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Committee on Economic, Social and Cultural Rights Fifty-third session

Summary record of the 55th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 19 November 2014, at 10 a.m.

Chairperson: Mr. Kedzia

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The meeting was called to order at 10.10 a.m.

Consideration of reports *(continued)*

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant *(continued)*

Second periodic report of Slovenia (continued) (E/C.12/SVN/2; E/C.12/SVN/Q/2 and Add.1; HRI/CORE SVN/2014)

1. *At the invitation of the Chairperson, the delegation of Slovenia took places at the Committee table.*
2. **Ms. Vuk** (Slovenia) said that her delegation was not able to provide data on the number of comments on the second periodic report (E/C.12/SVN/2) received from the general public or on the number of comments that had been taken into account in the final draft of the report. The State party would, however, include such information in its next periodic report. A coordination mechanism was in place to ensure that a public debate took place prior to the adoption of any report by the Government. Previously, citizenship had been a precondition for the enjoyment of many social rights in Slovenia. That situation had changed, however, and anyone who held permanent residency in the country could exercise those rights.
3. **Ms. Lovšin** (Slovenia) observed that awareness-raising was very important with regard to non-discrimination. To that end, the website of the Advocate of the Principle of Equality had been translated into several languages, and various government ministries had been working in collaboration with non-governmental organizations (NGOs) to disseminate information about discrimination against particular groups such as migrants, Roma and persons with disabilities, including information about the means of redress available to them. National legislation on the protection of personal data placed restrictions on the collection of data such as an individual's sex or ethnic origin, and government bodies were not legally required to collect data disaggregated by gender. The only court judgement that had been issued in relation to gender-based discrimination was the one concerning pension rights that had been mentioned at the previous meeting. Of the 80 complaints received by the Human Rights Ombudsman, only one concerned gender-based discrimination, whereas the Labour Inspectorate had received some 60 complaints of sexual harassment in the workplace.
4. **Ms. Košir** (Slovenia) said that the labour market had contracted significantly as a result of the global economic crisis. In response, a special programme for unemployed youth had been established, whereby unemployed young people 15 to 29 years of age were offered training, education or apprenticeship opportunities. Youth employment had increased by 25 per cent in 2014 compared with the previous year, and the youth unemployment rate currently stood below 20 per cent. In November 2013, a law had been adopted exempting employers from paying social security contributions when they hired young people for an indefinite period; that law was set to expire soon but would be extended for at least another two years. The average amount paid in unemployment benefits was €700. Financial social assistance was provided to individuals or families whose income did not surpass a certain threshold. The labour market had improved in 2014, and the active workforce now stood at 800,000 persons.
5. **Ms. Vuk** (Slovenia) said that financial social assistance was granted to persons who had no other income or who were in financial distress for reasons beyond their control. Beneficiaries were required to participate actively in resolving their social problems by pursuing an education or training or by actively seeking employment. The benefits could be withdrawn only when beneficiaries did not take such steps or when they voluntarily terminated their own employment. Broad reforms adopted in 2012 had increased the

workload of the Centres for Social Work, resulting in a large backlog of cases. Special measures had reduced the backlog from 11,000 to 4,200 cases, and it was expected that the backlog would be eliminated completely by September 2015.

6. **Ms. Lovšin** (Slovenia) said that there had been no reported cases of discrimination in the workplace against persons living with HIV/AIDS. Only 377 persons in Slovenia had been diagnosed with the disease in the past 10 years. A specialized body in the Ministry of Health monitored the situation regarding HIV/AIDS in the country. A national strategy to prevent the spread of HIV/AIDS had been adopted for the period 2010–2015; it focused on particularly vulnerable groups such as prisoners and intravenous drug users. Free and anonymous HIV testing was available to all, either through a general practitioner or at a testing centre. Measures were in place to protect the human rights of persons living with HIV/AIDS and to ensure that they did not suffer discrimination. Further information was available in English on the relevant government website.

7. **Ms. Čobal** (Slovenia) said that no discrimination against persons living with HIV/AIDS had been detected with regard to their right to work, and that all such discrimination on grounds of personal circumstances was prohibited.

8. **Mr. Sadi** said that, while the global economic slowdown had undoubtedly played a role in the unemployment situation in Slovenia, he wondered whether the Government might not be underestimating the impact of privatization. He asked to what extent the amount paid in unemployment benefits allowed beneficiaries to enjoy an adequate standard of living and to what extent the minimum wage provided workers with a decent living for themselves and their families. Lastly, he asked how the unemployment rate was measured and whether it reflected the real situation on the ground.

9. **Mr. Martynov** said that he had not received an answer to his question regarding the International Labour Organization (ILO) Equality of Treatment (Social Security) Convention, 1962 (No. 118). He wished to know the amount of the minimum wage in 2014 and whether the Mini Jobs Act included provisions allowing employers to pay less than the minimum wage. He asked how the basic minimum income paid as social assistance could be set at €265 when the poverty line was €600.

10. **Ms. Bras Gomes** asked, with regard to the requirements for receiving financial social assistance, what provision was made for the elderly, persons with disabilities and other persons who could not be part of the active workforce. She wished to know how many persons had qualified for such assistance and how many had lost their entitlement to it.

11. **Ms. Košir** (Slovenia) said she agreed that the global economic crisis was not the only factor contributing to unemployment in the country. The unemployment rate was calculated in accordance with the methodology established by ILO. It currently stood at about 19 per cent for young people and about 9 per cent overall. The minimum wage was currently set at €789, and it was indexed annually to increases in the cost of living. Employers' organizations and trade unions were always consulted before decisions were taken on matters concerning labour rights.

12. **Ms. Vuk** (Slovenia) said that the Mini Jobs Act had been adopted by parliament but rejected in a referendum and thus would not enter into force. A new bill had been proposed, under which the wages paid to working students would be the same as the hourly minimum wage.

13. **Ms. Lovšin** (Slovenia) said that both the number of beneficiaries of financial social assistance and the amount paid out in benefits had increased substantially. The amount paid depended on various factors, such as the number of children in the family. Under recent legislation, the amount had been increased for vulnerable groups such as the elderly or

single-parent families. Statistical data were not available on the number of beneficiaries whose entitlements had been withdrawn, but that information could be included in the next periodic report.

14. **Ms. Vuk** (Slovenia) said that, at the discretion of the Centres for Social Work, exceptional financial social assistance was awarded to persons found to be in financial distress even if the income ceiling had been surpassed. She apologized for the delay in the submission of the written replies to the list of issues and the common core document of Slovenia. As the new Government had just taken office on 18 October, it had not been possible to obtain approval of the documents before that date. The common core document contained updated statistical data on a number of issues relating to the Covenant.

15. The at-risk-of-poverty rate had increased by one percentage point from 2011 to 2012. As Slovenia had experienced the worst effects of the economic crisis in 2012 and 2013, the figures from 2013 were expected to be slightly higher. Special measures had been taken for single-parent families and families with only one employed parent, as they were at particular risk of slipping into poverty. The current year was the first since the start of the crisis in which the country had recorded positive economic growth. Thus, the poverty rate was expected to decline in 2014 and 2015.

16. **Ms. Lovšin** (Slovenia) said that the Government was preparing a report on the social situation in the country and that such reports would henceforth be issued on an annual basis. The parliament had adopted a resolution on a national social assistance programme for the period 2013–2020, which was inspired by the European Union quality framework for services of general interest. The resolution called for a bottom-up approach to deal with poverty and other social issues; each of the 12 regions had developed its own implementation plan and defined the key challenges it faced in social protection. Local government bodies at the municipality level would discuss and approve the regional plans. The Government was encouraging a proactive approach in an effort to decrease the disparities between different regions.

17. **Ms. Košir** (Slovenia) said that a report prepared on balanced regional development had been used as a basis for deciding on assistance to areas with above-average unemployment. The east and south-east of the country had been the most affected, due to mine and energy facility closures. Efforts were focused on attracting business investment, job creation, building associated infrastructure and providing training in key skills and occupations.

18. **Mr. Ojsteršek** (Slovenia) said that local councils, as the owners of non-profit rental apartments, did not resort to forced evictions. In rare cases, tenants were moved to another apartment or sheltered housing units. While the latter were smaller than the norm and had shared bathroom and kitchen facilities, they met building regulation requirements. Placement in sheltered housing units was only a temporary measure until tenants were allocated a non-profit rental apartment. There were plans to build more sheltered housing units to meet demand. Persons with insufficient means could apply for a State subsidy of up to 80 per cent of their rental costs. Living in containers was out of the question in Slovenia; they were unsuitable for residential accommodation.

19. The National Housing Programme was still awaiting adoption because of the unstable political situation. The programme took into consideration the needs of all social groups, and a key priority was to build more housing. Young people were most in need, and it was hoped that plans to increase the number of rental apartments would address the problem. In many European countries there was a legal requirement to renovate housing over 30 years old, which had been incorporated into Slovenia's draft housing programme.

20. The Construction Act required, as a minimum standard, that all apartment buildings containing more than 10 apartments built or refurbished in the past decade should have

unhindered access and provide suitable accommodation for persons with disabilities in at least one tenth of the apartments in the block.

21. The law restricting access to rental apartments for non-European Union citizens would be amended to eliminate any form of discrimination by the end of 2015, when the National Housing Programme was expected to be adopted.

22. With regard to illegal Roma settlements, the Government was in the process of revising its spatial and land use planning policy, with a view to designating 50 per cent of land as new building land. Local authorities were trying to legalize the informal settlements as soon as possible to enable them to install basic amenities.

23. **Mr. Baluh** (Slovenia) said that there had been no forced evictions from the Dobruška vas settlement. There had been eviction threats, but the Roma community concerned and local authority officials had worked together successfully to resolve the issue. The authorities and Roma settlers had started joint discussions on how best to provide better housing conditions.

24. **Ms. Vuk** (Slovenia) said that Slovenia had no reservations to ratifying ILO Convention No. 118, and intended to do so in the near future. A shortage of staff was the only reason for the delay.

25. **Ms. Čobal** (Slovenia) said that health-care provision had been affected by the economic crisis, but every effort was being made, despite austerity measures, to ensure adequate provision for the most vulnerable.

26. Regional inequalities in health care did exist, but were being systematically addressed. A new health-care strategy was under development, which would include a focus on reducing regional inequalities. Again, staff shortages and a lack of funding were hampering progress. In addition, more outpatient clinics were being established, giving priority to patients with chronic illnesses, preventive health care and promotion of healthy lifestyles. More emergency facilities were also being created in key areas.

27. The new national mental health programme had not been adopted because it was still the subject of much debate. It was ambitious and would be the first programme of its kind at a strategic level, not only dealing with specific mental health issues, but also taking into consideration the need to provide patients with education and social protection. Some community pilot projects based on the programme had already been launched.

28. **Ms. Šalinger** (Slovenia) said that 2008 had been a milestone in addressing domestic violence, with the adoption of a new law on its prevention, and the amendment of the Criminal Code to include a definition of the offence. The new law defined domestic violence as any form of physical, sexual, psychological or economic violence perpetrated by one family member against another.

29. A national programme for the prevention of domestic violence had been adopted, along with implementing regulations for use by professionals in the field. The protection of and assistance for women victims of all ages and child victims were provided for under the programme. Training had also been organized for professionals. Measures for the immediate protection of victims were in place such as restraining orders and the temporary placement of children in care.

30. The State was responsible for providing support, shelters and helplines for victims, but also received considerable help from NGOs, to which it provided financial assistance.

31. Penalties for domestic violence offences were specified in the Criminal Code, and included a prison sentence of up to 5 years and other sanctions for different forms of domestic violence. Sexual relations with a minor and incest were also punishable under the Criminal Code.

32. **Ms. Božkić** (Slovenia) said that a bill on guaranteeing inheritance rights for same-sex partners, irrespective of whether they were in a registered partnership, had been resubmitted to parliament. It would ensure non-discrimination in inheritance rights.

33. As a country with one of the highest rates of women and mothers in full-time employment, Slovenia provided flexible employment opportunities and subsidized kindergarten places. It also encouraged businesses to implement family-friendly policies and foster a healthy work/life balance.

34. Generous provision was made for paid and unpaid parental leave and benefits for both mothers and fathers. The provision had been reduced under the austerity measures, but only by 10 per cent. Family allowances were also generous, including a tiered system of means-tested child benefit, although they had also been temporarily adjusted during the economic crisis. However, a parental allowance for single, unemployed and student parents had actually been increased during the crisis to ensure the most vulnerable were protected. Furthermore, families with children with special needs or disabilities that required one or both parents to stay at home to provide care received a special allowance. That benefit had also been protected during the economic crisis.

35. **Ms. Čobal** (Slovenia) said that European Union legislation required member States to set up and implement an efficient food safety system, covering all stages in the process from field to fork. The Administration of the Republic of Slovenia for Food Safety, the Veterinary Sector and Plant Protection was responsible for regulating and monitoring the industry, carrying out risk assessments and sample testing, overseeing food production and providing information to the public on potential risks.

36. The Government had launched a national campaign to encourage consumers to buy locally grown produce, and agricultural land was protected under the Agricultural Land Act and article 71 of the Constitution.

37. **Ms. Šalinger** (Slovenia) said that article 2 of the Marriage and Family Relations Act defined the family as a living community composed of parents and children requiring special social protection. The Government remained committed to protecting the family and combating domestic violence, but, despite its best efforts, there had regrettably been a sharp increase in the reported number of domestic violence cases following the global economic crisis.

38. **Mr. Sadi** asked what measures would be taken to eradicate the regional disparities in living standards and address the housing difficulties and segregation affecting the Roma community. He also wished to know what percentage of Slovenian citizens owned their own homes and what efforts had been made to combat human trafficking.

39. **Ms. Shin** requested detailed information on the penalties imposed for acts of domestic violence and asked whether incest, including sexual abuse committed by step-parents, and marital rape were prosecuted under the Family Violence Prevention Act or the Criminal Code. She also wished to know whether victims of domestic violence received free legal assistance and psychological support. Lastly, she asked whether the State party had introduced additional police protection measures for women victims of domestic violence so that they could remain in their own homes rather than moving to a shelter.

40. **Ms. Lovšin** (Slovenia) said that the Government acknowledged the regional disparities in living standards and had noted the increasing number of rural persons moving to urban areas. There had not been much regional movement of persons owing to the poor transport infrastructure in certain parts of the country.

41. **Mr. Baluh** (Slovenia) said that the National Programme of Measures for the Roma contained provisions which addressed the housing difficulties and segregation affecting the

Roma community. Since 2008, the Government had allocated around €9 million to the programme.

42. **Mr. Ojsteršek** (Slovenia) said that 90 per cent of the population owned their own homes.

43. **Mr. Doskovic** (Slovenia) said that the Government had taken a number of measures to combat human trafficking, such as strengthening victim identification procedures and introducing specialized training for police officers and health-care professionals.

44. **Ms. Čobal** (Slovenia) said that incest, including acts of sexual abuse committed by step-parents, was a criminal offence punishable by 3 to 8 years' imprisonment. Pursuant to the Family Violence Prevention Act, victims of domestic violence or abuse were entitled to free legal assistance and child victims were assigned specially trained assistants to provide support during legal and administrative proceedings.

45. **Ms. Vuk** (Slovenia) said that the police could remove or issue restraining orders against family members who committed acts of sexual or physical violence against other members of their family.

46. **Ms. Šalinger** (Slovenia) said that most of the 10,000 Roma living in Slovenia had been unaffected by the national austerity measures. The Government had made no cuts to the budget of the National Programme of Measures for the Roma and had continued to conduct numerous activities to support the Roma's integration into society and promote their rights.

47. **Ms. Herman** (Slovenia) said that the Government had no specific data on the number of Roma children attending school since it did not collect data disaggregated by ethnicity. The country's secondary school drop-out rate of 4.8 per cent compared favourably with that of other European countries, and 98 per cent of all children, including Roma children, completed their basic education. The drop-out rate was, however, slightly higher for pupils aged 11 to 14, and the Government had been taking steps to encourage those children to continue their education. The Strategy for the Education of the Roma had been amended in 2011 and included measures to improve Roma children's performance at school and reduce their drop-out rates. The Government had also introduced several preschool initiatives aimed at preparing Roma children to start primary school. The illiteracy rate among Roma children was negligible. The illiteracy rate among Roma adults was slightly higher and had been addressed through community-based literacy programmes.

48. **Ms. Trančar** (Slovenia) said that all Slovenian citizens could exercise their cultural and linguistic rights, including persons from States that had previously formed part of Yugoslavia. The Government had signed bilateral agreements to strengthen regional cooperation on cultural and educational issues and had established a national council to discuss matters affecting ethnic minorities.

49. **Mr. Pogačar** (Slovenia) said that education was free for all citizens, and students of foreign nationality could also enrol free of charge if their parents were taxpayers in Slovenia. The Government had taken steps to facilitate access to the Internet and 74 per cent of all households had high-speed broadband Internet connections. In 2014, the Government had also adopted specific measures for persons with disabilities to improve their access to universal services, including the Internet. In addition, it had signed an agreement with the United Nations Educational, Scientific and Cultural Organization to promote information technology education in schools.

50. **Ms. Vuk** (Slovenia) thanked the Committee members for their recommendations and comments during the constructive dialogue and said that she looked toward to receiving the Committee's concluding observations in due course. Her Government remained committed to implementing the Covenant effectively and had made great efforts to protect

the economic, social and cultural rights of the most vulnerable groups in society during the global economic crisis.

51. **Mr. Kerdoun** (Country Rapporteur) congratulated the State party on the progress made in implementing the Covenant and encouraged it to further strengthen the rights of the most vulnerable groups in society, such as the Roma and persons with disabilities. The Government should now look beyond the global economic crisis and focus on improving the minimum wage and the national social security system, and reducing poverty regional disparities in living standards.

52. **The Chairperson** thanked the delegation for the open and constructive dialogue and welcomed its renewed commitment to upholding economic, social and cultural rights.

The meeting rose at 12.55 p.m.