Roma families excluded from protection) generally show lower participation rates due to limited space availability and accessibility, affordability, capacity and parental choice.

The experience of many countries suggests that in addition to provision of childcare and parental leave, it is useful to create the possibility of leave for fathers. Several states have introduced "paternity quota", i.e. non-transferable months of parental leave for fathers only. Slovakia does not recognize this possibility though.

### Table 8: Unemployment rate by sex

<table>
<thead>
<tr>
<th>Year</th>
<th>Unemployment rate – females (%)</th>
<th>Unemployment rate – males (%)</th>
<th>Unemployment rate – total (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>14,6</td>
<td>14,2</td>
<td>14,4</td>
</tr>
<tr>
<td>2011</td>
<td>13,6</td>
<td>13,6</td>
<td>13,6</td>
</tr>
<tr>
<td>2012</td>
<td>14,5</td>
<td>13,5</td>
<td>14,0</td>
</tr>
<tr>
<td>2013</td>
<td>14,5</td>
<td>14,0</td>
<td>14,2</td>
</tr>
<tr>
<td>2014</td>
<td>13,6</td>
<td>12,9</td>
<td>13,2</td>
</tr>
<tr>
<td>2015</td>
<td>12,9</td>
<td>10,3</td>
<td>11,5</td>
</tr>
</tbody>
</table>

**Source:** Statistical Office of the Slovak Republic

### Table 9: Unemployment rate by age (2015)

<table>
<thead>
<tr>
<th>Year</th>
<th>At work (%)</th>
<th>Retired (%)</th>
<th>Unemployed (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>4,9</td>
<td>11,4</td>
<td>42,2</td>
</tr>
<tr>
<td>2010</td>
<td>5,4</td>
<td>8,2</td>
<td>39,7</td>
</tr>
<tr>
<td>2011</td>
<td>5,9</td>
<td>7,7</td>
<td>42,9</td>
</tr>
<tr>
<td>2012</td>
<td>5,6</td>
<td>8,8</td>
<td>43,2</td>
</tr>
<tr>
<td>2013</td>
<td>5,5</td>
<td>7,8</td>
<td>39,0</td>
</tr>
<tr>
<td>2014</td>
<td>5,3</td>
<td>7,5</td>
<td>43,7</td>
</tr>
<tr>
<td>2015</td>
<td>5,5</td>
<td>7,3</td>
<td>42,0</td>
</tr>
</tbody>
</table>

**Source:** Statistical Office of the Slovak Republic
Table 10: At-risk-of-poverty rate (Females, after all social transfers)

<table>
<thead>
<tr>
<th>Age</th>
<th>Males (%)</th>
<th>Females (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>65+</td>
<td>2,7</td>
<td>2,7</td>
</tr>
<tr>
<td>60-64</td>
<td>6,5</td>
<td>7,7</td>
</tr>
<tr>
<td>55-59</td>
<td>8,9</td>
<td>11,2</td>
</tr>
<tr>
<td>50-54</td>
<td>9,3</td>
<td>11,7</td>
</tr>
<tr>
<td>45-49</td>
<td>8,8</td>
<td>9,8</td>
</tr>
<tr>
<td>40-44</td>
<td>8,1</td>
<td>11,7</td>
</tr>
<tr>
<td>35-39</td>
<td>7,9</td>
<td>11,4</td>
</tr>
<tr>
<td>30-34</td>
<td>9,3</td>
<td>15,4</td>
</tr>
<tr>
<td>25-29</td>
<td>11,1</td>
<td>13,6</td>
</tr>
<tr>
<td>20-24</td>
<td>23,6</td>
<td>24,4</td>
</tr>
<tr>
<td>15-19</td>
<td>50,0</td>
<td>58,1</td>
</tr>
</tbody>
</table>

Source: Statistical Office of the Slovak Republic
4. PAY AND PENSION GAP BETWEEN WOMEN AND MEN

The Gender Pay Gap (GPG) represents the difference in the average hourly wage of men and women, expressed as percentage. Historical gender stereotypes typically associated men with the dominant position which also reflected in their earning potential. However, economic independence is a necessary condition for the ability of women to have control over their own lives and make decisions freely.

The Slovak republic is a country with significant differences between men and women in the labour market, and this has remained stable over time. The employment rate of women is persistently lower than the one of men (60.3 % vs. 70 % in 2015, Eurostat). The GPG remains at 20.5 % in the Slovak republic which is significantly above the EU average.

Gender segregation in the labour market is closely linked to the overall lower income of women, as there continues to be a large gender gap between women’s and men’s pay. Women are found more often in low-paid groups of employees, i.e. those where the hourly pay is lower than 2/3 of the median hourly wage in the Slovak economy. Despite women’s very good level of education (in fact higher than men’s) women do not achieve comparable earnings to men because education in the “typically female areas” remains less valued.

The GPG has long been above the average for the EU-27 but it continues to show a favourable, falling trend. In 2012 the unadjusted form of GPG in hourly earnings between men and women was 21.5% and in 2016 it fell to 18%. GPG in the private sector ranges between 19-21% and in the public sector it is 10-16%. There are significant differences in the gender structure of the two sectors, with women making up 68% of workers in the non-business sector and 42% in the business sector.

Number of factors contribute to the maintenance of the gender pay gap, including the horizontal segregation in the labour market; women are most likely to be employed in sectors of the economy that are considered to be typical for women and have low pay levels, and sectoral segregation especially in the private sector. Another factor is vertical segregation — the “glass ceiling effect”, which limits the number of women reaching the highest (and best paid) positions in fields where women are otherwise strongly represented.

The employment practice in the Slovak republic also shows unequal treatment owning to parenthood, especially maternity. A change of an employee’s family status and the birth of children often lead to a change in employers’ behaviour. A large percentage of them monitor the family situation of their employees, make problems after their return from parental leave or have prejudices against employees - mothers. One of the effects of the above (although it also has other causes) is the low representation of women in senior and top management. Hence, women have limited opportunities to participate in decision-making. It is the same with women’s participation in public life and politics. Low participation of women leads to a situation in which women are unable to influence strategic decision-making and planning and in the final result it also has effects on their living situation.

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5 All data on the gender pay is drawn from the Average Earnings Information System, Trexima, Bratislava.
7 Ibid.
Gender inequalities in the work process as well as in other areas are caused by a number of factors. Among the most prominent ones are the traditional division of gender roles, low awareness of one’s rights and gender-based inequalities, real absence of affirmative action and, last but not least, the absence of services for better work-life balance support.

Although the gender pay gap persists in the Slovak republic at about 20%, the gap between average salaries received by men and women has narrowed over the past decade by 7%. This means that women need to work more than two months more on average to receive the same annual salary as their male counterparts. The recent reduction in the salary gap is a consequence of the economic crisis and a general drop in salaries.

The largest gap is found among university graduates with top senior posts; the smallest difference is between men and women who have lower salaries. Women make up to 80% of the people employed in social work, education and health care. However, when it comes to the private sector (where salaries are higher), women represent only 42% of all employees. (Majority of the EU countries recorded a higher GPG in the private sector than in the public sector. This might be due to the fact that within the public sector, in most countries, employees are protected by collective pay agreements and other similar contracts establishing wage levels).

Women in the Slovak republic are often faced with horizontal and vertical segregation. In fact, the fields of healthcare, social services and education tend to be dominated by women, over 4/5 of the workforce in these sectors consists of women and it is 3/5 for the public policy sector.

Horizontal segregation of the labour market in the Slovak republic is very pronounced and “female” jobs are less valued. GPG occurs not only between sectors, but also within sectors. The increase of the educational level does not automatically mean that women get better positions and better pay.

Gender-based segregation closely relates to lower average salaries for women since the GPG remains pervasive. Women are more likely to be in a low-income group as their hourly wages do not even reach 2/3 of the median hourly wage of the Slovak economy. Despite good educational background, women do not earn comparable sums.

An important positive development in the Slovak republic is the publication of data on gender inequalities (incl. GPG) by the Statistical Office and the related launching of its website with up-to-date information on gender equality issues. This data reveals inequalities and discrimination in both public and private life.

MLSAF regularly organises the competition “Family, Gender Equality and Equal Opportunities Friendly Employer”.

In the framework of the Department of Gender Equality and Equal Opportunities of MLSAF a sub-department for the horizontal priority “Equal opportunities” has been established to cover the Structural Funds and in the Cohesion Fund agenda. Active labour market measures also include support to employees with low wages.

As already mentioned above, the Department of Gender Equality and Equal Opportunities of MLSAF launched a project called “Family and Work” targeting women with small children, who are the most underprivileged group in the labour market. In particular, it focused on providing flexible employment for women who are at home with small children.
From 2012 on, this department has been preparing the yearly Gender Pay Day. Activities include distributions of information on GPG, organising events and holding meetings with NGO´s, government representatives and experts.

In terms of vertical segregation, an extensive awareness raising campaign on GPG, its pervasiveness and harmful effects, has been launched in 2014 within the framework of the national project ‘Institute for Gender Equality’. The campaign, titled 'When I Grow Up' (http://kedvyrastiem.sk/), has been received very well and followed by an intense public discussion on gender disparities and their impact on the future and ambitions of women and men in the labour market and in the private sector.

Reducing GPG is an important topic on the European and national political agenda. The causes of the GPG are numerous. Therefore, it is necessary to work with aspects such as equality of opportunities in the labour market and reconciliation of work, family and private life. It is not possible to achieve positive change without broader interventions, from legislative changes to the development of family and gender policies to social campaigns.

We need more reliable statistical indicators enabling a more nuanced access to the analysis of the GPG, and unification and better definition of indicators that would allow for a reliable comparison in time and further research. A problem is that the Slovak republic has no special institution for the regular monitoring or for the research and analysis of gender equality. Closing the pay gap cannot be effective without a strong involvement of the social partners, unions and employers.

General recommendations:

- Policies directed at the availability and dissemination of information among relevant actors (such as employees and employers);
- Policies to develop or strengthen the infrastructure with respect to equal pay;
- Strategies on gender equality and equal pay;
- Policies directed towards a more integrated system of wage-setting;
- Policies to develop legal measures enforcing equal pay;
- Equal Pay Days, Equality labels, charters and awards;
- Audits to reduce the gender pay gap;
- Specific legislation and collective agreements;
- Overvaluing of women´s work and skills;
- More women in senior and leadership positions;
- Approaches promoted by governments, the social partners and companies to increase the percentage of women in decision-making positions;
- Public and private sectors need to work in partnership to make further, sustainable progress in this area;
- Calls for political will on the part of governments;
- Country comparisons (correlation between national pay gaps and female employment rates);
- More comprehensive empirical analysis of the roots on gender disparities in job opportunities;
- Support action by the Member States;
- Promoting networking between all stakeholders;
- Exchanges of experience and good practices at European level.
At last but not least: The low pay (in Slovak conditions) is characteristic not only in sectors where women are overrepresented. The holistic perspective is necessary for visible progress in tackling the GPG.

The Slovak Presidency continued the work and negotiations begun by the preceding Presidencies and will encourage discussions, actions and the exchange of good practice related to gender equality and gender mainstreaming.

Table 11: Gender Pay Gap in the EU-28 and SR

<table>
<thead>
<tr>
<th>Year</th>
<th>EU-28 (%)</th>
<th>SR (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>16,4</td>
<td>19,6</td>
</tr>
<tr>
<td>2011</td>
<td>16,9</td>
<td>20,1</td>
</tr>
<tr>
<td>2012</td>
<td>17,3</td>
<td>20,8</td>
</tr>
<tr>
<td>2013</td>
<td>16,8</td>
<td>18,8</td>
</tr>
<tr>
<td>2014</td>
<td>16,7</td>
<td>19,7</td>
</tr>
</tbody>
</table>

Source: Statistical Office of the Slovak Republic
5. POLICIES HELPING THE RECONCILIATION OF PRIVATE AND PROFESSIONAL LIFE

Reconciliation of work, family and private life belongs to EU priorities when it comes to achieving gender equality, increasing women's participation in the labour market and improvement of sharing of family responsibilities between women and men. The EU 2020 Strategy states that, in fact, reconciliation is the key to increasing the employment rate for women and men aged 20-64 years to 75% and improving the competitiveness of enterprises. Therefore, it is also important to see the policy of reconciliation of work, family and private life from the business perspective, as socially responsible entrepreneurship providing access to the untapped potential of women, to reconciliation of work between men and women, family and private life, or to creation of a gender-just society and the elimination of the risk of poverty, especially in the old age.

Country's ability to significantly and sustainably increase employment rates and reduce the risk of poverty and social exclusion also depends on the options of women and men to reconcile their work and private life. In this regard, accessible quality child care services are an imperative. Along with flexible forms of work organization and appropriate parental (and other) leave, the child care services constitute a set of measures to effectively reconcile work and private life. At the same time, they are an investment in the development of children, and contribute to the fight against early school leaving and the spread of inequality.

In the Slovak republic, the question of reconciling work and family life has been dealt with as part of the gender equality policy and the family policy. Some objectives were formulated within the framework of The Concept of Equal Opportunities for Women and Men in the Slovak Republic (2002) and the later Updated Concept of the State Family Policy (2004). In the period 2006 - 2010 there was a separate policy document Measures for Harmonization of Work and Family Life in 2006 with a View to 2010 (Ministry of Labour, Social Affairs and Family, 2006). Eventually, it ceased to have a form of a specific political strategy and was integrated into other policies, namely the gender equality policy and the employment and social inclusion policy, in the so-called Lisbon process.

The National Gender Equality Strategy for the years 2009 - 2013 under the operational objective no. 4 "to develop support mechanisms for the full participation of women and men in the economic and social development and for any distribution of financial, technical, physical, spatial and temporal resources and services in order to achieve gender equality" formulated ambitious targets for policy alignment. These included support for flexible forms of employment and the improvement of services (4.5); creation of tools obliging employers to the implementation of family-friendly and gender-positive measures in the form of plans or strategies for gender equality at enterprise level (4.8); creation of conditions to facilitate the return to work after a break in employment, mainly due to maternity and parental leave and other family and personal reasons (4.9); or increasing the number of affordable care services for children and creation of effective tools for the integration of persons with family responsibilities in the labour market (4.10). However, The National Action Plan for Gender Equality for the Period 2010 – 2013 did not turn these ambitious objectives into equally ambitious activities and measures. The plan kept the issue of support of employers in the application of family-friendly and gender-positive actions as well as for reconciling work and private life (activity 21) and strengthening of the monitoring, evaluation and networking (activities 16,17 and 20), namely through the National project: Institute for gender equality under the operational programme Employment and social inclusion.
To promote reconciliation of work and family responsibilities under the European social fund ("ESF") the Operational programme Employment and Human Resources was used in the years 2007 – 2013 (measure 2.3). The measure was aimed at "solving problems in the labour market with a view to increasing the availability and improvement of services to promote the reconciliation of work and family life. Harmonisation of family and working life is a prerequisite to full participation of workforce in the labour market." The intervention area no. 2.3 was designed to assist in creating the conditions for reconciliation of work and family life and to respect the principle of equal opportunities for women and men in the labour market. The target groups consisted of women particularly vulnerable in the labour market due to their family responsibilities, women and men with small children, single parents and single parents and persons caring for dependent family members, as well as employers' organizations and social partners.

The objectives formulated in the scope of Europe 2020 strategy were later transformed by the Member States and taken into consideration when setting the national targets and procedures. The National Reform Programme of the Slovak Republic 2010 - 2014 introduced the priorities and objectives of the government in the context of achieving the Europe 2020. Having said that, it also introduced measures in the field of harmonization of work and family life, specifically in the area of employment and labour market ("to ensure the provision of childcare facilities") and in the area of social inclusion and education ("to take active measures to enable vulnerable groups, including Roma, better access to quality school and preschool").

When revising the National Reform Programme in 2013, the government confirmed its commitment to promote balance between employment and childcare as a measure of social inclusion (4.3.2). The emphasis is on the child care allowance – the government planned to finance it using the ESF contribution also in the programming period 2014 – 2020. In fact, it set out to increase the contribution and the age limit provision to five years of age, to reduce the administrative burden on parents and taxpayers contributions and align it with the parent contribution; and eventually to the support for care services.

The situation in the area of reconciliation of work and family life - Several facts on the impact of family responsibilities on women

According to the Gender Equality Index (2015):

- When it comes to the use of time, the Slovak republic achieved a level of 17.7, which means that the family obligations play a significant role to the disadvantage of women (EU 28 average is 37.6).

- In terms of care activities, and taking into account the differences between working women and men and their involvement in the care and education of their children or grandchildren as well as through their involvement in the cooking and housework, women in the Slovak republic reached a much higher level compared to men, 52.7 (men 23.3), while the EU average for women is 44.6 and for men 27.4.

- In the area of social activities, taking into account the gender gap in participation of women and men in sports, cultural or leisure activities, the participation rate of women reached 5.1 and 5.5 for men (EU average 9.1 women and men 12,2).

- There were 2725 state nurseries available in 2014, 101 private kindergartens and 71 church kindergartens. By September 2014, 156,402 children were enrolled in
kindergartens. The general trend indicates lower number of nurseries available while the number of children in need of a place in preschool is increasing. Such trend has a huge impact on the employment level of women with children, as they are increasingly engaged in childcare (97% of women on parental leave). There is also a lack of information on alternative forms of childcare such as company nurseries.

- According to the Statistical office, the number of social services facilities reached 1337, a figure similar to that of 2013.

- Based on a survey from 2014, it was found that 82% of families and carers were women, mostly in the age group of 51-64 years. These were mainly the adult children (40%, adult daughters and daughters in law) and parents of dependent children (20%).

Application of measures for the reconciliation of work, private and family life:

- The proportion of women aged 15-64 in temporary employment in the Slovak republic reached 7% in 2013.

- Only every seventeenth woman in the Slovak republic works part-time. The extent of the use of reduced working hours (part-time and job sharing) among working women in the Slovak republic is alarmingly small. This is despite its slight increase in the recent years, even despite creating a new "job sharing" scheme in labour law legislation.

- The weekly working time of women in the Slovak Republic was about 39.4 hours in 2013. This happened to be the second highest figure in the EU-28 (Bulgaria-40.4 hours). The Slovak woman worked almost 6 hours more per week compared to the EU-28.

- In the area of institutional care for children under 3 years of age the Slovak republic ranks among the countries with the lowest range of institutional care (of educated) children in the nursery. According to the data from Eurostat only 4% of children under three years were provided with institutional care in the Slovak Republic in 2012.

- On average every twenty-fifth woman (4%) works from home regularly in the Slovak republic, and every twentieth woman (5.2%) aged 15-64 works from home periodically.

- Considering financial resources, the greatest issue for parents is to ensure care for children aged 3 - 4 years who are not accepted in public kindergartens for capacity reasons and subsequently enrol in private kindergartens, already with no entitlement to child care.

Working conditions of women and men who care for children are addressed in the scope of the Labour Code (Act no. 311/2001 Coll.). The Labour Code as the basic norm governing the legal status of employees prohibits discrimination and guarantees the right to equal treatment – also regardless of gender and marital status. At the same time, it regulates the working conditions of pregnant women, mothers up to the ninth month after childbirth, nursing women, and women and men caring for children, addressing time off from work for family reasons and due to care for young children.
The Labour Code was amended in 2012, with effect from 1. 1. 2013. The definition of maternity and parental leave (§166-169) did not change. The mother is entitled to a maternity leave of 34 weeks (including six, and max. eight weeks before the childbirth). The entitlement to parental leave expires by reaching three years of age, or six years in ill health of the child. The parental leave can be interrupted and later resumed after the agreement of the employee and the employer, however, only until five years of age (in the case of seriously disabled child up to eight years).

Maternity leave in its full scope is only available to the mother of the child. The father can only use it after the birth of the child (in difficult circumstances such as death or serious illness of a child's mother), or after six weeks following the birth when the parents agree. Parental leave is available to both women and men. Yet, only one of the parents is authorized to use it at a time. A specific leave available to fathers only - the so called "paternity leave" or transferable "quotas for fathers" - are not recognized in the national legislation.

Compensation for the loss of income due to care for children is defined in the scope of several social norms. The financial benefits granted for the duration of maternity leave are defined by Act no. 461/2003 Coll. on social insurance. The maternity benefit is provided from the social insurance and there is a condition - participation in sickness benefit for at least 270 days in the last two years before childbirth. Although the act changed repeatedly, the definition of maternity benefit remained the same. The period of entitlement to the allowance is consistent with the definition of maternity leave (34 weeks, in specific cases 37 or 43 weeks), and the assessment base for the calculation of the benefit is 65% of the daily assessment base (of which the insured has paid premiums). No further extensions to the period of receiving the allowance planned for 2014 happened.

After the expiry of maternity leave, one of the parents or a person having the custody of the child, has the opportunity to take parental leave and receive parental allowance. The parental allowance was defined by Act no. 382/1990 Coll. on parental allowance and has since undergone turbulent changes in determining the amount of the contribution. The conditions of entitlement also changed, so did the underlying philosophy. The current form of parental allowance was founded in the scope of the Act. 571/2009 Coll. on parental allowance and on amendments to certain acts, which has been substantially amended since 2009. Such frequent major changes in the parental allowance caused great uncertainty for parents caring for a child.

Currently, the parental allowance is defined as a state social benefit granted to the beneficiary to ensure proper care of the child. It does not have to be personal, as in the previous versions of the document. While part of the definition of good childcare is to follow up with preventive health examinations of the child. Parental allowance can only be granted to one authorized person at a time. In the case of more children in the family, the family is only entitled to one allowance. The law allows parents during the period of receiving parental allowance to engage in gainful activity in any form, the amount of income from this activity or time of execution of work does not affect the entitlement to parental allowance or its amount. At the time of employment, parents may ensure care for their child either through one parent, grandparent or another adult person or legal entity.

The politics of the employers plays a significant role in the process of reconciliation of work and family life of their employees. In the case of the Slovak republic, the work - life balance policies tend to be in a rather marginal position or in a position of an accidental solution to the burning issues rather than an integral part of some permanent, explicit and systematic company politics. As research shows, the politics of the employers’ organizations regarding
promotion of sensitive approach to family duties of their female and male employers is continuously behind. A lot of effort will be required from all relevant actors to change this situation.

In general, the employers’ organizations are able to implement multiple support measures to facilitate an effective work – life balance of their employees. They can either introduce flexible forms of work (flexible working hours or organization of work) or various support services and benefits for the families.
6. ADRESS POLICIES AIMING AT ERADICATION OF GENDER-BASED VIOLENCE

The results of the survey by the EU Agency for Fundamental Rights on violence against women revealed that the Slovak Republic is close to the EU average in terms of the prevalence of violence against women. The percentage of female respondents from the Slovak republic who stated that they had experienced physical or sexual violence as an adult from a partner was 23% (EU average 22%) and in the case of violence from any man it was 34% (EU average 33%). Within the last year, partner violence was reported by 6% of women and 10% of women reported violence from any man. A disturbing result, in our view, is the finding on assistance for victims that only 8% of women had contacted police and only a little over a quarter (27%) of women knew at least one institution that provides assistance to women at risk of violence. 40% of Slovak women had experienced sexual harassment in their adulthood, 22% a more serious, i.e. non-verbal form of harassment.

6.1. Policies and Services

The Slovak Republic has adopted a number of measures and initiatives to combat violence against women. The cross-cutting nature and difficulty of the issue of violence against women, including the fact that it is an area that has long been a taboo area where unresolved problems have become standard and stereotyped parts of life, have caused problems to grow and accumulate. The situation has been affected not only by misunderstanding and incorrect attitudes to violence against women in society, but also by the absence of coordinated, specialised and well-developed services for assisting the victims of such violence. In an effort to change this adverse situation and to establish a comprehensive and systematic response to the problem, the government of the Slovak Republic adopted already tree action plans, the latest is the National Action Plan for the Prevention and Elimination of violence against Women 2014–2019 (the Plan).

The Plan set out a systematic basis for providing institutional support for survivors of violence against women and domestic violence. The areas of implementation include: strengthening the legal and strategic framework, provisions on assistance and affordable support services, methodology and standards, training for professions providing assistance to survivors, primary prevention, monitoring and research, and violence against women in the workplace. The Plan also set up 63 very concrete tasks, together with assigned bodies responsible for each task, sources of financing, indicators for evaluation and due dates for each task.

In June 2016, the MLSAF of SR submitted to the government an evaluation of the first two years of the implementation of the Plan. According to the evaluation, a significant progress has been made in several areas proposed in the Plan.

Following the tasks set in the Plan, in 2014, two national projects on violence against women supported by the European social fund have been implemented. The launching of the National 24-hour helpline for women victims in March 2015 is another important milestone. Since the launch of these helplines, the counselling centres for women report that the number of women wishing to solve their situation doubled.

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With respect to preparation of the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (The Istanbul Convention; SR signed on May 11, 2011 in Istanbul), in particular the harmonization of national legislation with the Article 10 of the convention, the MLSAF has set up a Coordination-methodical Centre for Gender-based Violence and Domestic Violence (CMC). The project has been co-financed through the Norwegian Financial Mechanism and European Social Fund.

The aim of the CMC is to create, implement and coordinate a comprehensive national policy in the area of preventing and eliminating violence against women. A team of experts was set up within the CMC responsible for the coordination and supervision of the implementation of the system of prevention and intervention, victim support and services in the field of violence against women and domestic violence. Training of law enforcement agencies, including police officers, investigators, prosecutors, judges, as well as health care professionals on gender-based and domestic violence represent crucial activities of the CMC in cooperation with the CoE, the Norwegian Centre for Violence and Traumatic Stress Studies and other domestic and international experts. Research and monitoring are also among the activities of the CMC.

The MLSAF established a **free 24/7 helpline** in order to provide an efficient support to women experiencing violence and seeking support. Detailed statistics are collected in order to monitor the effectiveness of the helpline. The helpline received about 6 000 calls in 2016, and has provided 495 women with a long-term support; 199 of those were evaluated as being high on a risk of violence which means for the guidance counsellor to have elaborated a security plan and continuously follow up on clients. The helpline has become an integral part of the CMC since July 2016. Furthermore, the Office of General Prosecutor established a free helpline and an e-mail address where a specific motion to investigate a case may be reported. The Office refers the reported case to the relevant police department.

Regarding particular activities and projects, we would like to mention that the total financial allocation for activities focused on combating violence against women and domestic violence represents 12 million euros in total for the years 2014-2016. A significant contribution in this area was made through the Norwegian financial mechanism; it amounts to 7 million euros.

Besides this allocation, an important financial mechanism is support for social services through self-governing regions, which support accredited organisations providing special advice services for the victims of domestic violence, mainly women, pursuant to Act No. 448/2008 Coll. on social services.

Several projects aimed at establishing new women shelters and counselling centres have been supported via public scheme and from the Norwegian Financial mechanism together with a financial contribution from the state budget. The establishment of these new shelters resulted in providing 170 family spaces altogether; which means we are approaching the standards of the Council of Europe requiring us to provide 225 spaces. There are about 23 counselling centres around Slovakia providing services for women survivors of domestic violence.

The Ministry of Interior of the Slovak Republic provides assistance and protection to victims of trafficking in human beings through the Programme for the Support and Protection of the Victims of Trafficking in Human Beings.⁹ Non-governmental organisations are involved in the

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⁹ The scope and quality of the services provided to the victims of trafficking in human beings are defined
provision of comprehensive care under the programme based on contracts concluded with the Ministry of Interior on the provision of funds from the state budget of the Slovak Republic. Within the Ministry of Interior the problem of trafficking in human beings is supervised by the Information Centre for the Fight against Trafficking in Human Beings and Crime Prevention.

The Office of the Government Plenipotentiary for Roma Communities (OGPRC) was strongly involved in work on protection of the rights of women against sexual exploitation, focussing in particular on Roma women, carried out in the relevant commissions, sub-commissions and expert groups (e.g. for the fight against trafficking in human beings within the multidisciplinary working group for the prevention of trafficking in human beings) as well as the advisory bodies of the government of the Slovak republic. It cooperated on relevant crime prevention strategies, the conception for combating extremism, the action plan for preventing all forms of discrimination, racism, xenophobia, anti-Semitism and other expression of intolerance, etc. The OGPRC also cooperated in the preparation of a methodological aid for identifying victims of trafficking in Roma communities. The aim of this guide was to strengthen preventative and awareness-raising activities for this vulnerable group carried out by workers in the helping professions (for example, field social workers and community workers) who work in the natural environment of Roma communities with the aim of better identification of victims of trafficking in marginalised Roma communities.

An Expert group on the prevention and elimination of violence against women and in families was established as long ago as 1999 pursuant to a government resolution on crime prevention. The expert group drew on model strategies and practical measures for the elimination of violence against women developed by the UN. An expert group for the problem of violence against women operates within the Government Council for Crime Prevention. The expert group is a specialist body of the Government Council for Crime Prevention. As an interdepartmental body it cooperates with ministries and other central state administration bodies, social partners, municipalities, higher-tier territorial units, local state administration bodies, non-governmental, non-profit organisations, research institutions and academic institutions. In its activities the Expert Group focuses on tasks connected with promoting the prevention and elimination of violence against women and in families in accordance with the international commitments of the Slovak Republic and its commitments resulting from membership in the EU, the law and acts of general application.

6.2. Legal situation

The issues concerning various forms of violence against women and the trafficking of women are dealt with in the scope several Acts, such as the Penal Code (Criminal Act), the Rules of Criminal Procedure, the Act on misdemeanour, the Rules of Civil Procedures, the Civil Code, the Act on the Compensation of Victims of Violent Criminal Acts and the Act on Social Services. Legislation also allows the activities of victim assistance organisations, including the provision of legal advice. Current law guarantees victims the right to legal aid free of
charge when claiming compensation in criminal proceedings and also in civil lawsuits through a Legal Aid Centre.\textsuperscript{10}

The Criminal Code No. 300/2005 Coll. Section 208 punishes the acts falling within the substance of the offence of battering a close person or a person entrusted on one’s care in broader personal scope, in the light of the extension of the legal definition of the term close person covers the former spouse, cohabitee, former cohabitee, the parent of the common child, the person that is close in relation to them and person entrusted in one’s care (the adopted child). The lawmaker extended the objective aspect of the merits of this criminal offence and established increased penalty for its commission.

The criminal law also introduces the so-called protective treatment and enables the court to impose it upon a perpetrator who has committed a violent offence against a close or entrusted person, where it may reasonably be expected that he will carry on with the violent acts.

With effect from 01/09/2011\textsuperscript{11} a constituent element of the offence of dangerous harassment under section 360a of the Criminal Code to punish \textit{stalking}, i.e. the long-term harassment of another person that is capable of giving the harassed person grounds to fear for his/her life or health or the life or health of a close person or that significantly impairs the quality of his/her life.

Latest amendments to the §208 Criminal Code and the Act 372/1990 Coll. the Act on Offences (Date of entry into force: 01/01/2016) deal with the problem of an offence recurrence. If an act of domestic violence performed by the same perpetrator was classified as an offence (resulting in imposing a fine), and the same perpetrator performs the same or similar act of domestic violence within the following 12 months, this second act will be investigated as a crime, punishable under the §208.

In connection with the transposition of the Directive 2011/36/EU, with effect from 01/08/2013 the definition of the offence of trafficking in human beings in section 179(1) and (2) of the Criminal Code incorporated a reference to “abduction”, “begging” as a special form of forced service and “the exploitation of criminal activities”. At the same time a reference to forced marriage was added as a special form of trafficking in human beings, based on prior experience.

In regard of proceedings of a criminal offence of “sexual violence”, the perpetrator of that offence can be both a man and a woman while rape is exclusively defined as a violent act of sexual intercourse against a woman.

The amendment in 2003 established that where the perpetrator has been punished twice for the offences of battering a close or entrusted person, rape, sexual violence, sexual abuse, or trafficking in persons, and he had at least in part served the sentence, the court shall impose a life sentence on him, provided the conditions are met under the Criminal Code; otherwise

\textsuperscript{10} At present the Legal Aid Centre does not provide legal aid or legal representation in criminal law proceedings and does not have any branches or offices abroad. The National Action Plan for the Prevention and Elimination of Violence against Women 2014–2019 includes a task assigned to the Ministry of Justice of the Slovak Republic (point 15) to provide for the amendment of Act No. 327/2005 Z.z. so that offices of the Legal Aid Centre in the Slovak Republic provide legal advice for, amongst other clients, women at risk from violence and legal representation for the victims of violence against women also in criminal cases.

\textsuperscript{11} Act No. 262/2011 Z. z. amending Act No. 301/2005 Z. z. the Criminal Code, as amended, and amending certain acts
he is imposed a sentence of 25 years imprisonment, if circumstances worth special consideration do not prevent it. However, the court cannot impose a punishment less than twenty years of imprisonment on such a perpetrator.

Criminal Procedure Code enables prosecuting the offences against a family member start prosecution against the perpetrator ex offo, also without the consent of the victim of violence or rape.

Another important step is the Act No. 215/2006 on compensation of the victims of violent crime under which the victims of offences of rape, sexual assault and sexual abuse are entitled to compensation for physical injuries resulting from the offence and also to compensation for non-material harm (mental trauma, stress, anxiety, frustration).

Pursuant to the provisions of section 27a of Act No. 171/1993 on the Police Force a police officer is authorised to remove and ban a person from a house, flat or other shared dwelling with a person at risk and from its immediate vicinity if evidence has been found to indicate a reasonable expectation that the banned person will make an attack on the life, health or freedom or an especially severe attack on the human dignity of the person at risk, especially if such attacks have occurred previously. The ban includes a prohibition for the banned person to enter the shared dwelling for 10 days from the ban as well as to approach the victim closer than 10 meters. A police officer is entitled to ban such persons in their absence. If a request from an injunction is filed with a court during a ban from a shared dwelling the duration of the ban from a shared dwelling shall be extended until the entry into force of the court's decision on the request.

The Civil Code enshrined a provision permitting during community property, i.e., during the life of the marriage, but also after the divorce until the property is divided by a court's decision to prevent the violent person from using the apartment or house of the spouses. The perpetrator's right to live in the flat or house can be restricted or denied in case of domestic violence. The legislation considers that the right to use the dwelling belongs to each of the spouses, and where one spouse by his/her violent conduct makes the use of dwelling virtually impossible for the other one, it is necessary to guarantee the victims the exercise of their constitutional right also by restricting the right of use of dwelling for the violence perpetrator. Equally, the court shall determine when and under what conditions the violence perpetrator is not provided a dwelling replacement.

In linking to the Civil Code, the Civil Procedure Code enabled the courts by a preliminary order to impose on the violence perpetrator not to enter the house or apartment shared with the person close to the perpetrator, or entrusted in his care, in relation to whom he is justifiably suspected of committing the offence of violence.

An amendment of Act No. 448 on social services introduced the term “gender based violence” as a situation of social crisis in which the life or health of a natural person and his/her family is at risk and which requires immediate action by social services. The amendment made provision for emergency accommodation facilities to be provided separately for a certain selected target group of natural persons and allowed these persons

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12 Act No. 146/2013 Z. z. amending Act No. 215/2006 Z. z. on compensation of the victims of violent crime, as amended by Act No. 79/2008 Z. z., and amending certain acts
13 Act No. 491/2008 Z. z. amending Act No. 171/1993 Z. z. on the Police Force, as amended, and amending certain acts
14 Act No. 448/2008 Z. z. on social services and amending Act No. 455/1991 Zb. on trade licensing (the Trades Licensing Act) as amended, as amended
to be guaranteed anonymity. The amendment thus permitted the provision of specialised social advice and the provision of services in emergency accommodation facilities for specific target groups including women at risk of violence. At present a system of accreditation is being prepared for specialised social advice for women experiencing violence or at risk of violence.

In general, **human trafficking** is considered to be a violation of human rights and this is reflected in relevant legislation, namely § 179 of the Criminal Code. The criminal offense of trafficking has been systematically included in a separate part of the Criminal Code under the crimes against freedom and human dignity. At the same time, the Slovak Republic is bound by international conventions on the protection of human rights and freedoms (The Convention for the Protection of Human Rights and Fundamental Freedoms, The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, etc.). The relevant legislation applies the definition of human trafficking as stated in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children which is one of the three additional protocols to the United Nations Convention on transnational organized crime.

Ministry of Justice has established a working group with the aim to draft legislation on victims support and protection as the transposition process of the „Directive 2012/29/EU of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime“. MLSAF is a part of the working group specially dedicated to ensuring an adequate focus on vulnerable groups, particularly women, children and other victims of domestic and gender-based violence. The draft shall be available in the first quarter of 2017.

The Ministry of Health of the Slovak Republic has issued a number of specialised documents including Specialised procedural guidelines for healthcare professionals providing healthcare for a woman threatened with violence and Specialised guidelines on the symptoms and diagnosis of neglect, maltreatment or abuse of minors and the procedure for healthcare providers to report suspicions of neglect, maltreatment or abuse of minors. In 2013, a new law was drawn up, Act No. 153/2013 Coll. on the National Health Information System, annex 2 point 12 of which set out the procedure for processing the personal data of relevant persons for the “National register of persons suspected to be at risk of neglect, maltreatment or abuse and persons against whom violence has been committed.”

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15 Published in the Journal of the Ministry of Health of the Slovak Republic, part 54-55, volume 56.
REFERENCES


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