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**Institutional mechanisms for gender equality in Slovenia**

**Prepared by**  
**Violeta Neubauer**

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\* The views expressed in this paper are those of the author and do not necessarily represent those of the United Nations.

## **1. History of institutional mechanism for gender equality in Slovenia**

First initiatives for institutionalisation of women's interests and interests addressing relations between women and men were brought by women's movement in eighties. This was a period of dynamic democratisation process which challenged the communist regime and its policies, including through introducing a new approach of equality between women and men, human rights approach. A demand of women, supported by certain political groups, to establish a ministry for women's issue was rejected in 1989 but after the first multiparty elections in 1990 it has been partially met by setting up a Commission for Women's Policy as a working body of the Parliament. The Parliamentary Commission advocacy for gender equality and request for integrating equality policy as a constituent part into overall national policy resulted in the establishment of the first government structure for gender equality.

In 1992 the Office for Women's Policy was founded as a central government unit located within the administrative structures of the prime minister's cabinet. Its powers and mandate were not very clear and the tasks envisaged in the government Decision were placing a great deal of stress on very scarce staff and limited financial resources. Its operation was entirely financed by the national budget and tasks were performed in cooperation with the parliamentary Commission for Women's Policy, ministries and other state institutions and in partnership with national and international non-governmental organisations, social partners and academic circles.

After the next national elections in 1996 the viability of the parliamentary Commission was called into question, but it was eventually set up again under a new name - Equal Opportunities Commission. The change in its name didn't have any impact on its mandate and working methods but contributed to gradually change focus from women to gender equality, from a focus on eliminating discrimination against women, to a more dynamic one that considers the right to equality as a fundamental right and recognizes the need for proactive strategies and policies.

But unfortunately this was also the last time that the working body was operating within our national parliament. After the elections in 2000 and in 2004 the initiative to set a special parliamentary working body for promoting gender equality was refused. Its setting up was challenged by a rationalisation of working methods and procedures of the parliament and the introduction of gender equality issues throughout the work of the parliament. Committee of internal policy was entrusted to be a focal point for gender equality issues, while all other parliamentary working bodies have been made responsible for development of gender equality sensitive decisions. It sounded very promising. But it was clear at first sight that it was a matter of competing national priorities where gender equality has de facto never been placed and not a matter of gender sensitive policy. It is well known how many preconditions are needed to make it possible for policy to be undertaken with an appreciation of gender differences, of the nature of relationships between women and men and of their different social realities, life expectations and economic circumstances. And in addition it is also generally recognised that in countries where representation of women in national parliament is low a lack of critical mass of

women MPs is usually compensated with the establishment of special working body for gender equality or women's issues. In Slovenia women's representation in political decision-making is very low and trend are not showing any positive change in achieving better gender balance in public decision making. Due to this democratic deficit we have recently (March 2004) introduced first positive measures into the Act on elections to European parliament (minimum of 40% of candidates of both sexes must be on candidates list) and a constitutional change was approved by the Parliament with which an amendment stating that law shall introduce measures ensuring equal opportunities for women and men in candidate list for national and local elections entered into force.

While these changes in the parliamentary structures could be an evidence of certain level of retrogression, the stability and autonomy of the government office was not questioned until 2003. In contrary; if in the first period of its operation the government office was hampered by unclear mandate, lack of staff, scarce funding and not sufficient support from national political leadership, the last 5 years were marked by positive development of government gender equality structures.

In 2001 the Government adopted new decision, by which the Office for Women's Policy was renamed and now operates as the government Office for Equal Opportunities. The new Office took over all the tasks of the previous office and got some new one. Its role has been further strengthened by the entering into force of the two equality acts, the Act on Equal Opportunities for Women and men in 2002 and the Act implementing the principle of equal treatment in 2004. The first act is a special act aimed to promote gender equality in all walks of life and provides legal obligations for establishment of policies, which will actually interfere with the current practice of reproducing inequalities and modify the relationship between women and men and the division of their roles in society. The Act implementing the principle of equal treatment provides for broader anti-discrimination considerations.

In 2003 the level of autonomy of the government Office for equal opportunities was questioned due to the reform of state administration. The initiator of the reform (Ministry of Interior) proposed majority of the existing government offices should be administratively placed under the structures of one of the line ministries. In July 2003 the Slovenian delegation presenting the second and the third report to Committee on the Elimination of Discrimination against Women reported about this possible changes that might negatively affect the autonomy and the institutional right to initiatives of the government office. The recommendations of the Committee in its concluding comments led to reconsideration of this intention, which resulted in a decision to maintain the Office for Equal Opportunities as a self standing professional service of the government. This was an evidence based influence of proper use of the CEDAW reporting system, which made it possible to maintain actual mandate and powers of the government structure for gender equality to influence the policy development process and exert a proper impact on decision-making.

In addition to maintenance and strengthening of the Office for equal opportunities the gender equality legislation introduced a process of so called horizontal expansion and

vertical decentralisation of national machinery. Since the beginning of 2003 coordinators for equal opportunities have been appointed in each of the 15 ministries and within local governments. This expansion was then followed by setting up working groups with the aim to make integrated policy proposals that will integrate gender equality dimension in sectoral policy effectively. This process has another added value. The proposals are developed within the sector for the sector and are therefore easier internalised by targeted actors. Gender equality debates are becoming perceived as relevant for all and not just of interest of experts within national machinery.

## **2. Leadership of the government Office for Equal Opportunities**

During the first 11 years the Office was headed by a director, appointed by the Government. Her function was political and therefore characterised by certain advantages and limitations. Challenging the wider framework of patriarchal structures and advocating for women's interests and interests addressing gender equality was not always in conformity of priorities of her party. But she was a committed advocate, deliberator and critic of the than government reforms and jeopardised her political career for a benefit of the promotion of gender equality.

Now the Office is headed by a director, who after the above mentioned reform of the state administration in 2003, has a status of a high ranking government official and was selected on the basis of professional criteria and competencies.

Despite the less political character of the Office and its location, which is not on the level of ministries, performing tasks of the Office while using all the powers and potentials at their full extent, the quality of results of gender equality endeavours has improved.

## **3. Most important elements of mandates and working methods of institutional mechanism for gender equality in Slovenia**

The mandates have been gradually enlarged and formulated in more specific terms in government decisions and Act on equal opportunities for women and men. The functioning and work of the Office is based mainly on the following:

- Data collection, analysis, surveys of problems and research work for keeping records and understand imbalances between women and men and development of prognosis on how future initiatives will affect their lives;
- Altering cultural changes and changes in perception through communication (information and awareness raising) strategies, including through promoting the positive role of media;
- Work related to legislation changes, including binding submission of opinions on proposals and elaboration of proposals for changes to the existing legislation or new laws and recommendations to improve enforcement (the institutional right to initiative includes also the right of the Office to stop the consideration and adoption process if proposals for legislation, measures or programmes have not

- been submitted to the Office for gender equality proofing prior to their submission to the Government);
- Investigation of complaints in cases of alleged breaches of gender equality and equal treatment legislation;
  - Promotion and co-ordination of gender mainstreaming, including through developing tools and instruments;
  - Co-ordination of the preparation of national programme for equal opportunities for women and men and its implementation periodic action plans;
  - Systematic reporting on implementation of the periodic action plans and on activities of the Advocate for equal opportunities for women and men, who investigates “incidents” of alleged breaches of gender equality legal provisions;
  - Co-operation with NGOs and provision of partial funding of their projects;
  - Co-operation with other social partners (trade unions and employers organisations) and women’s groups within political parties;
  - Creation of alliances/support for changes and maintenance of support or neutralise the opposition to proposed policy measures.