

## FACT SHEET ON SLOVENIA

Information supplied by Selisnik & Gaber, based on their paper for the Workshop on Legal Struggles and Political Mobilization around Gender Quotas in Europe, September 2014, Florence.

CONSTITUTION
<b>Constitutional gender equality clause, including constitutional parity provisions.</b>
<p>Article 43, para. 4, of the Constitution:            “The law shall provide the measures for encouraging the equal opportunity of men and women in standing for election to state authorities and local community authorities”</p> <p>Article 14 of the Act on Equal Opportunities for Women and Men:            “In Slovenia everyone shall be guaranteed equal human rights and fundamental freedoms irrespective of national origin, race, sex, language, religion, political or other conviction, material standing, birth, education, social status, disability or any other personal circumstance. All are equal before the law.”</p>
<b>Constitutional reform</b>
<p>2004, Para. 4 in Art. 43            Uradni list RS, št. 69/2004; 24. 6. 2004</p>
<b>Constitutional/Supreme Court case law on quotas</b>
NONE

NUMBERS			
Number of female MPs in both chambers			
Year of Election	Local level/ percentage of female councillors elected	National Election/ Percentage of women deputies	European Election/percentage of women MP's
1990		11,3	
1992		12,3	
1994	10,6		
1996		7,8	
1998	11,7		

2000		13,3	
2002	13		
2004		12,2	42,8*
2006	21,5*		
2008		13,3*	
2009			28,6
2010	21,91		
2011		32,2	
2014	32	34,4	37,5

#### Number of women in boards of biggest publicly listed companies

In Slovenia the data shows for 2012 that among 61 companies on stock market 59% companies had no women in the board. Other data shows that in 2013 there was 10% of board directors, 20% members, 24% non-executive directors, 19% executive directors. Among public companies there was no women president of the board.

### POLITICAL and PARTY QUOTAS

#### Existence of voluntary party quotas and other schemes

Women in ZLSD (no part of SD) established their own section Women's Forum, and their counterparts in LDS formed Women's Network in the beginning of 1990s, trying to start debate on gender quotas.

The ZLSD before general election in 1996 introduced 40 percent obligatory gender party quota, but because of the poor results in the national election decided to make quota provisions not obligatory for the next election. In the LDS 30 percent quota was put in party programme in 1990, but was understood more as a target and not as immediate obligation. In 1994 LDS accepted regulation that made quota obligatory, but only for the nomination process (the party council's nomination stage), which resulted to less than 20 per cent of female candidates on the electoral lists for the national election.

This process further developed in 1998 when gender-neutral proposal for quotas had been introduced by which neither gender could have less than one-third of the candidates on the party list for the national election, but then the same party again in 2000 lowered the percentage to 25 with the provision to increase it 3 percentage points in each subsequent election, with a 40 per cent share of men and women set as the final objective.

#### Existence of soft measures in politics

The 1994 Act on Political Parties including the following provision: "the party shall define in its statute a method of ensuring equal opportunities in nominating candidates for the elections.", without specific obligations or sanctions.

#### Existence of hard legislated electoral quotas

An amendment to the Law on the Elections to the European Parliament (March 2004) introduced a 40-percent gender quota for candidate lists.

Lists of candidates had to be drawn up in such a way that at least one candidate of each sex figures in the first half of any list of seven candidates.

Local Elections Act in 2005, a year before the next local election. The law provided that lists of candidates for the election to a municipal council have to be drawn up in such a way to ensure that each sex accounts for at least 40 per cent of all candidates listed, and that the candidates in the first half of the lists must alternate by sex (Clause 70a). The act provides the transition period up to 2014, when 40 per cent representation of each sex becomes compulsory. Regulation deliberately started with a very low (20 percent) gender quota in 2006 election; 30 per cent quota for the election in 2010 and in addition during this transitional period, a partial derogation is permitted as regards the principle of candidates alternating by sex in the upper half of the list, which means that it will be regarded as sufficient if they are arranged in a way that at least each third candidate is of the other sex (transitional provision). That means that elections in 2014 is the first with the respected 40 percent gender quotas. The law also stipulate that the confirmation of the party candidate lists which does not meet required quota is to be rejected by the electoral commission.

In 2006, the Law on the election of National Assembly introduced a 35 percent quota (with the start of 25 percent women candidates on the voting ballot for the first next election). The law also stipulates that if the constituency electoral commission finds that the list of candidates is not determined in accordance with this Act dismiss it (clause 56).

Gender quotas proved useful for the local election and for the European parliament, yet they were not that successful in the case of first election to NA. As a result of the required gender quotas all the parties put even more women on the list than the law stipulates.

In the last national election, the percentage of women making MP was only a bit lower than the quota for electoral lists (34%).

#### CONSERVATIVE PARTIES AGAINST

In the nineties almost all the proposals came from small circles in the left-wing and central-left political parties (with only one exception with the support of SLS);

After 2004 – ¾ support in the NA; almost all the parties supported.

#### Existence of Public board quotas

In the 1970s, The Communist Party introduced some version of quota for women—with respect to the decision-making bodies of all political organizations and delegate lists. However, those quotas never became part of legislation and did not apply for the highest political position.

16.9.2004 Decree regulating the criteria for implementation of the principle of balanced representation of women and men. Established by means of administrative regulations.

The decree lays down the procedure for ensuring balanced representation in the composition of public committees and boards and in appointing and nominating government representatives, as well as with regard to the appointment or nomination of government representatives in state-owned companies and other public bodies, unless this is not possible for objective reasons. The same obligation is also binding on ministers with regard to the composition of expert councils established in accordance with the State Administration Act. Both the decree and the act provide that the principle of gender-balanced representation is respected when at least 40 percent representation of women and men is ensured.

There are no sanctions for not respecting the principle. According to this the latest available data claim that the average representation of women in government bodies and in public institutions exceeded the gender balanced representation threshold of at least 40 percent representation of both sexes. However, women remain to be unequally represented concerning the appointments in public agencies and funds, as there were only 31% women representing the government in agencies, and 37% in funds.

## CORPORATE BOARD QUOTAS

### Existence of soft Corporate Board quotas/measures

NONE

### Existence of hard Corporate Board quotas

They were not implemented, Slovenian parliament just supported the EU directive on the topic.

## QUOTAS IN OTHER DOMAINS

### Legislated or voluntary measures in other domains as executive, judiciary, universities, sports federations, trade union, professions, political party structure, etc.

NONE

## CONTAGION and CONNECTIONS

### Contagion between different domains within the country

Perhaps for quotas in economy.

### Connections with other countries/ international dynamics

The communist quota was influenced by the first United Nations (UN) World Conference on Women in Mexico. Women's groups within the political parties which laboured for a better position for women had contacts with their sister women's and parties' organisation in Europe and especially Scandinavian countries. In the process of preparation for legal and constitutional changes to allow for quotas, several international documents, UN Conventions and good practices (France and Belgium) were referred to.

## COUNTRY SPECIFICS

### Best practice

The Coalition for Balanced representation of Women and Men in Public Life. This was a large coalition of individuals from the whole ideological spectrum in Slovene society - active and publicly visible individuals from different fields (culture, academia, NGOs, economics, and politics – both left and right wing). They organised different activities including round tables, public confrontations, appeals to the public. All in all, this coalition contributed to the constitutional change with the quota legislation that followed.

The Constitutional reform and subsequent quotas were also inspired by the accession process to the EU, as Slovenia wanted to be seen as a 'good' country.

### Failures

The anti-communist and purist democratic sentiments meant that for a long time, almost everybody resisted quota proposals regardless of sex, age, or ideological orientation. Only few feminist scholars, feminist activists in centre left and left-wing parties, and small feminist NGOs supported these policies.

