

**Gender Equality as Issue with Content and Context  
Ten years of Slovakia's Membership of the European Union**

Zuzana Maďarová

**1. Introduction**

Since 1993 when the Slovak Republic was established accession to the European Union was one of the priorities of its foreign policy. "Slovakia has declared European values, which bring improvements of security and quality of life to ordinary citizens." (MZVEZ SR, 2014). But what meanings do politicians ascribe to these words? Do they consider gender justice as one of these European values?

In the long term gender equality is one of the main goals of the European Union<sup>1</sup> and the accession process, as well as the accession itself (on May 1<sup>st</sup> 2004), has influenced the legislation and public discourse on gender equality in Slovakia. When looking at *The Assessment Report on the 10 Years of Slovakia's Membership in the EU* published by the Ministry of Foreign and European Affairs of the Slovak Republic (2014) some doubts emerge as to whether gender equality is really a goal, priority and important part of Slovak policy. The reason for this is that the Report does not even mention gender equality, hence it does not include it among the most important issues of Slovakia's membership of the EU, which are listed as: economics (GDP, Euro, coordination of economic and fiscal policy, tariff issues), budget issues (the EU's multiannual financial framework), the EU internal market (single internal market, business, foreign investments, procurement, consumer protection), social aspects (opening of the labour market, structural funds, labour law, health services), education, science, research, culture (quality of education, institutionalisation of research and

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<sup>1</sup> The Treaty establishing the European Economic Community (the Treaty of Rome) that was signed in 1957 by six establishing countries includes the right to equal pay for women and men for equal work of equal value (at first Article 199, now Article 157 TFEU). This principle has been reflected in the Equal Pay Directive and it was obligatory for Member States to transpose it into their legislation. Important progress in the understanding and applying of the equal pay for equal work principle was the judgment of the European Court of Justice in the case *Defrenne v. Sabena* (Defrenne v Sabena case 43/75; [1976] ECR 1365). According to this judgment Article 119 has a double aim – economic as well as social. (*Zmluva EÚ*, 2012)

An extension of the equality of women and men principle was brought in 1997 by the *Treaty of Amsterdam amending the Treaty of the European Union, the Treaties establishing the European Communities and certain related acts* (Amsterdam Treaty). It claims that "the Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to the Member States." (Article 6). At the same time it sets gender equality as one of the community's main objectives (Article 2). According to the Treaty, all the member states shall aim to eliminate inequalities and promote equality between men and women (Article 3, para 2). Article 13 promises to "combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation." Article 137 states that the Community shall support and complement the activities of the Member States in equality between men and women with regard to labour market opportunities and treatment at work. And according to Article 141 "Each Member State shall ensure that the principle of equal pay for male and female workers for equal work or work of equal value is applied". The Articles 2, 13, and 141 provide a legal basis for a broad spectrum of activities at the EU level aimed at promoting gender equality. These Articles also became a part of the new, consolidated version of the Treaty – known as the Lisbon Treaty (*Zmluva EÚ*, 2012).

The Treaty of Lisbon, which entered into force on December 9<sup>th</sup> 2009, consolidated The Treaty on European Union and the Treaty on the Functioning of the European Union. The Charter of Fundamental Rights of the European Union became legally binding for the Member States, which means that the EU as well as the Member States have to respect the rights stated in the Charter when designing and implementing laws (*Zmluva EÚ*, 2012). Among these rights there is also equality before the law, non-discrimination, equality of women and men, and access to social security and social assistance (*Zmluva EÚ*, 2012).

development, cultural change, Košice role as European Capital of Culture 2013), natural resources (agriculture, the environment, energy policy), infrastructure (public transport, energy infrastructure, telecommunications and the information society).<sup>2</sup> Gender equality or human rights are not included amongst Slovakia's priorities for the coming period. This approach of opinion-building political institutions both forms and is mirrored in public discourse and public opinion concerning the European Union. As a result, citizens of Slovakia do not relate the EU to human rights or gender equality. The European public opinion research conducted in the autumn of 2013 shows that for most people in Slovakia the EU stands for Euro currency (53%) as well as freedom to travel, study and work in the EU (53%). For 33% of Slovaks the EU means wasting money, for 28% it represents unemployment, for 24% it connotes bureaucracy, for 22% it represents a stronger say in the world and for another 22% it is associated with higher criminality. For 18% of people the EU means peace (Kuhn, 2013). What does this tell us about the situation of gender equality in Slovakia? We might say that between 2004 and 2014 Slovakia has made such progress in gender equality that there is nothing else to improve and there is no need to speak about gender equality. Or, on the contrary, that gender equality has never become a really strong political and public issue. Unfortunately the second option would be closer to reality.

How has accession influenced gender equality in Slovakia? How has legislation changed and what has happened to the lives of women and men in the country? How has accession influenced the situation of feminist and women's NGOs? These and other questions are raised in this analysis, which tries to summarise some basic aspects of the assessment of the Slovakia's membership of the EU. The analysis is part of the international project "10 Years in the EU from a Gender Perspective. Achievements and Shattered Hopes" conducted and funded by the Regional Office of the Heinrich Böll Foundation in Warsaw.

## **2. Political and Legal Framework**

Accession to the EU has had an important influence on the Legal System of the Slovak Republic. Since May 1<sup>st</sup> 2004 Slovakia has transposed into its legal system 1219 of the total 1231 Directives - Slovakia was in arrears with 12 cases. As the Assessment Report states, at present 85% of the legislation in Slovakia is formed by the transposition of EU legislation (MZVEZ SR, 2014).

In the field of gender equality, transposition of EU Directives has led to changes predominantly in the Labour Code (Act no. 341/2011 Coll.) and to the adoption of the so called Antidiscrimination Act (Act no. 365/2004 Coll.). The political struggle to become a part of the EU also contributed to the adoption of some strategic documents on gender equality and to mainstreaming gender into strategic materials on other issues (Bútorová, 2008; Repar, 2007). Despite the adopted laws and regulations regarding gender equality Slovak legislation lags behind many EU countries (Magurová – Pietruchová, 2012).

According to Stanislava Repar (2007) the pre-accession period marked changes in the setting and shaping of the gender equality agenda, however Zuzana Očenášová (2011) points out that even at that time Slovakia did not fully use the potential for developing gender equality policies. This is attributable to economic and political changes between 2000 and 2004. Even though many of the introduced reforms have influenced the state of gender equality in society, gender mainstreaming was not applied and gender equality was not among governmental priorities (Očenášová, 2011). The second important reason might have been the linking of gender equality policy with other antidiscrimination policies. Given that the European Commission openly supported the merging of antidiscrimination directives on different grounds of discrimination into one legal framework, gender, together with other potential grounds of discrimination, was included in the Antidiscrimination Act (Očenášová, 2011, para 6). The Antidiscrimination Act, together with the Constitution of the Slovak Republic, provides an important legal framework for protection against discrimination on

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<sup>2</sup> Issues are stated in the same manner as in the content of the publication.

different grounds, including gender, as well as a legal framework for equal treatment and equal opportunities.

These two reasons mentioned by Očenášová might be supplemented by another one – a long-term lack of interest on the part of political representatives in the human rights of women and gender equality issues. For a long time politicians produced different excuses as to why they had not been addressing these issues and one of the most frequent excuses was a need to solve “more important problems” (see e. g. Bútorová, 2008; Cviková – Juráňová, 2009; Juráňová, 1995). This phenomenon began in the 1990s and it continued during the authoritative rule of Vladimír Mečiar, when the government was not interested in feminist issues, while political opposition together with a significant part of social and cultural elites understood and presented feminism as a fragmentation from struggles for democracy and social change (Bútorová, 2008). In the end this phenomenon survived Mečiar’s rule, as well as the more or less democratic governments that followed. As Bútorová (2008) stated, even efforts to become a part of the EU did not bring a significant improvement in the approach of political representatives towards the problems of women and gender inequality in Slovakia. The political sphere was divided into two parts. One considered gender equality unimportant and it was only due to pressure from NGOs and international organisations that (most) formal measures in this field were taken. The second part of the political spectrum explicitly protested against the EU influence that was presented as dangerous “social engineering” undermining traditional Christian values in Slovakia (Bútorová, 2008).

Slovak legislation has universal and specific treatment of equal opportunities (Magurová – Pietruchová, 2011). The universal treatment is included in the Constitution of the Slovak Republic and the Charter of Fundamental Rights and Freedoms that guarantees fundamental rights to every person “without regard to gender, race, colour of skin, language, faith and religion, political or other conviction, national or social origin, membership in a national or ethnic minority, property, birth, or other status.” (Article 3, para 1). The special treatment of equal opportunities is included in the Employment Service Act, Labour Code and the Antidiscrimination Act, all of which transpose EU directives.

### **1.1 The Constitution of the Slovak Republic**

The Constitution of the Slovak Republic (Act no. 460/1992 Coll.) includes universal provisions for the exercise of fundamental rights and freedoms. The Article 12, paragraph 2 states that they “are guaranteed to everyone regardless of sex, race, colour of skin, language, creed and religion, political or other beliefs, national or social origin, affiliation to a nation or ethnic group, property, descent, or another status. No one must be harmed, preferred, or discriminated against on these grounds.” As Janka Debrecéniová (2008) adds, the formulation “another status” suggests that the enumerated grounds might be extended to also cover disability, age or sexual orientation.

Sexual orientation became a subject of public and political discussion in terms of the Constitution. In June 2014 The National Council of the Slovak Republic approved a constitutional amendment that includes 14 changes focused on two main topics – the judiciary and marriage. In the Article 41, paragraph 1: “Marriage, parenthood, and the family are under the protection of the law. The special protection of children and minors is guaranteed,” two sentences have been added to state that marriage is a unique relationship between one man and one woman and that the Slovak Republic broadly protects marriage and promotes its good. The Constitutional amendment – that will enter into force in September 2014 – discriminates against non-heterosexual couples and other types of family that do not conform to the normative scheme of married heterosexual parents with children. The Amendment was the result of a political agreement of the sole party in government, Smer – Sociálna demokracia (Smer – Social Democracy), and the opposition conservative party Kresťanskodemokratické hnutie (Christian Democratic Movement). It was criticised by Slovak and international NGOs whose argument was based on the European Convention on Human Rights and the European Social Charter. The Committee on LGBT rights and the Committee on Human Rights, National Minorities and Gender Equality, both parts of the Government Council for Human Rights – a government advisory body – also stood up

against the Amendment. Another voice commenting on the situation came from Hannes Swoboda, president of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, which also includes MEPs from the Slovak Smer – SD party. Swoboda expressed concerns about “recent developments in several EU member countries, including Slovakia, where the rights of LGBTI people are under attack.” (Bayer, 2014)

### **1.2 The Antidiscrimination Act<sup>3</sup>**

As part of the EU accession process Slovakia was supposed to implement antidiscrimination directives aimed at ending discrimination in different spheres of life and society. This obligation was partly met by means of the Antidiscrimination Act (Act no. 365/004 Coll.) in 2004 and its later amendments (Debrečéniová, 2008). The adoption of this Act was not easy at all and the National Council of the Slovak Republic only approved it at the third attempt (See also Gyuricsek, 2004). Zuzana Očenášová (2011) made an important statement with regard to gender equality. She observed that public discussion about the Antidiscrimination Act focused on the common need to have one, and on the most controversial grounds of discrimination, such as sexual orientation or ethnic origin. “Gender equality issues were not commented on at all. The merging gender equality policies with policies on other potential grounds of discrimination led to the disappearance of most parts of the issue from the agenda of public policies. The only exceptions were violence against women and reproductive rights of women.” (Očenášová, 2011, para. 6). Violence against women was put on the agenda by women’s and feminist NGOs, while the reproductive rights of women were raised by conservative political parties and feminist NGOs simply responded to it. As a result, the status quo in the field of reproductive rights of women was maintained, however, and no development was achieved.

The Antidiscrimination Act is an overlapping legislation, which lays down the principle of equal treatment in employment and similar legal relationships, in healthcare, social security and social benefits, education, and the provision of goods and services, including housing (Debrečéniová, 2008). The Act was amended a few times to transpose EU directives into it. The last amendment was passed in 2013 (and came into force on 1<sup>st</sup> April 2013) when the definition of indirect discrimination was broadened to also include (as the EU directives demand) the threat of discrimination. The Amendment also lays down negative definition of discrimination in regard to affirmative action (MPSVR SR, 2014). As a result, affirmative action based on sex/gender can be implemented within public administration and other legal entities. This measure is consistent with the recommendations of the CEDAW Committee, as stated after the second, third and fourth Report of the Slovak Republic was discussed (MPSVR SR, 2014).

The Antidiscrimination Act came into force in 2004, however, the NGO Občan, demokracia a zodpovednosť stated in 2012 that there had been only a small number of publicly known cases when particular individuals had sought protection under this law. It is therefore obvious that a low level of awareness about the legislation and its potential is an important and widespread problem.

### **1.3 The Labour Code<sup>4</sup>**

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<sup>3</sup> Antidiscrimination Act transposes to the legislation of the Slovak Republic following legal acts of the European Community:

1. Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (ES L 180, 19. 7. 2000).
2. Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (ES L 303, 2. 12. 2000).
3. Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services (EU L 373, 21. 12. 2004).
4. Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) (ES L 204, 26. 7. 2006).

The Labour Code (Act no. 311/2001 Coll.) is one of the acts that significantly changed before the accession of Slovakia to the EU. It was amended in 2001 to provide a framework for fundamental rights and freedoms of employees and employers, and to provide minimum standards of social rights. The amendment was accompanied by a public discussion, though this did not focus on gender equality (Repar, 2007).

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<sup>4</sup> The Labour Code transposes to the legislation of the Slovak Republic the following legal acts of the European Community:

1. Council Directive 91/383/EEC of 25 June 1991 supplementing the measures to encourage improvements in the safety and health at work of workers with a fixed - duration employment relationship or a temporary employment relationship (OJ L 206, 29.7.1991).
2. Council Directive 91/533/EEC of 14 October 1991 on an employer's obligation to inform employees of the conditions applicable to a contract or employment relationship (OJ L 288, 18.10.1991).
3. Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (OJ L 348, 28.11.1992).
4. Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work (OJ L 216, 20.8.1994).
5. Council Directive 94/45/EC of 22 September 1994 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups' undertakings for the purposes of informing and negotiating with employees (OJ L 254, 30.9.1994) as amended by Council Directive 97/74/EC of 15 December 1997 (OJ L 10, 16.1.1998) and as amended by Council Directive 2006/109/EC of 20 November 2006 (OJ L 363, 20.12.2006).
6. Council Directive 96/34/EC on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC (OJ L 145, 19.6.1996) as amended by Council Directive 97/75/EC of 15 December 1997 (OJ L 10, 16.1.1998).
7. Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997).
8. Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part -time work concluded by UNICE, CEEP and the ETUC (OJ L 14, 20.1.1998) as amended by Council Directive 98/23/EC of 7 April 1998 (OJ L 131, 5.5.1998).
9. Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies (OJ L 225, 12.8.98).
10. Council Directive 99/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP (OJ L 14, 20.01.1998).
11. Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (OJ L 180, 19.07.2000).
12. Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000).
13. Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of the transfer of undertakings, businesses or parts of undertakings or businesses (OJ L 82, 22.3.2001).
14. Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and negotiating employees in the European Community (OJ L 80, 23.3.2002).
15. Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ L 299, 18.11.2003).
16. Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) (OJ L204, 26.7.2006, p. 23).
17. Directive 2008/94/EC of the European Parliament and of the Council of 22 October 2008 on the protection of employees in the event of the insolvency of their employer (codified version) (OJ L 283, 28.10. 2008).
18. Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ L 327, 5.12. 2008).
19. Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and negotiating employees (Recast) (OJ EU L 122, 16 May 2009).
20. Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC (OJ EU L 68, 18 March 2010).

Nowadays, the Labour Code provides an important legislative framework for gender equality and non-discrimination. It deals with gender equality and equal opportunities in employment and labour relations. It was amended most recently in 2011 and the Department of Gender Equality and Equal Opportunities at the Ministry of Labour, Social Affairs and Family of the Slovak Republic says that this amendment meant the strengthening of the legal and institutional framework for gender equality according to the EU policies. (MPSVR SR, 2012) Article 6 states that women and men have the right to equal treatment in regard to access to employment, remuneration and promotion, vocational training and working conditions. Women are guaranteed working conditions which preserve their biological condition related to pregnancy, childbirth, post-natal care and their special relationship with the child after its birth. Women and men are guaranteed such working conditions that will allow them to raise children and take care of them (MPSVR SR, 2012). The amendment achieved a clearer and closer link between the Labour Code and the Antidiscrimination Act.

### 3. Legal and Social Aspects of Selected Issues

In 2002 the regional office of the Heinrich Böll Foundation in Warsaw supported and funded a publication intended as a women's guide to the European Union. The book was published simultaneously in three languages: Polish, Czech and Slovak, and discussed eight topics<sup>5</sup> important for the situation of women in the European Union and a given country. Therefore, *On a way to the European Union. A Guide not only for Women* provides the basis for the structure of the next part of the analysis, which presents chosen issues and some aspects that have (not) changed since 2002. Information from the publication *Na ceste do Európskej únie* is complemented by up-to-date sources: reports on gender equality issued by the Department of Gender Equality and Equal Opportunities at the Ministry of Labour, Social Affairs and Family of the Slovak Republic; the publication *Bližšie k Európe* (Closer to Europe) published by The Slovak Women's Lobby to highlight parallels and disparities between the EU *Strategy for equality between women and men 2010-2015* and the situation in Slovakia; the publication *Metodická štúdia sledovania legislatívnych úprav rodovej rovnosti vo vybraných krajinách EÚ a aplikácia v právnom poriadku SR* (Methodological Study of Gender Equality Legislation in chosen EU Countries and its application in the Legislation of SR); as well as other available sources. The aim of this part is to 1) outline changes that have (not) happened in chosen social and political fields during the last 10 years; 2) assess strengths and deficiencies in Slovak legislation; 3) indicate whether and which issues have become a part of public discourse in relation to European gender equality discourse; 4) provide recommendations for selected issues in line with EU policies and objectives (presented in the *Strategy for equality between women and men 2010-2015* and the strategy *Europe 2020*).

#### 3.1 The Language of Gender Equality

A significant change – obvious in each issue – is the terminology and, in general, language used to speak about gender equality. As Jana Cviková and Jana Juráňová stated in the book *Feminizmy pre začiatočníčky. Aspekty zrodu rodového diskurzu* (Feminisms for Beginners Aspects of the Genealogy of the Gender Discourse; 2009), gender discourse has been developed, shaped and influenced by the continuous pluralisation of the public after the Velvet Revolution in 1989. Since the 1990s, the feminist language in Slovakia evolved mostly due to the first feminist magazine *Aspekt*, which in the years 1993-2004 published translations of key feminist texts from abroad, as well as articles from Slovakia and the Czech Republic. Through these published materials, terminology and language evolved to name feminist topics and address issues regarding power inequalities in society (see Cviková – Juráňová, 2009a). The pre-accession period brought about related topics that emerged in the media, new projects and institutions. Four issues became a part of the public discourse: violence against women, the reproductive rights of women, the rights of sexual

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<sup>5</sup> = List of chapters: 1. Division of labour between women and men; 2. Women in decision-making processes; 3. Women on the labour market; 4. Violence against women; 5. Human rights of lesbians; 6. Reproductive rights of women; 7. Policy on equal opportunities for women and men; 8. Funds supporting equal opportunities.

minorities and the participation of women in the public sphere (Cviková – Juráňová, 2009b). Under the influence of the EU agenda and the European media and social campaigns, issues related to the labour market, employment and the pay gap were brought to the forefront. One of the potential reasons for the strong voice of this agenda in Slovakia might be also a general trend towards focusing on economic aspects of different phenomena, the improvement of the economic situation of the country, increasing GDP, Slovakia's deficit reduction, etc. Economic efficiency became the number one priority, regardless the issue. Gender inequality in the labour market has often been framed in a neoliberal way, stressing the economic efficiency of gender equality (e. g. in the case of the higher proportion of women in the top management, or in the case of reducing the gender pay gap) for private companies as well as for public administration and the state.

Language development and differentiation has become a part of the development of gender equality and feminism. At the same time an emptying of meaning also appeared – mostly influenced by politicians who only formally took over the gender agenda or by the expansion of language used in the European projects on gender equality (see Cviková – Juráňová, 2009b).

### **3.2 Gender (In)equality in the Labour Market**

Topics like the educational level of women and men, the unemployment rate, horizontal and vertical occupational segregation and the gender pay gap were covered as broader issues of gender inequality in the labour market in the publication *Na ceste do Európskej únie* in 2002. In recent years some other topics, such as the economic and financial crises, precarious work or the feminisation of poverty emerged. It is also of importance to note that intersectionality became an important factor in the problematisation of labour, so different categories like gender, age, ethnicity, religion, etc. are brought together to analyse inequalities in regard to labour.

When comparing data from 2002 and 2013 (MPSVR SR, 2013; Filadelfiová, 2012) some positive changes, as well as persistent problems, can be found. While in 2000 the employment rate of women in the age range 15-64 was 51.5%, in 2011 it was 52.7% (Filadelfiová, 2012). For men in the same age range the rate was higher in both periods – in 2000 the employment rate was 61.5% and eleven years later the rate was 66.3%. A similar pattern is observable among women and men in the age range 20-64 – the group that is relevant for the strategy *Europe 2020*. The strategy sets the target of achieving 75% employment for women and men. Men in Slovakia approached the target in 2011 when their employment rate was 72.7%, however the employment rate of women in the age range 20-64 in the same year was just 57.6% (Filadelfiová, 2012, p. 9-12).

An important persistent problem mentioned by Filadelfiová as early as in 2002 is the horizontal and vertical segregation of the labour market. As stated in the annual report on gender equality (MPSVR SR, 2014), the Slovak labour market is the most segregated in the EU. Significant horizontal segregation means that in areas such as healthcare, social care and education women account for up to four-fifths of the workforce, and for three-fifths in the field of public administration. These are sectors with lower than average remuneration, while in the private sector, with its higher average income, women account for less than 41% of the workforce (MPSVR SR, 2014).

Gender segregation of the labour market is closely linked to the lower earnings of women when compared to men. In 2013 the gender gap in hourly wages was 17.9%, while the average gross monthly earnings of women were 20.8% lower than men (MPSVR SR, 2014). Although gender pay gap has long-term downward trend, it is still considerable.

Issues such as gender inequality in the labour market, particularly the gender pay gap, have become the subject of social campaigns conducted by NGOs and the government. One NGO campaign called “Je len práca, ktorú treba urobiť” (“There is just work that needs to be done”) was conducted as a final part of the international project [ruzovymodrysvet.sk](http://ruzovymodrysvet.sk)

(pinkandblueworld.sk<sup>6</sup>).<sup>7</sup> The campaign was aimed at high school and university students and it highlighted the hierarchical division of labour between men and women in the private sphere, and according to occupation, and its connections with stereotypical image of women's and men's roles in society.

Another campaign run by the Department of Gender Equality and Equal Opportunities at the Ministry of Labour, Social Affairs and Family of the Slovak Republic was called "Rodová rovnosť v odmeňovaní" ("Gender Equality in Earnings" - [www.rodovarovnost.wordpress.com](http://www.rodovarovnost.wordpress.com)). It follows up a similar European Commission campaign and its argumentation is based on the EU agenda. As part of the campaign a webpage was set up and posters and videos were created to inform the public about the issue. A broader campaign addressing gender inequality in the labour market has been realised in 2014 as a part of the Národný projekt – Inštitút rodovej rovnosti ("The National project – Institute of gender equality") guaranteed by the Ministry of Labour, Social Affairs and Family of the Slovak Republic. In this information campaign, called "Keď vyrastiem" ("When I grow up" - [www.kedvyrastiem.sk](http://www.kedvyrastiem.sk)), the government cooperates with human rights NGOs - this is partly reflected in the emphasis on the broader context of gender in/equality (gender stereotypes, education, the feminisation of poverty, etc.) or in the effort to reach various target groups (parents, employers and employees, people working in education, unions, etc.). As part of the campaign, as well as videos, posters and billboards promoting gender equality, a webpage was created to offer information about the issue and a space for a discussion.

In 2002 Filadelfiová noted that legislation regarding equal opportunities in employment is reasonably fully elaborated, particularly in the Labour Code and other parts of the labour law where the European directives on equal treatment in social care, remuneration, access to employment, working conditions and promotion have been transposed. The legal framework for the principle of equal pay for equal work and work of equal value, and equal treatment for men and women in access to employment, vocational training and promotion, and working conditions are provided mainly by the Constitution, the Antidiscrimination Act and the Labour Code.

A slight shift can be seen when examining compliance with equal opportunities in employment. In 2002 Filadelfiová concluded that there were no precedents in this field. Eleven years later the report on gender equality in Slovakia (MPSVR SR, 2014) stated that besides two nationwide checks of equal pay for women and men, there were also inspections carried out on the basis of individual complaints. Labour inspectorates found 44 breaches of the provisions of the Labour Code in this regard. The number of complaints regarding the breach of the principle of equal treatment in labour relations and discrimination in pay rose to 39 in 2013. The Ministry of Labour, Social Affairs and Family interprets the growing trend as evidence of the increasing legal awareness of citizens and their efforts to claim their rights.

To meet the objectives set out in the strategy *Europe 2020*, Slovakia needs to take action in various fields. With regard to gender equality in the labour market, Filadelfiová (2012) and Pietruchová (2012) suggest the following steps and measures:<sup>8</sup>

- Declare publicly that gender inequality in economic independence is a deficit in democracy, strengthen gender mainstreaming in public policies.
- Focus on spreading information about discrimination and protection of equal treatment in the labour market.

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<sup>6</sup> The project was realised by the feminist educational and publishing organisation ASPEKT, human rights NGO Občan a demokracia (nowadays called Občan, demokracia a zodpovednosť), Bábkové divadlo na Rázcestí v Banskej Bystrici (The Puppet Theatre on a Crossroad in Banská Bystrica), elementary school in Trnava and Transnational Development Partnership WEGA.

<sup>7</sup> Project „ruzovymodrysvet.sk Rodová senzibilizácia vo vzdelávacom procese na základných a stredných školách ako príprava budúcej desegregácie povolání“ (Gender Sensitisation in the Educational Process at Elementary and Secondary Schools as Preparation for Future Job Desegregation) was carried out in 2005-2008 within the European EQUAL Community Initiative funded by the European Social Fund.

<sup>8</sup> For a complete list of recommendations see Filadelfiová (2012) and Pietruchová (2012).



- Increase employment and improve social welfare, provide evaluation of their impact on gender equality, consistently implement gender equality as an overlapping priority in all the projects supported by the EU funds.
- Develop tools binding and motivating employers to apply gender measures and to encourage gender audits. Consider gender audits as legal obligations.
- Ensure transparency in the selection of workers and their promotion. Consider quotas as a means to remove the glass ceiling.
- Implement measures to promote the employment of various groups of women, with particular attention paid to the situation of Roma women who face multiple forms of discrimination.
- Pay attention to poverty and material deprivation, which is faced more often by women receiving low salaries and/or caring for children.
- Ensure regular collection and publication of data on women and men in the labour market.
- Within the scope of the elimination of the gender gap, improve the enforcement of existing legislation.
- Include the elimination of the gender gap into employment policies.
- Ensure equal pay among employers by encouraging social responsibility.
- Promote an exchange of practices between EU member states and involve social partners in searching for solutions.

### **3.3 The Gender Division of Labour**

When it comes to the gender division of labour, it is possible to conclude – as it was before the accession of Slovakia to the European Union (Filadelfiová, 2002) – that women carry out a substantial part of housework, including childcare and care for other family members. This double burden of women is a persistent problem, which was included by Filadelfiová in 2008 among the “chronic problems of women in Slovakia, as well as in other countries” (p. 235). On the bright side, this issue became an object of works of research (e. g. Bútorová, 1996; *Úloha...*, 2006; *Ženy...*, 2006; Filadelfiová, 2008) whose outcomes confirmed that routine housework is carried out primarily by women. = In only one third of all the recorded cases do women and men share these responsibilities. The only routine household duty that men carry out significantly more often is shopping. (Filadelfiová, 2008, p. 253). Care work is either primarily carried out by women or shared by partners. To put it differently, women without children under the age of 17 carry out more than 72 hours of paid and unpaid work per week, while men contribute just 61 hours. Mothers with children in the age range 6-17 carry out more than 82 hours paid and unpaid work per week, while fathers of children in the same age range only contribute 64 hours. The difference is even greater between men and women with children under the age of 6 – fathers carry out almost 75 hours of paid and unpaid work per week, while mothers contribute almost 100 hours (MPSVR, 2014).

Childcare and household duties are the most common reasons for the economic inactivity of women of working age (MPSVR SR, 2014). No Slovak government has ever addressed this serious and persistent problem. To improve the situation the document *Národná stratégia rodovej rovnosti na roku 2009 – 2013* (The National Gender Equality Strategy for the Years 2009-2013) laid out the following suggestions - flexible forms of employment and improving services; developing tools obliging employers to implement family-friendly and gender competent measures; the creation of conditions facilitating the return to work after a career break (especially maternity and parental leave or other personal reasons); increasing the number of childcare facilities. However, *Národný akčný plán rodovej rovnosti na roky 2010 – 2013* (The National Action Plan for Gender Equality for the Years 2010-2013) did not transform these objectives into specific activities and measures (MPSVR, 2014). Moreover, the unequal gender division of labour is framed by the government primarily as an underemployment of women. Therefore, the issue focuses on the

reconciliation of work and family life, flexible forms of employment, childcare facilities,<sup>9</sup> etc. but rarely (if ever) on the division of labour in the private sphere. Such an approach, influenced by neoliberal discourse together with understanding of the issue as isolated rather than a complex problem that involves the public and private spheres, carries a risk of further ignoring or reinforcing gender inequality. Additional risks include the thoughtless acceptance of certain arguments that appear in the context of the European Union, such as the promotion of flexible forms of employment. Few feminist voices draw attention to the risks of flexible forms of work (e. g. the risk of social insecurity and poverty).

Another issue that has been simplified in the public discussion and introduced very selectively is equal parenting after divorce (shared custody). NGOs representing the rights of fathers started the public discussion with the aim of “increasing the sensitivity of courts, Labour, Social Affairs and Family Offices, politicians and the public to issues related to alternating childcare and to draw attention to the disadvantage of fathers in the proceedings of courts on the conferral of minor children to the custody of one parent (usually the mother of the child).” (MPSVR SR, 2012, s. 11). The empowerment of fathers was discussed, however a simplistic image of disadvantaged fathers who are not able to take care of their children after a divorce was created, and courts preferring mothers to take care of their children was presented as the main problem. Even though co-parenting is an important issue, here some very basic facts were ignored: during marriage women still have primary responsibility for childcare; according to the law, mothers as well as fathers can take parental leave,<sup>10</sup> but it is taken almost exclusively by women.

With regard to the objectives laid down in the strategy *Europe 2020* for the gender division of labour, it is possible to build on the recommendations for gender equality in the labour market (Filadelfiová, 2012):

- Defeminise family care and childcare.
- Adopt a comprehensive strategy for the reconciliation of work and family that would reflect on women’s burden of unpaid work. Create a variety of policies aimed at bringing different groups of women and men back to the labour market.
- Make the concept of parental leave more flexible, so it will be easier for both parents to take and share. Implement proactive measures to increase the participation of fathers in childcare.
- On all levels of politics support the reconciliation of work and family as well as develop services (e.g. available institutional childcare).

### **3.4 Participation in decision-making**

Equality in decision-making processes is one of the most important values the European Union is built upon (Magurová – Pietruchová, 2011). The participation of women in decision-making in Slovakia is low from the long term perspective; however, this problem has not become an issue of persistent public interest (Maďarová, 2013). Women make up only “a third of all legislators and top managers and have minority representation in most statutory bodies and public administration” (MPSVR SR, 2014).

The report about gender equality in Slovakia in 2013 (MPSVR SR, 2014) notes increased public interest in national and regional elections. However, women participate in public life less than men and they are less successful in all types of elections. When

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<sup>9</sup> “With the objective of increasing the participation of women in the labour market and the integration of marginalised Roma communities, the government of the Slovak Republic declared to continue supporting pre-primary education in kindergartens through the expansion of the existing forms of education. It promised to take systematic measures so that gradually 95% participation of children older than 4 years in pre-primary education in kindergartens is reached by 2020.” (MPSVR SR, 2014, p. 35)

<sup>10</sup> Maternity leave is available in full only to mothers; fathers can take it only after childbirth and under adverse circumstances (such as the death or serious illness of the mother) or after an agreement with the mother no sooner than 6 weeks after childbirth (MPSVR SR, 2014, p. 29). Parental leave is available to men as well as women. Slovak legislation does not provide so called paternity leave or a quota for fathers. (MPSVR SR, 2014)

comparing different levels of politics, the highest representation of women is in the European Parliament – in 2004 the proportion of women was 35.7%, five years later it was 38.5%, though after the election in 2014 the proportion of female MEPs decreased to 30.8%. As Filadelfiová (2012) concluded, other than some assumptions, there has been no complex analysis provided to find out why female candidates are most successful in the European elections. Women make up 16% of the National Council of the Slovak Republic, no regional self-government has been ever led by a woman, and the proportion of women in regional parliaments is 15.7%. The rate of women leading municipalities is 22.9%. Higher positions in most state administration bodies are characterised by a lower representation of women. Out of 15 members of the government, only one is a woman, and 9.1% of all state secretaries are women. There are only men on the board of the National Bank of Slovakia, and the proportion of women serving as chancellors/deans of universities is 13.4%. On the other hand, 64.1% of all the judges are women<sup>11</sup> (Štatistický úrad SR, 2013).

Despite the long-term underrepresentation of women in decision-making, no measures have been undertaken so far to address this. Achieving gender balance in decision-making positions was one of the objectives of the document *Národná stratégia rodovej rovnosti na roky 2009 až 2013* (The National Strategy for Gender Equality in the Years 2009-2013) and was elaborated on in *Národný akčný plan rodovej rovnosti na roky 2010 – 2013* (The National Action Plan for Gender Equality in the Years 2010-2013). Out of four planned measures, two have not been taken and two have been provided only partially. One of the unrealised activities was an analysis of the electoral laws in selected countries, which was intended to provide a basis for potential changes in Slovak legislation and offer some recommendations for promoting the participation of women at different levels of politics. Another unrealised activity was a set of meetings and negotiations with representatives of political parties aimed at strengthening gender equality within political structures. The third planned activity was to develop a draft of actions on gender equality for representative bodies –methodological material has been written about gender mainstreaming in public administration but no other steps and measures have been taken. The last planned step was draft legislation on gender mainstreaming. In this regard an important change was an amendment of the Antidiscrimination Act, which provided an opportunity to implement affirmative action based on sex/gender. A methodological study has been conducted to track legislation on gender equality in different countries and offer some recommendations for Slovakia. These recommendations may become the basis for the new national strategy and action plan for gender equality, while the government should ensure consistent implementation of these activities.

Public discussion about the representation of women in politics is fragmented – it is initiated primarily by the NGOs or, in some occasions, by the European Parliament Information Office and the Representation of the European Commission in Slovakia. However, there has been no discussion so far that has included government or political parties, contained consistent argumentation and concluded with particular suggestions for different actors – nor has this included reference to the legislation proposed by the European Commission with the aim of attaining a 40% objective of the under-represented sex in non-executive board-member positions in publicly listed companies, with the exception of small and medium enterprises.

According to Mládeková (2012) a long-term and consistent action is needed to meet the objectives stated in the EU *Strategy for equality between women and men 2010-2015* as well as the strategy *Europe 2020*. Recommended steps include:

- Establish the long-term goal of raising awareness about the issue.
- Strive to reach the younger generation and spread the idea of the higher representation of women in top positions, for example through social networking.
- Reach out to recruitment agencies.
- Establish mandatory governmental intervention.

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<sup>11</sup> Data from the end of September 2013 (Štatistický úrad, 2014).

- Establish a percentage target for women's representation in decision-making positions within a certain timeframe.
- Monitor the representation of women in top positions.
- Prioritise companies with a gender balance in public procurement processes.

### **3.5 Gender-Based Violence**

In the area of dignity, integrity and the eradication of gender-based violence, The EU *Strategy for equality between women and men 2010-2015* covers three issues: gender-based violence, healthcare and long-term care, and asylum policy.

Violence against women was a taboo until the end of the 1990s<sup>12</sup> and began to be more widely discussed in the beginning of the new millennium thanks to the activities of women's and feminist NGOs<sup>13</sup> - this led to a legislative change. Holubová and Magurová (2012) noted that in recent years the collection of relevant statistical and administrative data has improved. This data showed quite a stable, if not increasing, prevalence of violence against women, but also a decreasing number of reported or investigated cases (Holubová – Magurová, 2012, p. 52).

According to a 2012 survey on gender-based violence by the European Union Agency for Fundamental Rights, 34% of female participants from Slovakia said that they had experienced physical or sexual violence from men in adulthood (the EU average is 33%), and 23% had been harmed by their partners (the EU average 33%). Up to 40% of women in Slovakia had experienced sexual harassment in adulthood, and out of this group 22% had experienced a non-verbal form of sexual harassment (European Union Agency for Fundamental Rights, 2012).

The survey results are even more disturbing, given that only 8% of women contacted the police and as few as 27% of women know at least one institution that provide assistance for women at risk of violence (MPSVR SR, 2014).

Given the persistent and high prevalence of violence against women and the low rate of reported cases, there is an apparent need for systematic and long-term political measures that have not been taken so far. At present, the issue is addressed in the third *Národný akčný plán na prevenciu a elimináciu násillia páchaného na ženách na roky 2014 – 2019* (National Action Plan for Prevention and Elimination of Violence against Women for the Years 2014-2019). However, it should be noted that many steps and actions from previous plans have been realised only partially, or not at all, so they have been moved across from one plan to the next. In the end, the new action plan is not so different from the previous two. One of the key problems related to gender-based violence are facilities for women experiencing violence - these still do not meet the European minimum standards in either quality or quantity. Also, there is no systematic approach to, no coordinated provision of, assistance for women experiencing violence, and no systematic primary prevention (*Správa o plnení...*, 2012).

The issue of violence against women usually enters public discourse as a consequence of particular tragic cases, while broader social implications of the problem are usually overlooked. Women's and feminist NGOs have already organised several social campaigns, and annually they take part in the international campaign "16 days of activism against gender violence". However, the lack of capacity, both in terms of numbers of

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<sup>12</sup> The first impulse was a monothematic issue of the feminist journal *Aspekt* on violence against women in 1997. This issue was prepared by the first feminist organisation ASPEKT and the organisation ProFamilia, whose cooperation went continued in other activities and publications. For more see: [www.aspekt.sk](http://www.aspekt.sk)

<sup>13</sup> One of the most influential social campaigns in Slovakia was the campaign "The Fifth Woman", run primarily by the feminist NGO ASPEKT. The campaign aimed at increasing awareness of violence against women and of the need to act against it. The effectivity of the campaign can be seen in the domestication of the term "the fifth woman" in public discourse, legislative changes that followed the campaign and other related activities, as well as in the increased prevalence of reported cases of violence against women in 2003-2004 (Holubová – Magurová, 2012, p. 52).

people and finance at women's and feminist NGOs also contributes to the lower visibility of their campaigns.

Another issue worth mentioning here is the forced sterilisation of Roma women that became a part of public discourse after the verdict of the European Court of Human Rights in Strasbourg ruled in the case *V. C.* (violation of the complainant's rights to protection from inhuman and degrading treatment, as well as violation of the right to respect of private and family life). The court identified weaknesses in the legislation and its decision led to the Law on Healthcare Amendments (Act no. 576/2004 Coll.), which harmonised the rights of patients with international standards to prevent similar future situations (Holubová – Magurová, 2012). The European Court of Human Rights also dealt with the issue of the forced sterilisation of women later, in 2008 and 2011. In the first case, in addition to compensation for eight female victims it set standards applicable to all Member States of the Council of Europe. In 2011 the court ruled that the Slovak government was responsible for violations of the human rights of the injured Roma women. Both cases entered the public, primarily through media discourse. However, political representatives did not reflect on it broadly (*Poradňa pre občianske a ľudské práva*).

Under the influence of NGOs, as well as the international commitments of Slovakia, there have been several changes in legislation. However, the enforcement of existing laws remains a persisting problem. As Holubová and Magurová (2012) concluded, if Slovakia wants to meet objectives laid down in the *Strategy for equality between women and men 2010-2015* and the strategy *Europe 2020*, it needs to take many additional steps:

- As soon as possible set up an integrated system for the protection of women against violence, which should include effective tools for the identification of the risk of violence.
- Establish a systematic, regular and repeated education process for professions such as the police, investigators, health professionals, social workers, and psychotherapists.
- Work out an analysis of the effectiveness of the implementation of existing legislation.
- Amend the Police Act to extend the period of banishment of violent persons from a common dwelling to at least 15 days.
- Complement and refine the system of statistical reporting of all the sectors involved.
- Ratify the *Council of Europe Convention on preventing and combating violence against women and domestic violence* and ensure its consistent implementation.
- Ensure professionally correct and gender competent translation of the *Council of Europe Convention on preventing and combating violence against women and domestic violence* into Slovak.
- Set up and provide integrated specialised services for the provision of assistance to women experiencing violence, in accordance with the European standards.
- After securing safe and effective assistance for women experiencing violence, implement programs for perpetrators based on gender-competent cognitive-behavioural counselling.
- Develop ethical standards for the media and ensure more effective regulation of media coverage of violence, sexual exploitation, as well as the degrading portrayal of women and children.
- With regard to sexual harassment, ensure effective prosecution of discrimination in the workplace by strengthening inspections and sanctions under effective legislation.
- Improve protective measures for victims of sexual harassment.
- Comprehensively improve the implementation of gender equality by increasing the effectiveness of anti-discrimination legislation.

### **3.6 The Reproductive Rights of Women**

There are no serious legal barriers that would limit women's access to contraception or family planning services (MPSVR SR, 2014; Holubová – Magurová, 2012). However, modern contraceptives are available on prescription only, and (except for medically justified cases) they are not covered by either public health insurance or by any other form of social insurance. The price of modern contraceptives remains a barrier for many women. Another problem is insufficient sexual education in schools (Zampas a kol., 2011).

With regard to the *Strategy for equality between women and men 2010-2015* and the strategy *Europe 2020*, Holubová and Magurová (2012) elaborated the following recommendations:

- Take measures to remove social and economic barriers to family planning methods for marginalised groups, including Roma women.
- Focus on empowerment in sex education, gender equality and education (particularly in the case of Roma women from a non-integrated environment)
- Intensify gender mainstreaming in healthcare.
- Finalise the law on long-term care, taking into account gender aspects and gender implications.

## **4. The situation and position of NGOs**

The situation of women's and feminist nongovernmental organisations after Slovakia's accession to the European Union has not been properly researched and documented. Moreover, it is impossible to distinguish the impact of EU accession from other factors (including government policies) that have influenced the situation of the third sector. Since accession, responsibility for the human rights agenda has been moved several times between different national authorities. Depending on the particular government, there were significant changes in the method and quality of cooperation, the importance of NGOs' voices in policy-making, as well as the financing of the third sector. From this point of view, governmental policies have had a greater influence than the accession process on the situation of NGOs.

However, as stated in the report on the situation of the society in Slovakia for the year 2011 (Bútorá et al., 2011), in 2004 formal differences between old and new EU Member States were blurred in the fields of democratic governance and respect for human rights. In fact, problems in both areas remained, and some of them even deepened. The ability to address human rights issues in the new Member States is more limited, the public is less sensitive, and, consequently, does not put enough pressure on political representation. NGOs that deal with these issues struggle for their position in the public sphere. They often suffer from a lack of resources and a low demand for their work. Some of them are cautious about funds from the state and they apply for public grants (including EU structural funds) less often than, for instance, NGOs providing specific services (Bútorá et al., 2011, p. 306). Nevertheless, groups that oppose gender equality and the human rights of women (most recently conservative and religious groups) spread an image in public discourse of NGOs misusing EU funds for their own benefit.

The situation is in fact the opposite – after Slovakia's accession to the EU, human rights NGOs have lost their partners, such as foreign programs and foundations, because “after EU accession, Slovakia has ‘matured’ and therefore is not entitled to the support of such organisations and programs” (Bútorá et al., 2011, p. 306-307). These organisations often moved to the East or South of Europe. At the same time, applying for EU structural funds to promote gender equality has been problematic for NGOs in Slovakia for several reasons. These include bureaucracy, the obligation of a high level of co-funding, negative experiences with previous EU grants when delays in payment caused some small NGOs to be nearly or actually disbanded, etc. Moreover, the current allocation of the EU grants has been influenced by the negative attitude of Robert Fico's second government towards human

rights NGOs. It prevented the continuity of issues and projects that started in the previous programming period.

A lack of human and financial capacities has meant that for several years NGOs dealing with feminism, the human rights of women, and gender equality have been struggling for survival. Many of them have limited their activities, some of them ceased to operate, and others struggle to deal with these problems. There is a lack of basic institutional support, because available grants support particular activities (mostly workshops, meetings, conferences, etc. but not really analytical work, research and other long-term “invisible” activities), so they do not provide financial support for the very basic institutional (reproductive) work of the organisations. The long-term weakening of women’s and feminist NGOs in Slovakia has influenced their potential impact on the European Union’s agenda on gender equality.

## **5. Conclusion and other Recommendations**

Ten years have passed since Slovakia joined the European Union, and this period has been affected by different social, political and economic factors, some of which have a local, and others have a European, character. EU accession provides a legal and policy framework for gender mainstreaming; the EU obligations are quite an effective advocacy tool but membership carries various risks at the same time, including the weakening of the feminist and women’s NGOs and the diluting of the notion of gender equality - when it often becomes an empty phrase without any specific content. I have therefore decided to write about different issues of gender equality, with particular recommendations that can be supplemented with some others that cover all the mentioned areas:

- Strengthen women’s and feminist NGOs. Provide basic institutional support.
- Develop detailed monitoring of implementation of European structural funds, which would show: what kind of organisations can/do (not) apply for grants; how EU priorities are reflected in particular countries’ grant allocation; what the requirements of each country in terms of bureaucracy are; what the opinions of NGO representatives on the European structural funds are, etc.
- Transfer monitoring results into action.
- Develop mechanisms that would continuously check the implementation of measures set out in the strategic documents for the promotion of gender equality and the eradication of gender-based violence.
- Amend the Constitution of the Slovak Republic, so that the state and public administration would be committed to the active promotion of gender equality and the elimination of discrimination. The Constitution should state that affirmative action on reducing inequalities will not be considered discrimination (Magurová – Pietruchová, 2011)
- Adopt a comprehensive law on gender equality, which can be developed specifically for the public sector or in general for all areas of political, social and economic life. Magurová and Pietruchová (2011) recommend starting with the law on gender equality for the public sector, which would include the following frameworks and principles: the objective provided as support for genuine gender equality; definitions of all types of discrimination based on sex/gender in regard to the relevant EU directives (Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation; Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services); a comprehensive definition of gender discrimination with regard to the CEDAW; establishing the development of independent monitoring mechanisms, such as an ombudsperson for gender equality or similar institutions authorised to recommend corrective action regarding any existing or anticipated shortcomings; all the necessary legal measures for increasing the number of women in decision-

making bodies with regards to Article 4 of CEDAW, while these strategies should be complemented with necessary changes within political parties and electoral laws and systems – primarily focused on the electoral lists and the formation of the government; a resolution that all the existing legal acts and legislation are subjected to analysis by gender experts and institutions with long-term expertise in gender equality, while these analyses should include recommendations for changes in legislation to strengthen gender equality and the elimination of discrimination; a resolution that all legal drafts in the relevant areas are subjected to gender analysis before they enter the legislative process (the best solution would be to have an obligatory part on gender implications in each act of legislation); develop laws against sexual harassment in the workplace, as well as effective mechanisms of sanctions; a provision that in all the areas of the labour market (the public sector) special measures would be used to ensure equal opportunities for women and men and to promote gender equality; the provision of compulsory and continuous education for gender equality in all public schools; modifying of the obligations of public media to eliminate gender stereotypical images and to apply the principles of gender equality in media content.



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**Mgr. Zuzana Maďarová, MA – PhD.** Candidate at the Institute of European Studies and International Relations at the Faculty of Social and Economic Sciences, Comenius University in Bratislava. She graduated in journalism at the Comenius University and in gender studies at the Central European University in Budapest. In her PhD. thesis she focuses on women's participation in the Velvet Revolution 1989 in Slovakia and consequences of women's exclusion from history on the current politics. Since 2005 she has been cooperating with the first feminist NGO in Slovakia ASPEKT where she works on the topics like political subjectivity of women, political and media communication, gender sensitive language, etc. She is a coauthor of various publications, e. g. *Politiky a politici. Aspekty politickej subjektivity žien* (Politics and Politicians. Aspects of Political Subjectivity of Women; ASPEKT 2011) and *Politika vylúčenia a emócií. Aspekty predvolebnej kampane 2012* (Politics of Exclusion and Emotions. Aspects of Election Campaign 2012; ASPEKT 2012).

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