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Gender mainstreaming in Slovenia

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1. Introduction

Slovenian communist state feminists (the best known was Vida Tomšič) were in the forefront of the gradual development of the gender mainstreaming approach in the UN world conferences on women from 1975. -1985. Gender equality was one of the main values and focuses of the political system of socialist self governance. Slovenia was also one of the very few transition countries where a new independent women's movement formed a crucial part of the democratization process in the mid eighties of the 20th century before the change of the political system in 1990, and the establishment of the new sovereign state of the Republic of Slovenia in 1991.

This is why Slovenia was the first of all transition countries to establish a parliamentary commission for gender equality (it was named a Commission for Women Politics) in its first multi party parliament as early as in 1990. Slovenia was also the first transition country to create its governmental gender equality body, named the Office for Women's Politics in 1992. Unfortunately in the newly born parliamentary democracy equality between women and men never got back the status of consensual political value and even less so of political priority of any parliamentary party or government. This is the main reason why in Slovenia a formally reasonably structured approach to gender mainstreaming had a very slow start and rather reluctant, unsystematic, sluggish implementation.

1.1. Short assessment of the economic circumstances, policy context, and relevant institutional/legal background for gender mainstreaming in Slovenia

Slovenia had a gradual, step by step transition. Most of the gains in social, economic and personal empowerment of women achieved in socialist times stayed in place, mostly due to the ability of women in Slovenia to form crosscutting issue coalitions for their defence. The exemption was political representation of women which stayed critically low from 1990. In 2004 so called Parity Coalition finally achieved the inclusion of positive measures for candidate lists on all levels into the Constitution, and weak quota amendments in electoral legislation followed in 2004, 2005 and 2006. Never the less the level of representation of women in politics at local level is still only at 23.3% of women councillors and 4.8% of women mayors¹, while in the parliament in 2008 there were only 13.3 % of elected women MPs².

The new Slovene Constitution, accepted in 1991, has proclaimed formal equality of women and men (article 14), the ban of discrimination based on gender and with the amendment accepted in 2004 (article 43) stipulates positive legal measures for equal opportunities of women and men on the candidate lists in the process of running for legislative posts on national and local level.

¹ Analiza neuradnih podatkov rezultatov lokalnih volitev 2010, ENTELEHIA, Agencija za strokovno podporo javnim politikam,

² IPU Database on women in parliaments.

The first attempts to spread awareness of the concept of gender mainstreaming have been started by the Office for Women's Politics in 1998, with the first seminars on the issue for the participants coming from some ministries and some local authorities. On the paper, gender mainstreaming became legally binding governmental approach from 2002 when Slovenia's first Equal Opportunities between Women and Men Act was accepted.

This Act defines a double track approach (special measures and gender mainstreaming), tasks the government and the ministries with the obligation of gender mainstreaming, creates the obligation for the general gender equality policy framework in the form of the National Programme for Equal Opportunities of Women and Men accepted in the parliament, stipulates the preparation of the biannual periodical action plans for the National Programme implementation and defines the steering mechanisms for gender mainstreaming (obligatory coordinators for equal opportunities in each ministry, optional coordinators for equal opportunities at the level of local authorities, and tasks the Office for Equal Opportunities with the main coordinating duty). This law is also important for its two weak articles concerning the request for balanced representation of women and men. Article 14 asks for gender balanced representation in all governmental and ministerial working bodies and boards nominated by the government, while article 30 asks from all registered political parties to prepare every four years a special plan dealing with balanced representation of women and men in all party bodies and in all party lists for national and local elections³. None of these two articles has been really implemented.

Resolution on National Programme for Equal Opportunities of Women and Men 2005-2010⁴ was passed in the parliament with a big delay, but with the clear elaboration of the two track approach and detailed enumeration of three mechanisms: location of financial and human resources for gender mainstreaming within each ministry and from the EU funds (Equal, European social fund); coordination mechanism, based on a special inter-ministerial group made of coordinators from each ministry and the Office of Equal Opportunities, with defined mandate (supervision of gender mainstreaming in the preparation of the legislation and measures, initiation of policies and measures for enhancing gender equality within the ministries, cooperation in the preparation of national programme and periodical action plans. This National Programme specially underlines the need of strategic partnerships for gender mainstreaming and inclusion of social partners (trade unions, organizations of employers and all governmental agencies, and NGOs).

In the chapter on Goals and measures of the policy for equal opportunities of women and men the only specific goal concerning gender mainstreaming says: "Appropriate organizational structure and ability of the cadres for effective implementation of the principle of gender mainstreaming" and three measures are foreseen:

- Instalment of the system of education for gender mainstreaming for the cadres in the ministries, governmental agencies, local authorities.
- Creation of the methodologies and tools for gender mainstreaming in all policies.
- Strengthening of cooperation between governmental and local levels and civil society in the field of gender mainstreaming.

³ The Equal Opportunity between Women and Men Act., Official gazette of Republic of Slovenia, No 59, 2002.

⁴ Official gazette of Republic of Slovenia No100, 2005.

The National programme also provides for regular reporting about its implementation from the government to the parliament, based on the biannual monitoring of the periodical action plans.

Crucial achievements⁵ described in the governmental report on the implementation of the first periodical action plan (2006-2007) show that the first activities on gender mainstreaming started only in 2007, and were limited to the development of the pilot training module for the public servants and initial awareness raising of the coordinators from the local authorities. Surprisingly enough, due to a scandal with sexual harassment in the Slovenian Army first gender mainstreaming activities were started there with the Zero tolerance statement on sexual harassment and mobbing in the Slovenian Army, Head of the army headquarters made the Order about the duties to implement the Zero tolerance Statement, Standard procedure was developed for the case of alleged intolerable behaviour, a law about the service in the Slovenian army was accepted with the articles on gender equality, Terms of service in Slovenian army were amended with the articles on enabling equal opportunities for women soldiers.

More systematic activities concerning gender mainstreaming were initiated in the second periodical action plan, implemented within the framework of the EU Progress project. Crucial achievements⁶ were:

- Development of the module and plan of education on gender mainstreaming for public servants and its pilot implementation.
- Development of the training kit: The way towards gender equity: effective gender mainstreaming, which includes two manuals for gender mainstreaming of the EC – in the fields of employment and social security and social integration.
- Lectures were organized in the gender equality school for the judges, legal bases for gender equality in the Ministry of defence were developed.
- Analyses of the space planning of public services on local level from gender equality perspective was prepared and shared with some local authorities.
- Cooperation between governmental and local coordinators on gender mainstreaming became more systematic.
- Monitoring of the implementation and awareness raising were staged about the Directive of equal treatment and equal access of women and men to goods and services.

⁵ First Report of the implementation of the Resolution on the equal opportunities of women and men, Government of the Republic of Slovenia, April 2010.

⁶ Second Report of the implementation of the Resolution on the equal opportunities of women and men, Government of the Republic of Slovenia, April 2010.

In the periodical action plan for 2010-2011⁷ the following priorities in the chapter of gender mainstreaming are cited:

- Training for the gender mainstreaming for specific ministries and governmental agencies.
- Seminars for gender mainstreaming on local level.
- Seminar for judges about implementation of the principle of gender equality and non-discrimination.
- Manual and tool kit on gender budgeting.
- Cooperation of gender equality coordinators from ministries and from local authorities.
- Workshop for NGOs about the implementation of the principles of gender equality and non discrimination.
- Co-funding of the NGO projects on gender mainstreaming.

2. Transferability issues

The understanding of gender mainstreaming approach in the legal framework of Slovenia is at the level of the Swedish integral model, but the implementation, based on the National programme and periodical action plans is closer to the badly designed transversal Belgium model. Gender mainstreaming in Slovenia is still in the initial phase. Lack of political will at the highest levels of government and local authorities is a crucial constraint. Creating of this will is a crucial task for all stakeholders who believe in the great developmental and transformative potential of this concept. All experiences and lessons learnt from Sweden and Belgium are very useful for Slovenia and will serve us well in the future.

In Slovenia, from 1990 till today, the pressure to use gender mainstreaming comes from two different sources. Civil society actors in their strives for gender sensitive labour, pension law, parental leave or reproductive health legislation, are in fact asking for gender mainstreaming, but they will never bother to give this name to their advocacy actions. Bottom up pressure is constantly coming from trade unions and civil society organizations triggered by the lack of gender sensitivity in different legal reforms, especially in the fields of personal human rights (the right to legal, safe, free of charge abortion was the main confrontation point during the drafting and acceptance of the new Slovene constitution in 1991) labour, social security and social solidarity systems, legislation regulating public health, balance between family and working life, electoral legislation and issues connected to violence against women while top down pressure is coming from UN CEDAW Committee⁸ as well as from the European Directives and soft legislation. These processes intensified firstly after the UN 4th Beijing Conference in 1995, secondly, in the period of intensive harmonization of

⁷ Periodical action plan on the implementation of the Resolution on national programme for equal opportunities of women and men for 2010 -2011, Government of the Republic of Slovenia, April, 2010.

⁸ In all CEDAW Committee Recommendations following the Slovene periodical reports there are special requests to strengthen and upgrade state mechanisms in order to enable development, implementation, evaluation and refinement of gender mainstreaming concept.

Slovenian legislation with EU legislation, during the candidacy and accession period from 1998 till 2004, and lastly in close connection to the consequences of the financial and economic crises after 2008, when austerity approach in structural reforms of the social welfare state systems threatens to additionally widen social and economic misbalances between women and men.

New women's movement in Slovenia is consciously and strategically using the combination of these two pressures, even giving the name to it: SANDWICH STRATEGY, as it was discovered that this strategy has been and still is the only effective strategy to put gender mainstreaming in motion and use it as a tool for improving gender power balance in the Slovene society. We believe that this experience of Slovenia might be highly valuable for all new EU Member States.

3. Policy debate

Slovenia has been hit hard by the economic crises. In the last three years the unemployment rate of registered unemployed has risen from 4.6% to 7.6%. In the inter-ministerial coordination body for the implementation of the national Action Plan on Equality between women and men and Equal Treatment Act, there is no serious political will to focus on gender equality challenges. This is not the priority of the current centre left government. It is even less likely that the next government would take a more gender mainstreaming friendly approach; rather the opposite is to be expected. Women in TU and in civil society started to defend their right to stable full time employment and this was one of the reasons why the government has lost its Law on small work in the referendum some weeks ago. Lack of gender sensitivity in the proposed pension reform will, inter alia, most probably lead to the similar defeat of the government on the referendum on pension reform, as the Ministry of Labour did not offer requested gender test of the probably different consequences of the proposed pension reform for men and women.

Political discussion has already started on how to rationalize national public administration and diminish the excessive number of governmental agencies. There is a serious danger that already weakened Office for Equal Opportunities which is the only specialized governmental body with elementary know how on gender mainstreaming will be the first to fall victim of this rationalization. If this happens, I am afraid that Slovenia will bid farewell to already weak implementation of gender mainstreaming in nearby future.