



Ministeriet  
for Ligestilling  
og Kirke

## Oversigt over aktdokumenter

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  - a. Mailkorrespondance mellem Erhvervs- og Vækstministeriet og Ministeriet for Ligestilling og Kirke
  - b. Udsendelse til interessenterne
  
2. Svar på høring til danske interessenter (s. 12 - 36)
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  - b. Svar fra Forbrugerrådet
  - c. Svar fra Danmarks Rederiforening
  - d. Svar fra Akademikernes centralorganisation
  - e. Svar fra Finansrådet
  - f. Svar fra FTF
  
3. Intern høring i ministerierne omkring besvarelse (s. 37 -71)
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8. Oversendelse af regeringens svar på Kommissionens høring om flere kvinder i bestyrelser til Bryssel (s. 114 – 120)

Frederiksholms Kanal 21  
1220 København K  
www.lige.dk

Telefon 2268 8565  
E-post lige@lige.dk

Ligestillingsafdelingen

Dato: 22. juni 2012  
J.nr. 2012-3617  
/loroh

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**Til:** Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen)  
**Fra:** Udenrigsministeriet [um@um.dk]  
**Emne:** VS: Medlemmer af de to omtalte specialudvalg  
**Sendt:** 17-04-2012 21:48:13

Sorry, jeg kom til at sende til 2\* Iben!

Sem

**Fra:** Sem Ulver Dupont Birkler  
**Sendt:** 17. april 2012 21:45  
**Til:** 'Rostock-Jensen, Iben'; 'Rostock-Jensen, Iben'; Kathrine Bjørnager Nielsen \((DEP)\); 'Hamad Sheraz Roving Butt (HSB@oem.dk)'  
**Cc:** Flemming Stender  
**Emne:** Medlemmer af de to omtalte specialudvalg

Kære alle,

Som lovet på dagens møde fremsendes hermed en oversigt over medlemmerne af Specialudvalget for arbejdsmarkedet og sociale forhold samt medlemmerne af Specialudvalget for Konkurrenceevne, vækst og forbrugerspørgsmål. Fsva. det første koordineres udsendelser af BM (Rikke Harhoff, [rmh@bm.dk](mailto:rmh@bm.dk), eller Simone Heinecke, [she@bm.dk](mailto:she@bm.dk)). Fsva. det sidste formoder jeg, at Hamad er den rette.

Mvh  
Sem

### **3. Arbejdsmarkedet og sociale forhold**

Beskæftigelsesministeriet (formand)  
Social- og Integrationsministeriet (næstformand)  
Økonomi- og Indenrigsministeriet  
Udenrigsministeriet  
Finansministeriet  
Justitsministeriet  
Transportministeriet  
Erhvervs- og Vækstministeriet  
Børne og Undervisningsministeriet  
Ministeriet for Sundhed og Forebyggelse  
Ministeriet for Ligestilling og Kirke  
Arbejdstilsynet  
Arbejdsmarkedsstyrelsen  
Danmarks Statistik  
Erhvervs- og Selskabsstyrelsen  
Energistyrelsen  
Personalestyrelsen  
Søfartsstyrelsen  
Universitets- og Byggestyrelsen  
Akademikernes Centralorganisation  
ATP  
Danske Regioner  
Dansk Arbejdsgiverforening  
Danske Handicaporganisationer  
Finanssektorens Arbejdsgiverforening (*observator*)  
Funktionærernes og Tjenestemændenes Fællesråd  
Kommunernes Landsforening

Kommunale Tjenestemænd og Overenskomstansatte (KTO)  
 Landsorganisationen i Danmark  
 Ledernes Hovedorganisation  
 Sammenslutningen af Landbrugets Arbejdsgiverforeninger

## **8. Konkurrenceevne, vækst og forbrugerspørgsmål**

Erhvervs- og Vækstministeriet (formand)  
 Advokatrådet  
 Advokatsamfundet  
 Akademikernes Centralorganisation  
 Amtsrådforeningen i Danmark  
 Arbejderbevægelsens Erhvervsråd  
 Arbejdsmarkedsstyrelsen  
 Arbejdstilsynet  
 BAT-Kartellet  
 Beskæftigelsesministeriet  
 BFID  
 Byggefagenes Kooperative Landssammenslutning  
 Brancheforeningen for Sæbe, Parfume og Teknisk/kemiske artikler  
 Bryggeriforeningen  
 Børsmæglerforeningen  
 Danmarks Apotekerforening  
 Danmarks Nationalbank  
 Danmarks Rederiforening  
 Dansk Arbejdsgiverforening  
 Danske Andelsselskaber  
 Danske Arkitektvirksomheder  
 Danske Dagblades Forening  
 Danske Maritime (skibsværtforening)  
 Danske Regioner  
 Danske Reklamebureauers Branceforening  
 Danske Statsbaner  
 Dansk Byggeri  
 Dansk Eksportforening  
 Dansk Erhverv  
 Dansk Handel og Service  
 Dansk Industri, ITEK  
 Dansk IT  
 Dansk Landbrugskontor i Bruxelles  
 Dansk Metal  
 Dansk Metalarbejderforbund  
 Dansk Rejsebureau Forening  
 Dansk Standard  
 Dansk Varefakta Nævn  
 Det Centrale Handicapråd  
 Det danske Handelskammer  
 Digitale Taskforce  
 Elektricitetsrådet  
 Energistyrelsen  
 Erhvervstyrelsen  
 Entreprenørforeningen  
 Erhvervs- og Byggestyrelsen  
 Erhvervs- og Selskabsstyrelsen  
 FDB

Finansministeriet  
 Finansforbundet  
 Finansrådet  
 Forbrugerrådet  
 Foreningen for Registrerede Revisorer  
 Foreningen af Statsautoriserede Revisorer  
 Foreningen af Rådgivende Ingeniører  
 Forsikring og Pension  
 Forsknings- og Innovationsstyrelsen  
 Forskningsstyrelsen  
 Forsvarsministeriet  
 Finanstilsynet  
 FTF  
 Funktionærenes og Tjenestemændenes Fællesråd  
 Fællesforeningen af Danske Brugsforeninger  
 Færdselsstyrelsen  
 Færøernes Hjemmestyre  
 Garantifonden for Danske Optioner og Futures  
 Grønlands Hjemmestyre  
 Handelskammeret  
 HK  
 Håndværksrådet  
 IDA  
 Islands udenrigsministerium  
 IT-Brancheforeningen  
 It- og telestyrelsen  
 Jernbanetilsynet  
 Jord, Arbejde, Kapital Andelskassen  
 Justitsministeriet  
 Klima-, Energi- og Bygningsministeriet  
 Kommunernes Landsforening  
 Konkurrence- og Forbrugerstyrelsen  
 Konkurrencerådet  
 Kooperationen  
 Kort- og Matrikelstyrelsen  
 Kulturministeriet  
 Københavns Fondsbørs  
 Københavns Kommune  
 Landbrug og Fødevarer  
 Landbrugsrådet  
 Landsorganisationen i Danmark - Maybritt Johansen  
 Lederne  
 Ledernes Hovedorganisation  
 LO  
 Lægemiddelindustriforeningen - LIF  
 Lægemiddelstyrelsen  
 MCI-Danmark  
 Ministeriet for Børn og Undervisning  
 Ministeriet for Fødevarer, Landbrug og Fiskeri  
 Ministeriet for Forskning, Innovation og Videregående uddannelser  
 Ministeriet for Ligestilling og Kirke  
 Ministeriet for Sundhed og Forebyggelse  
 Miljøministeriet  
 Miljøstyrelsen  
 Naturstyrelsen

Offentligt Ansattes Organisationer  
 Parellelimportørforeningen af Lægemidler  
 Patent- og Varemærkestyrelsen  
 Post Danmark  
 Realkreditrådet  
 Rådet for Dansk Pension og Forsikring  
 Sammenslutningen af Danske Andelskasser  
 Sammenslutningen af Danske Småøer  
 Sammenslutningens af Landbrugets Arbejdsgiverforening  
 Skatteministeriet  
 Skibsværftsforeningen  
 Sikkerhedsstyrelsen  
 Slots- og Ejendomsstyrelsen  
 Social- og Integrationsministeriet  
 Statens Indkøb  
 Statens Luftfartsvæsen  
 Statsministeriet  
 Søfartsstyrelsen  
 Telekommunikationsindustrien  
 Trafikstyrelsen  
 Transportministeriet  
 Turisterhvervets Samarbejdsforum 1 og 2  
 Udenrigsministeriet  
 Økonomi- og Indenrigsministeriet  
 Værdipapircentralen  
 Motorola  
 Sonofon  
 TDC  
 Tele2 A/S  
 Telia

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**SEM ULVER DUPONT BIRKLER** / [SEMUBI@UM.DK](mailto:SEMUBI@UM.DK)  
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 TLF. +45 3392 0000 / [WWW.UM.DK](http://WWW.UM.DK)



DANISH PRESIDENCY  
 OF THE COUNCIL OF THE  
 EUROPEAN UNION 2012

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**Til:** Hamad Sheraz Rovsing (DEP)  
**Fra:** Rohde, Louise [loroh@lige.dk]  
**Emne:** SV: Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU  
**Sendt:** 18-04-2012 10:50:12

Du må gerne tilføje:

[kvinfo@kvinfo.dk](mailto:kvinfo@kvinfo.dk)  
[center@humanrights.dk](mailto:center@humanrights.dk)  
[kvr@kvinderaad.dk](mailto:kvr@kvinderaad.dk)  
[sekretariat@danskkvindesamfund.dk](mailto:sekretariat@danskkvindesamfund.dk)

Jeg har sendt dit tilbud videre til en ven..

Med venlig hilsen / Best regards

**Louise Rohde**  
*Fuldmægtig*

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Ligestillings- og Kirkeministeriet /  
Minister for Gender Equality and Ecclesiastical Affair

Tlf. +45 2268 8562

[loroh@lige.dk](mailto:loroh@lige.dk) / [www.lige.dk](http://www.lige.dk)

**Postadresse / Mail address:**

Frederiksholms Kanal 21, Postbox 2123 / DK-1015 København K / Denmark

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**Fra:** Hamad Sheraz Rovsing (DEP) [mailto:HSB@evm.dk]  
**Sendt:** 18. april 2012 10:24  
**Til:** Rohde, Louise  
**Emne:** SV: Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU

Kære Louise

Tak - det pynter :) Sender ud senere i eftermiddag. Hvis i vil have tilføjet nogen til vores medlemsoversigt, jf. Sem's oversigt, så sig endelige til inden kl. 13.

Og så skal du også have tilbudet om Malk de Kojn på fredag i Vega. En bekendt sælger to bill. for 600 DKR på mob. 2694 6610 :)

Vh Hamad

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**Fra:** Rohde, Louise [mailto:loroh@lige.dk]  
**Sendt:** 18. april 2012 10:22  
**Til:** Hamad Sheraz Rovsing (DEP); Rostock-Jensen, Iben  
**Cc:** Kathrine Bjørnager Nielsen (DEP); Sem Ulver Dupont Birkler  
**Emne:** SV: Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU

Kære Hamad

Vi har ændret lidt i teksten. Se nedenfor. Vi har hovedsageligt sat mere historik ind.

Ring evt. hvis vi lige skal drøfte.

Hilsen Louise

Til Specialudvalget for Konkurrenceevne, Vækst og Forbrugerforhold

*Høring vedr. EU-Kommissionens konsultation om at øge andelen af kvindelige bestyrelsesmedlemmer i børsnoterede selskaber i EU.*

I marts 2011 lancerede EU-Kommissionen initiativet 'Women on the Board - Pledge for Europe', hvor virksomheder frivilligt forpligter sig til at øge andelen af kvinder i bestyrelser. Indtil videre har 24 virksomheder på EU-plan, tilsluttet sig.

Den 5. marts 2012 lancerede EU-Kommissionen en rapport om kvinder i bestyrelser. Heri fastslår Kommissionen, at udviklingen med at øge andelen af kvinder i bestyrelser ved hjælp af frivillige initiativer ikke er tilfredsstillende, og at der er behov for yderligere initiativer.

Kommissionen har iværksat en høring, hvor medlemslande og øvrige interessenter har mulighed for at give input til, hvordan man mest hensigtsmæssigt øger kvinders repræsentation. Høringen vil løbe frem til d. 28. maj 2012, hvorefter Kommissionen vil tage stilling til videre foranstaltninger ift., hvordan andelen af kvinder i bestyrelser øges.

Spørgeskemaet er vedhæftet denne mail og Kommissionens høring kan læses i sin fulde længde på følgende link: [http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528\\_en.htm](http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528_en.htm)

Eventuelle bemærkninger til spørgeskemaet bedes sendes senest tirsdag den 1. maj 2012 til Hamad Sheraz Roving (hsb@evm.dk), Kathrine B. Nielsen (kbe@evm.dk) og Louise Rohde (loroh@lige.dk).

Alle opfordres ligeledes til at besvare spørgeskemaet direkte til Kommissionen på mail: JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu

Med venlig hilsen / Best regards

**Louise Rohde**  
Fuldmægtig

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Ligestillings- og Kirkeministeriet /  
Minister for Gender Equality and Ecclesiastical Affairs

Tlf. +45 2268 8562

[loroh@lige.dk](mailto:loroh@lige.dk) / [www.lige.dk](http://www.lige.dk)

**Postadresse / Mail address:**

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**Fra:** Hamad Sheraz Roving (DEP) [mailto:HSB@evm.dk]

**Sendt:** 18. april 2012 09:35

**Til:** Rostock-Jensen, Iben; Rohde, Louise

**Cc:** Kathrine Bjørnager Nielsen (DEP); Sem Ulver Dupont Birkler

**Emne:** VS: Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU

Kære begge

Vi har problemer med vores IT så kan ikke fremskaffe en oversigt af medlemmerne af vores specialudvalg, men har indsat deres mails nederst i mailen.

Herudover finder i et udkast til høringsmailen, hvor i gerne må tilføje/erstatte, så vi ikke siger noget forkert. Kathrine er først inde over middag, så i får den direkte mhp. udsendelse senere i eftermiddag.

Er ved at få afklaret en tidsplan for den videre proces. Vender tilbage.

Ring endelig, hvis jeg skal uddybe.

Med venlig hilsen / Best regards,

Hamad

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Hamad Sheraz Rovsing  
Erhvervs- og Vækstministeriet / Ministry of Business and Growth  
m: [hsb@evm.dk](mailto:hsb@evm.dk)  
p: +45 3392 8343 / +45 2257 2158

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**Fra:** Hamad Sheraz Rovsing (DEP)  
**Sendt:** 17. april 2012 19:24  
**Til:** Kathrine Bjørnager Nielsen (DEP)  
**Emne:** Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU

**Kære Kath**

**Hermed udkast til skabelonen for vores høring. Vil du dobbelttjekke med Louise og Iben mht. tekst og lingo - måske vi kan erstatte/fylde på med noget af prosaen fra K-notatet. Neders kan de se alle vores medlemmer af specialudvalget.**

**Tak**

Til Specialudvalget for Konkurrenceevne, Vækst og Forbrugerforhold

**Høring vedr. Kommissionens konsultation om ligestilling i ledelsen af børsnoterede selskaber i EU**

Kommissionen har fremsendt et spørgeskema med henblik på overvejelser om evt. lovgivningsinitiativer til fremme af ligestilling i ledelsen af børsnoterede selskaber. Konsultationen vil blive inddraget i Kommissionens videre overvejelse om evt. EU-tiltag med henblik på at fremme kvinders deltagelse i den økonomiske beslutningsprocedure.

Spørgeskemaet er vedhæftet denne mail og Kommissionens høring kan læses i sin fulde længde på følgende link: [http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528\\_en.htm](http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528_en.htm)

Alle opfordres ligeledes til at besvare spørgeskemaet direkte til Kommissionen på mail: [JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu](mailto:JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu) senest den 28. maj 2012.

Eventuelle bemærkninger til spørgeskemaet bedes sendt **senest tirsdag den 1. maj 2012** til Hamad Sheraz Rovsing ([hsb@evm.dk](mailto:hsb@evm.dk)), Kathrine B. Nielsen ([kbe@evm.dk](mailto:kbe@evm.dk)) og Louise NN ([xx@lige.dk](mailto:xx@lige.dk)).

Mvh.

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'[info@ejendomsforeningen.dk](mailto:info@ejendomsforeningen.dk)'; 'kontakt@danskeudlejere.dk'; 'llok@llok.dk'; 'dl@dklf.dk'; 'bl@bl.dk'; 'info@trafikstyrelsen.dk'; 1 - DEP OMR4 EU; 3 - SIK Høringer (SIK); Advokatsamfundet; Advokatsamfundet; Akademikernes Centralorganisation; Allan Philips (EBST); Anders Thusgaard (DEP); Annette Begtorp Michaëllis (KFST); Arbejderbevægelsens Erhvervsråd; Arbejdsmarkedsstyrelsen; Arbejdstilsynet; Arbejdstilsynet - Bitten Højmark; Arbejdstilsynet - Müzeyyen Boztoprak; BAT-Kartellet; Beredskabsstyrelsen; Beskæftigelsesministeriet; BFID; Brancheforeningen for Sæbe, Parfume og Teknisk/kemiske artikler; Brian Adrian Wessel (EOGS); Bryggeriforeningen; Claudia Westh Lonning (DEP); Danmarks Apotekerforening; Danmarks Rederiforening; Dansk Arbejdsgiverforening; Dansk Arbejdsgiverforening; Nils C. Trampe; Dansk Byggeri; Dansk Byggeri - Henriette Thuen; Dansk Byggeri - Henrik Keinicke ;



Dansk Byggeri - Niels Nielsen; Dansk Eksportforening; Dansk Erhverv; Dansk Metalarbejderforbund; Dansk Rejsebureau Forening; Dansk Standard; Dansk Varefakta Nævn; Danske Arkitektvirksomheder; Danske Maritime (skibsværtforening); Danske Regioner; Danske Reklamebureauers Branceforening; DE - Anne Marie Damgaard; Det kommunale Kartel; DFFE; DFFE - Juridisk kontor; DFFE - Lars Kolze ; Annette Dragsdahl; DI - Dansk Industri; DI - Henriette Søltøft; DI - Henrik Schramm Rasmussen; DI - Jan Stiiskjær; DI - Kim Haggren; DI - Michael Svane; DI - Per Laurents; Postkasse INT ekstern (EBST); Energistyrelsen; eogs@eogs.dk; EogS - Helle Carlsen Nielsen; EU-extranettet - Vækst og Konkurrenceevne (UM); FDB ; FI - Lise Lotte Toft; FI - Thomas Alslev Christensen; Finansministeriet; Finansrådet; Finanstilsynet; FM - Anne Katrine Bojsen Jakobsen; FM - Kaars Barslev; FM - Peter Brixen; FM - Steen Lohmann Poulsen; FM - Søren Varder; Forbrugerrådet; Forbrugerrådet - Martin Salamon; Forbrugerrådet - Benedicte Federspeil; Foreningen af Rådgivende Ingeniører; Forsikring og Pension; Forskningsstyrelsen; Forsvarsministeriet; FTF; FTF - Lisbeth Baastrup; FVM - Patrick Søndergaard; Færdelsstyrelsen; Fødevareministeriet; Fødevareministeriet; Fødevareministeriet; Jannie Eriksen (DST); Maciej Truszczynski (DST); Martin Fabiansen (DS); mfa@mfa.fo; Morten Kallestrup (EBST); Naturstyrelsen; Susanne Bo Christensen (EBST); Susanne Kirkegaard Brodersen (EBST); Susanne Aamann (KFST); 1 - DEP Intsekr; 1 - KFST Officiel hovedpostkasse; Grønlands hjemstyre; Hamad Sheraz Rovsing (DEP); Helle Carlsen Nielsen (DEP); HTS - Jan Stiiskjær; HTS-A - Michael Svane; HTS-A - Mikkel Riis Jørgesen; Håndværksrådet; IDA - Grit Munk; Indenrigs- og Sundhedsministeriet; Integrationsministeriet Andreas Alsøe; Integrationsministeriet Anne-Marie Niemann; Integrationsministeriet Tina Kristensen; Integrationsministeriets Internationale kontor; ITEK; ITST - Camilla Krohn; ITST - Christine Müller Andreassen; ITST - IT- og Telestyrelsen; ITST - Marianne Just Mortensen; Jacob Dal Winther - UM; JM - Anne Høgenhaven Simony; Justitsministeriet; Katie Dalsgaard (UM); KEMIN - Kristian Grande Kastberg; KEMIN - Stefan Kryger Nielsen; KL - Eva Jacobsen; Klima- og Energiministeriet; Kommunernes Landsforening; Kooperationen; Kulturministeriet; Københavns Kommune; Landbrug og Fødevarer; Landbrugsrådet; Lars Bønløkke Hansen (DEP); Lars Vind Sørensen; Lederne - Kim Møller Laursen; letbyrder-i-EU@eogs.dk; LO; LO - Pia Mulvad Reksten; Lægemedelindustriforeningen - LIF; Lægemedelstyrelsen; Mette Asmussen (DEP); Mette Katholm Tams (DEP); Mette Smith (DEP); Miljøstyrelsen; MIM; MIM - EUK; Nanna Marklund; Natalia Anna Rogaczewska (DEP); Nils Askær-Hune (DEP); Parallelimportørforingen af lægemidler - Asbjørn Hastrup; pvs@dkpto.dk; Realkreditrådet; Rikke Wetendorff Nørgaard (DEP); Sammenslutningen af Danske Småøer; SES - Bo Kopper Petersen; Skibsværftforeningen; SKM - Peter Ambus; Statens Luftfartsvæsen; Statsministeriet - STM; Stig Munck Larsen; STM - Ida Hannibal; Svend Ole Seeberg Friis; Søfartsstyrelsen Hovedpostkasse (SFS); Tine Kromann Kapper (EOGS); Tine Nielsen Holm (DEP); Tone Mjølén (SFS); Torsten Asbjørn Andersen (DEP); Transportministeriet; Troels Blicher Danielsen (DEP); Turisterhvervets Samarbejdsforum 1; Turisterhvervets Samarbejdsforum 2; Udenrigsministeriet; Udenrigsministeriet - EUK; Undervisningsministeriet; Videnskabsministeriet; VTU - Susanne Bro Lundgren

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**Til:** Hamad Sheraz Rovsing (DEP, Rostock-Jensen, Iben (Sagsbehandler, Ligestillingsafdelingen)  
**Cc:** Kathrine Bjørnager Nielsen (DEP, Sem Ulver Dupont Birkler  
**Fra:** Rohde, Louise [loroh@lige.dk]  
**Emne:** SV: Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU  
**Sendt:** 18-04-2012 10:22:05

Kære Hamad

Vi har ændret lidt i teksten. Se nedenfor. Vi har hovedsageligt sat mere historik ind.

Ring evt. hvis vi lige skal drøfte.

Hilsen Louise

### Til Specialudvalget for Konkurrenceevne, Vækst og Forbrugerforhold

*Høring vedr. EU-Kommissionens konsultation om at øge andelen af kvindelige bestyrelsesmedlemmer i børsnoterede selskaber i EU.*

I marts 2011 lancerede EU-Kommissionen initiativet 'Women on the Board - Pledge for Europe', hvor virksomheder frivilligt forpligter sig til at øge andelen af kvinder i bestyrelser. Indtil videre har 24 virksomheder på EU-plan, tilsluttet sig.

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[http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528\\_en.htm](http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528_en.htm)

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Alle opfordres ligeledes til at besvare spørgeskemaet direkte til Kommissionen på mail: JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu

Med venlig hilsen / Best regards

**Louise Rohde**  
*Fuldmægtig*

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Ligestillings- og Kirkeministeriet /  
Minister for Gender Equality and Ecclesiastical Affairs

Tlf. +45 2268 8562

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**Postadresse / Mail address:**

Frederiksholms Kanal 21, Postbox 2123 / DK-1015 København K / Denmark

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**Fra:** Hamad Sheraz Roving (DEP) [mailto:HSB@evm.dk]  
**Sendt:** 18. april 2012 09:35  
**Til:** Rostock-Jensen, Iben; Røhde, Louise  
**Cc:** Kathrine Bjørnager Nielsen (DEP); Sem Ulver Dupont Birkler  
**Emne:** VS: Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU

Kære begge

Vi har problemer med vores IT så kan ikke fremskaffe en oversigt af medlemmerne af vores specialudvalg, men har indsat deres mails nederst i mailen.

Herudover finder i et udkast til høringsmailen, hvor i gerne må tilføje/erstatte, så vi ikke siger noget forkert. Kathrine er først inde over middag, så i får den direkte mhp. udsendelse senere i eftermiddag.

Er ved at få afklaret en tidsplan for den videre proces. Vender tilbage.

Ring endelig, hvis jeg skal uddybe.

Med venlig hilsen / Best regards,

Hamad

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Hamad Sheraz Roving  
Erhvervs- og Vækstministeriet / Ministry of Business and Growth  
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p: +45 3392 8343 / +45 2257 2158

---

**Fra:** Hamad Sheraz Roving (DEP)  
**Sendt:** 17. april 2012 19:24  
**Til:** Kathrine Bjørnager Nielsen (DEP)  
**Emne:** Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU

**Kære Kath**

**Hermed udkast til skabelonen for vores høring. Vil du dobbelttjekke med Louise og Iben mht. tekst og lingo - måske vi kan erstatte/fylde på med noget af prosaen fra K-notatet. Neders kan de se alle vores medlemmer af specialudvalget.**

**Tak**

**Til Specialudvalget for Konkurrenceevne, Vækst og Forbrugerforhold**

**Høring vedr. Kommissionens konsultation om ligestilling i ledelsen af børsnoterede selskaber i EU**

Kommissionen har fremsendt et spørgeskema med henblik på overvejelser om evt. lovgivningsinitiativer til fremme af ligestilling i ledelsen af børsnoterede selskaber. Konsultationen vil blive inddraget i Kommissionens videre overvejelse om evt. EU-tiltag med henblik på at fremme kvinders deltagelse i den økonomiske beslutningsprocedure.

Spørgeskemaet er vedhæftet denne mail og Kommissionens høring kan læses i sin fulde længde på følgende link: [http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528\\_en.htm](http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528_en.htm)

Alle opfordres ligeledes til at besvare spørgeskemaet direkte til Kommissionen på mail: [JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu](mailto:JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu) senest den 28. maj 2012.

Eventuelle bemærkninger til spørgeskemaet bedes sendt **senest tirsdag den 1. maj 2012** til Hamad Sheraz Roving ([hsb@evm.dk](mailto:hsb@evm.dk)), Kathrine B. Nielsen ([kbe@evm.dk](mailto:kbe@evm.dk)) og Louise NN ([xx@lige.dk](mailto:xx@lige.dk)).

Mvh.

'info@ejendomsforeningen.dk'; 'kontakt@danskeudlejere.dk'; 'lloek@lloek.dk'; 'dl@dklf.dk'; 'bl@bl.dk';  
 'info@trafikstyrelsen.dk'; 1 - DEP OMR4 EU; 3 - SIK Høringer (SIK); Advokatsamfundet; Advokatsamfundet; Akademikernes  
 Centralorganisation; Allan Philips (EBST); Anders Thusgaard (DEP); Annette Begtorp Michaëlis (KFST);  
 Arbejderbevægelsens Erhvervsråd; Arbejdsmarkedsstyrelsen; Arbejdstilsynet; Arbejdstilsynet - Bitten Højmark;  
 Arbejdstilsynet - Müzeyyen Boztoprak; BAT-Kartellet; Beredskabsstyrelsen; Beskæftigelsesministeriet; BFID;  
 Brancheforeningen for Sæbe, Parfume og Teknisk/kemiske artikler; Brian Adrian Wessel (EOGS); Bryggerforeningen;  
 Claudia Westh Lonning (DEP); Danmarks Apotekerforening; Danmarks Rederiforening; Dansk Arbejdsgiverforening; Dansk  
 Arbejdsgiverforening; Nils C. Trampe; Dansk Byggeri; Dansk Byggeri - Henriette Thuen; Dansk Byggeri - Henrik Keinicke;  
 Dansk Byggeri - Niels Nielsen; Dansk Eksporthandling; Dansk Erhverv; Dansk Metalarbejderforbund; Dansk Rejsebureau  
 Forening; Dansk Standard; Dansk Varefakta Nævn; Danske Arkitektvirksomheder; Danske Maritime (skibsværtforening);  
 Danske Regioner; Danske Reklamebureauers Banceforening; DE - Anne Marie Damgaard; Det kommunale Kartel; DFFE;  
 DFFE - Juridisk kontor; DFFE - Lars Kolze; Annette Dragsdahl; DI - Dansk Industri; DI - Henriette Søltøft; DI - Henrik  
 Schramm Rasmussen; DI - Jan Stiiskjær; DI - Kim Haggren; DI - Michael Svane; DI - Per Laurents; Postkasse INT ekstern  
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 Bojsen Jakobsen; FM - Kaars Barslev; FM - Peter Brixen; FM - Steen Lohmann Poulsen; FM - Søren Varder;  
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 hovedpostkasse; Grønlands hjemstyre; Hamad Sheraz Roving (DEP); Helle Carlsen Nielsen (DEP); HTS - Jan Stiiskjær;  
 HTS-A - Michael Svane; HTS-A - Mikkel Riis Jørgesen; Håndværksrådet; IDA - Grit Munk; Indenrigs- og  
 Sundhedsministeriet; Integrationsministeriet Andreas Alsøe; Integrationsministeriet Anne-Marie Niemann;  
 Integrationsministeriet Tina Kristensen; Integrationsministeriets Internationale kontor; ITEK; ITST - Camilla Krohn; ITST -  
 Christine Müller Andreassen; ITST - IT- og Telestyrelsen; ITST - Marianne Just Mortensen; Jacob Dal Winther - UM; JM -  
 Anne Høgenhaven Simony; Justitsministeriet; Katie Dalsgaard (UM); KEMIN - Kristian Grande Kastberg; KEMIN - Stefan  
 Kryger Nielsen; KL - Eva Jacobsen; Klima- og Energiministeriet; Kommunernes Landsforening; Kooperationen;  
 Kulturministeriet; Københavns Kommune; Landbrug og Fødevarer; Landbrugsrådet; Lars Bønløkke Hansen (DEP); Lars Vind  
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 Statens Luftfartsvæsen; Statsministeriet - STM; Stig Munck Larsen; STM - Ida Hannibal; Svend Ole Seeberg Friis;  
 Søfartsstyrelsen Hovedpostkasse (SFS); Tine Kromann Kapper (EOGS); Tine Nielsen Holm (DEP); Tone Mjølner (SFS);  
 Torsten Asbjørn Andersen (DEP); Transportministeriet; Troels Blicher Danielsen (DEP); Turisterhvervets Samarbejdsforum  
 1; Turisterhvervets Samarbejdsforum 2; Udenrigsministeriet; Udenrigsministeriet - EUK; Undervisningsministeriet;  
 Videnskabsministeriet; VTU - Susanne Bro Lundgren

**Til:** Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen), Hamad Sheraz Rovsing (DEP), kbe@evm.dk  
**Cc:** intsekr@evm.dk  
**Fra:** Patent- og Varemærkestyrelsen [pvs@dkpto.dk]  
**Emne:** VS: Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU  
**Sendt:** 19-04-2012 09:00:26  
**Bilag:** Gender imbalance in corporate boards in the EU.doc;

Patent- og Varemærkestyrelsen har ingen bemærkninger til den fremsendte høring.

Venlig hilsen  
 Randi Brønlund Stanbury  
 Fuldmægtig, cand.jur.  
 Politik & Jura  
 Patent- og Varemærkestyrelsen  
 Helgeshøj Allé 81  
 DK-2630 Taastrup  
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 Telefon: 4350 8256

GØR IDEER TIL AKTIVER

rbj@dkpto.dk

**Fra:** 1 - DEP Intsekr [<mailto:Intsek@evm.dk>]

**Sendt:** 18. april 2012 13:17

**Til:** 'kvinfo@kvinfo.dk'; 'center@humanrights.dk'; 'kvr@kvinderaad.dk'; 'sekretariat@danskkvindesamfund.dk'; 'tfr@atp.dk'; 'hkb@kto.dk'; 1 - DEP OMR4 EU; Advokatsamfundet; Akademikernes Centralorganisation; Allan Philips (EBST); Andelskassen - SDA; Anders Thusgaard (DEP); Arbejderbevægelsens Erhvervsråd; Arbejdsmarkedsstyrelsen; Arbejdstilsynet; Arbejdstilsynet; Arbejdstilsynet - Bitten Højmark; Arbejdstilsynet - Müzeyyen Boztoprak; ATP; BAT-Kartellet; Beredskabsstyrelsen; Beredskabsstyrelsen; BL - Danmarks Almene Boliger - Preben Mathiesen; BM - Beskæftigelsesministeriet; BM - Beskæftigelsesministeriet; Brancheforeningen for Sæbe, Parfume og Teknisk/kemiske artikler; Brian Adrian Wessel (EOGS); Bryggerforeningen; Børsmæglerforeningen; Caroline Eggert Frydenberg (KFST); Christine Müller Andreassen (ERST); Concord Danmark; Danmarks Apotekerforening; Danmarks Domstole - Randers; Danmarks Radio; Danmarks Radio - Carsten Corneliussen; Danmarks Rederiforening; Dansk Aktionærforening - Anne-Mette Lysgaard; Dansk Aktionærforening - Charlotte Lindholm; Dansk Aktionærforening - Klaus Struwe; Dansk Arbejdsgiverforening; Dansk Arbejdsgiverforening; Dansk Arbejdsgiverforening; Nils C. Trampe; Dansk Byggeri; Dansk Byggeri; Dansk Byggeri - Henriette Thuen; Dansk Byggeri - Niels Nielsen; Dansk Eksporthandling; Dansk Energi - Christian Bang; Dansk Energi - Thomas Woldiderich; Anders Sparre (Dansk-IT); Dansk IT - Benjamin Funder; Dansk Metal - Pernille Jensen; Dansk Metalarbejderforbund; Dansk Rejsebureau Forening; Dansk Standard; Dansk Varefakta Nævn; Danske Advokater; Danske Advokater - Helle Hübertz Krogsøe; Danske Arkitektvirksomheder; Danske Dagblades Forening; Danske Handicaporganisationer; Danske Havne - Bjarne Løf Henriksen; Danske Maritime (skibsværftforening); Danske Regioner; Danske Reklamebureauers Brancheforening; Danske Revisorer; Danske Slagterier i Bruxelles - Kåre Fuglsbjerg; Datatilsynet; DE - Anne Marie Damgaard; DE - Dansk Erhverv; DE - Dansk Erhverv; DE - Dansk Erhverv - Christian Ohm; Det Centrale Handicapråd; DFFE; DFFE - Juridisk kontor; DFFE - Lars Kolze; DI - Alexander Ulrich; Annette Dragsdahl; DI - Christian Hannibal; DI - Claudia Westh Lonning; DI - Dansk Industri - EU-postkasse; DI - Henning Mortensen; DI - Henriette Søltøft; DI - Henrik Schramm Rasmussen; DI - Jan Stiiskjær; DI - Kim Haggren; DI - Michael Svane; DI - Per Laurents; DI - Sune K. Jensen; DI - Thomas Møller Sørensen; DI ITEK; Domstolstyrelsen; DS - Birger Jacobsen; Postkasse INT ekstern (ERST); Ellen Marie Friis Johansen (ERST); ENS - Energistyrelsen; ENS - Svend Ole Seeberg Friis; Esben Larsen (EOGS); EU-extranettet - Vækst og Konkurrenceevne (UM); FDB; FI - Lise Lotte Toft; FI - Styrelsen for Forskning og Innovation; FI - Thomas Alslev Christensen; FI - Thomas Midtgaard; Finansanalytiker; Finansforbundet; Finansrådet; Finanstilsynet; FM - Anne Katrine Bojsen Jakobsen; FM - Finansministeriet; FM - Kaars Barslev; FM - Niels Bossen; FM - Peter Brixen; FM - Steen Lohmann Poulsen; FM - Søren Varder; FMN - Forsvarsministeriet; FMN - Henriette Lemvig; Folkekirkens Nødhjælp; Forbrugerrådet; Martin Salamon (FBR); Forberrådet - Benedicte Federspeil; Foreningen af Rådgivende Ingeniører; Forsikring og Pension; Esben Andersen (MIL); FTF; FTF - Lisbeth Baastrup; FVM - Kathrine Marie Steffensen; FVM - Patrick Søndergaard; Martin Fabiansen (DS); Tony Flanke (Dansk-IT); 1 - DEP Intsekr; 1 - KFST Officiel hovedpostkasse; Forsvarsministeriet - Carsten Røjgaard; Forsvarsministeriet - Flemming Faber; Forsvarsministeriet - Tine Juhl Nielsen; Fødevareministeriet; Fødevareministeriet; Genvindingsindustrien; Gitte Mondrup (DEP); Griet Storr-

Hansen (UM); Grønlands hjemstyre; GXG markets; Hamad Sheraz Rovsing (DEP); Helle Carlsen Nielsen (DEP); HK - Morten Skov; HK Handel; Håndværksrådet; IBIS - International Bistand, International Solidaritet; IDA; IDA - Grit Munk; IDA - René Flege Højmark ; IFR - Investerings Forenings Rådet ; Integrationsministeriet Andreas Alsøe; Integrationsministeriet Anne-Marie Niemann; Integrationsministeriet Tina Kristensen; Integrationsministeriets Internationale kontor; IT-Branchen - Bjørn Borre; IT-Branchen - Mette Lundberg; Jakob Petersen (ERST); Jesper Halvorsen (KFST); JM - Katrine Tørsløv Thorup; Justitsministeriet; Katie Dalsgaard (UM); KEBMIN - Kristian Grande Kastberg; KEBMIN - Stefan Kryger Nielsen; KEBMIN - Trine Tougaard; KL - Anders Brøndum; KL - Annemette Frost; KL - Birgit Øbakke; KL - Eva Christina Jacobsen; KL - Kommunernes Landsforening; KL - Sidsel Kjær Scheibel; Klima- og Energiministeriet; Kooperationen; Kort- og Matrikelstyrelsen ; Kort- og Matrikelstyrelsen - Niels M. Clemmensen; Kort- og Matrikelstyrelsen - Thorben Hansen; Kulturministeriet; KUM - Marie-Louise Helvang; KUM - Tine Brøchner; Københavns Kommune; Landbrug og Fødevarer; Lars Bønløkke Hansen (DEP); Lars Vind Sørensen; LD - Lønmodtagernes Dyrtidsfond ; Lederne - Kim Møller Laursen; [letbyrder-i-EU@eogs.dk](mailto:letbyrder-i-EU@eogs.dk); LO; LO; LO - Pia Mulvad Reksten; LO - Rune Siglev; Lokale Pengeinstitutter; Lægemedelindustriforeningen - LIF; Lægemedelstyrelsen; Marie Kirkebæk Brandt (DEP); MCI - Danmark ; Mellemfolkeligt samvirke; Mette Asmussen (DEP); Mette Katholm Tams (DEP); Mette Smith (DEP); Miljøstyrelsen; MIM; MIM - EUK; Ministeriet for Børn og Undervisning; Ministeriet for Forskning, Innovation og Videregående uddannelser; Morten Uhrskov (ERST); MST - Jan Wammen Dam; Nasdaq OMX; Natalia Anna Rogaczewska (DEP); National Sundheds-IT - Flemming Christiansen; National Sundheds-IT - Kenneth B. Ahrensberg; Nationalbanken; Naturstyrelsen; Offentligt Ansattes Organisationer; Parallelimportføringen af lægemidler - Asbjørn Haustrup; - PVS Patent- og Varemærkestyrelsens officielle postkasse; Peter Hjørnager Pedersen (ERST); Peter Mikael Ostenfeld (ERST); Sarah Ahmad (KFST); Steffen Ring (Motorola); Susanne Aamann (KFST); Økonomi- og indenrigsministeriet; 3 - SIK Høringer (SIK); Jakob Willer (TI); Realkreditforeningen; Realkreditrådet; Regionale Banker; Rikke Wetendorff Nørgaard (DEP); SALA - Sammenslutningen af Landbrugets Arbejdsgiverforeninger ; Sammenslutningen af Danske Småøer; Scanpharm; Sikkerhedsstyrelsen Hovedpostkasse (SIK); Skatteministeriet; Skibsværftforeningen; Slots- og ejendomsstyrelsen - Bo Kopper Petersen; Social- og Integrationsministeriet; Statens Luftfartsvesen; Statsministeriet - STM; Stig Munck Larsen, STM - Ida Hannibal, STM - Jacob G. Nielsen; STM - Troels Bay; SUM - Ministeriet for Sundhed og Forebyggelse; SUM - Peter Munch Jensen; SUM - Sandra Poulsen; Susanne Bro Lundgren (DEP); Søfartsstyrelsen Hovedpostkasse (SFS); TDC - Allan Bartoft; TDC - Henning Sørensen; Telenor - Kenneth Jarnit; Telia - Ole Stenkil; Tine Kromann Kapper (EOGS); Tine Nielsen Holm (DEP); Tone Mjølner (SFS); Trafikstyrelsen - Andreas Højgaard Kavalari; Trafikstyrelsen for jernbane og færger; Transportministeriet; Troels Blicher Danielsen (DEP); Turisterhvervets Samarbejdsforum 1; Turisterhvervets Samarbejdsforum 2; Udenrigsministeriet; Udenrigsministeriet; Udenrigsministeriet - EUK; UM - Søren Høgsbro Larsen; UM - Thomas Lehmann; Victor Kjær (EOGS); ØIM - Adam Lebech; ØIM - Marie Munk

**Cc:** Hamad Sheraz Rovsing (DEP); Kathrine Bjørnager Nielsen (DEP); [loroh@lige.dk](mailto:loroh@lige.dk)

**Emne:** Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU

### **Til Specialudvalget for Konkurrenceevne, Vækst og Forbrugerspørgsmål**

*Høring vedr. EU-Kommissionens konsultation om at øge andelen af kvindelige bestyrelsesmedlemmer i børsnoterede selskaber i EU.*

I marts 2011 lancerede EU-Kommissionen initiativet 'Women on the Board - Pledge for Europe', hvor virksomheder frivilligt forpligter sig til at øge andelen af kvinder i bestyrelser. Indtil videre har 24 virksomheder på EU-plan, tilsluttet sig.

Den 5. marts 2012 lancerede EU-Kommissionen en rapport om kvinder i bestyrelser. Heri fastslår Kommissionen, at udviklingen med at øge andelen af kvinder i bestyrelser ved hjælp af frivillige initiativer ikke er tilfredsstillende, og at der er behov for yderligere initiativer.

Kommissionen har iværksat en høring, hvor medlemslande og øvrige interessenter har mulighed for at give input til, hvordan man mest hensigtsmæssigt øger kvinders repræsentation. Høringen vil løbe frem til d. 28. maj 2012, hvorefter Kommissionen vil tage stilling til videre foranstaltninger ift., hvordan andelen af kvinder i bestyrelser øges.

Spørgeskemaet er vedhæftet denne mail og Kommissionens høring kan læses i sin fulde længde på følgende link:  
[http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528\\_en.htm](http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528_en.htm)

Eventuelle bemærkninger til spørgeskemaet bedes sendes **senest tirsdag den 1. maj 2012** til Hamad Sheraz Rovsing ([hsb@evm.dk](mailto:hsb@evm.dk)), Kathrine B. Nielsen ([kbe@evm.dk](mailto:kbe@evm.dk)), Louise Rohde ([loroh@lige.dk](mailto:loroh@lige.dk)) og kopi til [intsekr@evm.dk](mailto:intsekr@evm.dk)

Alle opfordres ligeledes til at besvare spørgeskemaet direkte til Kommissionen på mail: [just-genderbalance-consultation@ec.europa.eu](mailto:just-genderbalance-consultation@ec.europa.eu)

Med venlig hilsen  
Sanne Olsen  
Sekretær, Internationalt sekretariat  
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DANISH PRESIDENCY  
OF THE COUNCIL OF THE  
EUROPEAN UNION 2012



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL JUSTICE

## Gender imbalance in corporate boards in the EU

### Questions for the public consultation

As set out in its Work Programme for 2012<sup>1</sup>, the European Commission is considering a legislative initiative to improve the gender balance in the boards of companies listed on stock exchanges.

On the basis of the Progress Report "Women in economic decision-making in the EU" presented by Vice-President Viviane Reding on 5 March 2012, the Commission is launching a public consultation of stakeholders on possible measures in this context.

This consultation will feed into an assessment of possible EU-level measures to enhance female participation in economic decision-making, which will inform the Commission's decision on whether to propose action and on the form it should take.

The target group of this consultation are Member States, business or industry organisations, individual companies, civil society organisations with an interest in gender and/or social issues, trade unions, equality bodies, and other organisations or individuals.

The deadline for this consultation is **28 May 2012**.

The Progress Report annexed to this document provides the background to the subject matter of this consultation.

Stakeholders who wish to contribute to the consultation are invited to answer the following questions:

- (1) How effective is self-regulation by businesses to address the issue of gender imbalance in corporate boards in the EU?
- (2) What additional action (self-regulatory/regulatory) should be taken to address the issue of gender imbalance in corporate boards in the EU?
- (3) In your view, would an increased presence of women on company boards bring economic benefits, and which ones?
- (4) Which objectives (e.g. 20%, 30%, 40%, 60%) should be defined for the share of the underrepresented sex on company boards and for which timeframe? Should these objectives be binding or a recommendation? Why?
- (5) Which companies (e.g. publicly listed / from a certain size) should be covered by such an initiative?

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<sup>1</sup> COM(2011) 777 final, vol. 2



- (6) Which boards/board members (executive / non-executive) should be covered by such an initiative?
- (7) Should there be any sanctions applied to companies which do not meet the objectives? Should there be any exception for not reaching the objectives?

Contributors should clearly identify themselves and indicate whether they are replying as an individual or on behalf of an organisation. For organisations, the following information should be provided:

- full name and contact details of the organisation;
- the EU Interest Representative Register ID (if available);
- the level at which the organisation operates (national / EU / international) and the Member State or other country (in case of a national organisation);
- the type of organisation (public authority / business or industry association / company / civil society organisation / trade union / research or academic institution / other).

Contributions should be submitted at the latest **by 28 May 2012**,

- either by email to: [JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu](mailto:JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu)
- or by postal mail to the following address:

European Commission  
 DG Justice / D1  
 LX 46 - 1/101  
 'Consultation gender balance'  
 B-1049 Brussels  
 BELGIUM

Incoming contributions will be published on the website. If contributors would like their submissions to remain confidential, they should explicitly state so in their submission.

A summary of the main outcomes of the public consultation will be included among the documents accompanying a possible legislative initiative.

**Til:** Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen), Hamad Sheraz Roving (DEP), kbe@evm.dk  
**Cc:** intsekr@evm.dk  
**Fra:** Forbrugerrådet [fbr@fbr.dk]  
**Emne:** SV: Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU  
**Sendt:** 19-04-2012 09:47:03

Forbrugerrådet vurderer, at EU-Kommissionens konsultation om at øge andelen af kvindelige bestyrelsesmedlemmer i børsnoterede selskaber i EU ligger uden for vores interesseområde og vil derfor undlade at forholde os hertil. Forbrugerrådet kan således ikke tages til indtægt for at støtte forslaget eller for at gøre det modsatte.

Med venlig hilsen

Vagn Jelsø  
 Afdelingschef  
 Forbrugerrådet

**TÆNK FORBRUGERRÅDET**

Danish Consumer Council  
 Fiolstræde 17, Postboks 2188, 1017 København K, Danmark

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**Sendt:** 18. april 2012 13:17

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**Cc:** Hamad Sheraz Rovsing (DEP); Kathrine Bjørnager Nielsen (DEP); [loroh@lige.dk](mailto:loroh@lige.dk)

**Emne:** Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU

### **Til Specialudvalget for Konkurrenceevne, Vækst og Forbrugerspørgsmål**

*Høring vedr. EU-Kommissionens konsultation om at øge andelen af kvindelige bestyrelsesmedlemmer i børsnoterede selskaber i EU.*

I marts 2011 lancerede EU-Kommissionen initiativet 'Women on the Board - Pledge for Europe', hvor virksomheder frivilligt forpligter sig til at øge andelen af kvinder i bestyrelser. Indtil videre har 24 virksomheder på EU-plan, tilsluttet sig.

Den 5. marts 2012 lancerede EU-Kommissionen en rapport om kvinder i bestyrelser. Heri fastslår Kommissionen, at udviklingen med at øge andelen af kvinder i bestyrelser ved hjælp af frivillige initiativer ikke er tilfredsstillende, og at der er behov for yderligere initiativer.

Kommissionen har iværksat en høring, hvor medlemslande og øvrige interessenter har mulighed for at give input til, hvordan man mest hensigtsmæssigt øger kvinders repræsentation. Høringen vil løbe frem til d. 28. maj 2012, hvorefter Kommissionen vil tage stilling til videre foranstaltninger ift., hvordan andelen af kvinder i bestyrelser øges.

Spørgeskemaet er vedhæftet denne mail og Kommissionens høring kan læses i sin fulde længde på følgende link: [http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528\\_en.htm](http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528_en.htm)

Eventuelle bemærkninger til spørgeskemaet bedes sendes **senest tirsdag den 1. maj 2012** til Hamad Sheraz Rovsing ([hsb@evm.dk](mailto:hsb@evm.dk)), Kathrine B. Nielsen ([kbe@evm.dk](mailto:kbe@evm.dk)), Louise Rohde ([loroh@lige.dk](mailto:loroh@lige.dk)) og kopi til [intsekr@evm.dk](mailto:intsekr@evm.dk)

Alle opfordres ligeledes til at besvare spørgeskemaet direkte til Kommissionen på mail: [just-genderbalance-consultation@ec.europa.eu](mailto:just-genderbalance-consultation@ec.europa.eu)

Med venlig hilsen

Sanne Olsen

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**Emne:** SV: Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU  
**Sendt:** 01-05-2012 11:17:31  
**Bilag:** Final 28051\_consultation\_questions\_en Reading March 2012 - 240412.doc;

Til Erhvervs- og Vækstministeriet og Ministeriet for Ligestilling

Vedlagt vort høringssvar, som også sendes til Kommissionen.

Med venlig hilsen / Kind regards

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Emne: Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU

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Alle opfordres ligeledes til at besvare spørgeskemaet direkte til Kommissionen på mail: [just-genderbalance-consultation@ec.europa.eu](mailto:just-genderbalance-consultation@ec.europa.eu)

Med venlig hilsen

Sanne Olsen  
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DANISH PRESIDENCY  
OF THE COUNCIL OF THE  
EUROPEAN UNION 2012

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EUROPEAN COMMISSION  
DIRECTORATE-GENERAL JUSTICE

## Gender imbalance in corporate boards in the EU

### Questions for the public consultation

As set out in its Work Programme for 2012<sup>1</sup>, the European Commission is considering a legislative initiative to improve the gender balance in the boards of companies listed on stock exchanges.

On the basis of the Progress Report "Women in economic decision-making in the EU" presented by Vice-President Viviane Reding on 5 March 2012, the Commission is launching a public consultation of stakeholders on possible measures in this context.

This consultation will feed into an assessment of possible EU-level measures to enhance female participation in economic decision-making, which will inform the Commission's decision on whether to propose action and on the form it should take.

The target group of this consultation are Member States, business or industry organisations, individual companies, civil society organisations with an interest in gender and/or social issues, trade unions, equality bodies, and other organisations or individuals.

The deadline for this consultation is **28 May 2012**.

The Progress Report annexed to this document provides the background to the subject matter of this consultation.

Stakeholders who wish to contribute to the consultation are invited to answer the following questions:

- (1) How effective is self-regulation by businesses to address the issue of gender imbalance in corporate boards in the EU?

**Gender balance will be achieved once companies recognize it is sustainable business, ref. qu. 3. As companies will act in accordance with good business or be outperformed, ref. qu. 7, self-regulation is most effective.**

- (2) What additional action (self-regulatory/regulatory) should be taken to address the issue of gender imbalance in corporate boards in the EU?

**See qu. 4.**

- (3) In your view, would an increased presence of women on company boards bring economic benefits, and which ones?

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<sup>1</sup> COM(2011) 777 final, vol. 2

As mentioned in the European Commission's report "Women in economic decision-making in the EU: Progress report" p. 7, note 9, there are studies that seem to confirm, that a higher share of women at management levels, including on boards, deliver improved economic performance. In line with this we believe that increased diversity will provide a broader and better basis for boards' decision making.

- (4) Which objectives (e.g. 20%, 30%, 40%, 60%) should be defined for the share of the underrepresented sex on company boards and for which timeframe? Should these objectives be binding or a recommendation? Why?

It would seem difficult to operate with fixed objectives. Reasonable objectives depend on a range of factors including the number of women in the particular industry, the particular industry's requirements to board members' experience, the company itself etc.

The timeframe should be within reasonable time, i.e. 3-5 years.

The objectives should be a recommendation because since increased numbers of women on boards make economic sense, ref. qu. 3, companies will – eventually - act accordingly. It should be made widely known and accepted by the business community that women on boards and in management positions make economic sense and is important for the competitiveness of the company. Simultaneously, all the voluntary initiatives and good practices implemented by governments and businesses, ref. the European Commission's above mentioned report p. 21-22, should continue and the effect of same be studied to further substantiate the fact of the economic benefit.

Companies should not be required by hard law to ensure a better gender balance. The companies should be encouraged to take the initiative to, e.g. by strengthening the recruitment and education of women in order to increase the number of women board candidates.

- (5) Which companies (e.g. publicly listed / from a certain size) should be covered by such an initiative?

**Listed companies.**

- (6) Which boards/board members (executive / non-executive) should be covered by such an initiative?

**All executive board members.**

- (7) Should there be any sanctions applied to companies which do not meet the objectives? Should there be any exception for not reaching the objectives?

**No, sanctions are not necessary because companies which do not meet the objective will eventually be outperformed.**



Contributors should clearly identify themselves and indicate whether they are replying as an individual or on behalf of an organisation. For organisations, the following information should be provided:

- full name and contact details of the organisation; **Danish Shipowners' Association. Amaliegade 33, DK - 1256 Copenhagen K**
- the EU Interest Representative Register ID (if available); **4518600611-48**
- the level at which the organisation operates (national / EU / international) and the Member State or other country (in case of a national organisation); **national, EU and international**
- the type of organisation (public authority / business or industry association / company / civil society organisation / trade union / research or academic institution / other). **Industry association**

Contributions should be submitted at the latest **by 28 May 2012**.

- either by email to: [JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu](mailto:JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu)
- or by postal mail to the following address:

European Commission  
 DG Justice / D1  
 LX 46 - 1/101  
 'Consultation gender balance'  
 B-1049 Brussels  
 BELGIUM

Incoming contributions will be published on the website. If contributors would like their submissions to remain confidential, they should explicitly state so in their submission.

A summary of the main outcomes of the public consultation will be included among the documents accompanying a possible legislative initiative.

**Til:** Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen), Hamad Sheraz Roving (DEP), kbe@evm.dk  
**Cc:** 'intsekr@evm.dk'  
**Fra:** Antje Grimm-Katborg Valore [av@ac.dk]  
**Emne:** Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU  
**Sendt:** 02-05-2012 13:13:09  
**Bilag:** Gender imbalance in corporate boards in the EU.doc;

Til Erhvervs- og Vækstministeriet

Att: Hamad Sheraz Roving, Kathrine B. Nielsen og Louise Rohde

Vedrørende specialudvalgshøring om ligestilling i børsnoterede selskaber i EU

Hermed fremsendes DM's bemærkninger:

1. Det er DM's vurdering, at frivillighed herunder selvregulering blandt involverede aktører ikke er et tilstrækkeligt effektivt middel til at skabe forandringer, der skal påvirke en skæv kønsmæssig balance mellem kvinder og mænd. Manglende ligestilling mellem kvinder og mænd kan være et udtryk for tradition og strukturer, der bevidst eller ubevidst skaber barrierer for det underrepræsenterede køn.
2. Af yderligere initiativer, som kan foreslås afsættelse af EU-midler til talentudviklingsprogrammer i medlemsstaterne.
3. Efter DM's viden, er der ikke lavet national forskning, som kan påvise at en mere ligelig kønsmæssig sammensætning i bestyrelser giver sig udslag i positiv økonomisk retning. Fsva. kvinder i ledelse, har ligestillingsministeriet dog lavet en undersøgelse, som kan påvise, at kvinder i ledelsen er "Guld værd for bundlinjen" (februar 2005). Det er nærliggende at antage, der kan drages en parallel mellem betydningen af kvinder i ledelse og kvinder i bestyrelser.
4. DM mener, at det underrepræsenterede køn i en bestyrelser bør udgøre minimum 40 %. Der bør fastsættes en tidsramme på 3-5 år, inden for hvilken bestyrelserne har mulighed for at justere bestyrelsens sammensætning til de nye krav, som derefter bør være bindende. DM mener, at kravet efter en "indkøringsfase" bør gøres til en bindende krav, hvis det skal have en reel effekt.
5. DM mener, at et evt. lovgivningskrav bør omfatte børsnoterede selskaber.
6. Kravet bør omfatte bestyrelsen i den pågældende virksomhed.
7. Virksomheder, der ikke lever op til kravet om minimumsrepræsentation af det underrepræsenterede køn bør kunne idømmes en bøde. Det bør være muligt at kunne få en dispensation fra kravet, såfremt virksomheden sagligt kan begrunde, hvorfor det ikke er muligt at leve op til kravet. En sådan undtagelsesklausul, skal dog defineres meget præcist, så omgåelse ikke er muligt.

Med venlig hilsen

Antje Grimm-Katborg Valore

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**Sendt:** 18. april 2012 13:17

**Til:** 'kvinfo@kvinfo.dk'; 'center@humanrights.dk'; 'kvr@kvinderaad.dk'; 'sekretariat@danskkvindesamfund.dk'; 'tfr@atp.dk'; Helle Krogh Basse; 1 - DEP OMR4 EU; Advokatsamfundet; AC; Allan Philips (EBST); Andelskassen - SDA; Anders Thusgaard (DEP); Arbejderbevægelsens Erhvervsråd; Arbejdsmarkedsstyrelsen; Arbejdstilsynet; Arbejdstilsynet; Arbejdstilsynet - Bitten Højmark; Arbejdstilsynet - Müzeyyen Boztoprak; ATP; BAT-Kartellet; Beredskabsstyrelsen; Beredskabsstyrelsen; BL - Danmarks Almene Boliger - Preben Mathiesen; BM - Beskæftigelsesministeriet; BM - Beskæftigelsesministeriet; Brancheforeningen for Sæbe, Parfume og Teknisk/kemiske artikler; Brian Adrian Wessel (EOGS); Bryggeriforeningen; Børsmæglerforeningen; Caroline Eggert Frydenberg (KFST); Christine Müller Andreassen

(ERST); Concord Danmark; Danmarks Apotekerforening; Danmarks Domstole - Randers; Danmarks Radio; Danmarks Radio - Carsten Corneliussen; Danmarks Rederiforening; Dansk Aktionærforening - Anne-Mette Lysgaard; Dansk Aktionærforening - Charlotte Lindholm ; Dansk Aktionærforening - Klaus Struwe; Dansk Arbejdsgiverforening; DA; Dansk Arbejdsgiverforening; Nils C. Trampe; Dansk Byggeri; Dansk Byggeri; Dansk Byggeri - Henriette Thuen; Dansk Byggeri - Niels Nielsen; Dansk Eksploaterforening; Dansk Energi - Christian Bang; Dansk Energi - Thomas Woldiderich; Anders Sparre (Dansk-IT); Dansk IT - Benjamin Funder; Dansk Metal - Pernille Jensen; Dansk Metalarbejderforbund; Dansk Rejsebureau Forening; Dansk Standard; Dansk Varefakta Nævn; Danske Advokater; Danske Advokater - Helle Hübertz Krogsøe; Danske Arkitektvirksomheder; Holger Rosendal; Danske Handicaporganisationer; Danske Havne - Bjarne Løf Henriksen; Danske Maritime (skibsværftforening); Danske Regioner; Danske Reklamebureauers Branceforening; Danske Revisorer; Danske Slagterier i Bruxelles - Kåre Fuglsbjerg; Datatilsynet; DE - Anne Marie Damgaard; DE - Dansk Erhverv; DE - Dansk Erhverv; DE - Dansk Erhverv - Christian Ohm; Det Centrale Handicapråd; DFFE; DFFE - Juridisk kontor; DFFE - Lars Kolze ; DI - Alexander Ulrich; Annette Dragsdahl; DI - Christian Hannibal; DI - Claudia Westh Lonning; DI - Dansk Industri - EU-postkasse; DI - Henning Mortensen; DI - Henriette Søltøft; DI - Henrik Schramm Rasmussen; DI - Jan Stiskjær; DI - Kim Haggren; DI - Michael Svane; DI - Per Laurents; DI - Sune K. Jensen; DI - Thomas Møller Sørensen; DI ITEK; Domstolstyrelsen; DS - Birger Jacobsen; Postkasse INT ekstern (ERST); Elen Marie Friis Johansen (ERST); ENS - Energistyrelsen; ENS - Svend Ole Seeberg Friis; Esben Larsen (EOGS); EU-extranettet - Vækst og Konkurrenceevne (UM); FDB; FI - Lise Lotte Toft; FI - Styrelsen for Forskning og Innovation; FI - Thomas Alslev Christensen; FI - Thomas Midtgaard ; Finansanalytiker; Finansforbundet; Finansrådet; Finanstilsynet; FM - Anne Katrine Bøjsen Jakobsen; FM - Finansministeriet; FM - Kaars Barslev; FM - Niels Bossen; FM - Peter Brixen; FM - Steen Lohmann Poulsen; FM - Søren Varder; FMN - Forsvarsministeriet; FMN - Henriette Lemvig; Folkekirkens Nødhjælp ; Forbrugerrådet; Martin Salamon (FBR); Forbrugerrådet - Benedicte Federspeil; Foreningen af Rådgivende Ingeniører; Forsikring og Pension; Esben Andersen (MIL); FTF; FTF - Lisbeth Baastrup; FVM - Kathrine Marie Steffensen; FVM - Patrick Søndergaard; Martin Fabiansen (DS); Tony Flanke (Dansk-IT); 1 - DEP Intsekr; 1 - KFST Officiel hovedpostkasse; Forsvarsministeriet - Carsten Røjgaard; Forsvarsministeriet - Flemming Faber ; Forsvarsministeriet - Tine Juhl Nielsen; Fødevareministeriet; Fødevareministeriet; Genvindingsindustrien; Gitte Mondrup (DEP); Griet Storr-Hansen (UM); Grønlands hjemstyre; GXG markets; Hamad Sheraz Roving (DEP); Helle Carlsen Nielsen (DEP); HK - Morten Skov; HK Handel; Håndværksrådet; IBIS - International Bistand, International Solidaritet; IDA; IDA - Grit Munk; Rene Thomsen; IFR - Investerings Forenings Rådet ; Integrationsministeriet Andreas Alsøe; Integrationsministeriet Anne-Marie Niemann; Integrationsministeriet Tina Kristensen; Integrationsministeriets Internationale kontor; IT-Branchen - Bjørn Borre; IT-Branchen - Mette Lundberg; Jakob Petersen (ERST); Jesper Halvorsen (KFST); JM - Katrine Tørsløv Thorup; Justitsministeriet; Katie Dalsgaard (UM); KEBMIN - Kristian Grande Kastberg; KEBMIN - Stefan Kryger Nielsen; KEBMIN - Trine Tougaard; KL - Anders Brøndum; KL - Annemette Frost; KL - Birgit Øbakke; KL - Eva Christina Jacobsen; KL - Kommunernes Landsforening; KL - Sidsel Kjær Scheibel; Klima- og Energiministeriet; Kooperationen; Kort- og Matrikelstyrelsen ; Kort- og Matrikelstyrelsen - Niels M. Clemmensen; Kort- og Matrikelstyrelsen - Thorben Hansen; Kulturministeriet; KUM - Marie-Louise Helvang; KUM - Tine Brøchner; Københavns Kommune; Landbrug og Fødevarer; Lars Bønlokke Hansen (DEP); Lars Vind Sørensen; LD - Lønmodtagernes Dyrtidsfond ; Lederne - Kim Møller Laursen; [letbyrder-i-EU@eogs.dk](mailto:letbyrder-i-EU@eogs.dk); LO; LO; LO - Pia Mulvad Reksten; LO - Rune Siglev; Lokale Pengeinstitutter; Lægemedelindustriforeningen - LIF; Lægemedelstyrelsen; Marie Kirkebæk Brandt (DEP); MCI - Danmark ; Mellemløst samvirke; Mette Asmussen (DEP); Mette Katholm Tams (DEP); Mette Smith (DEP); Miljøstyrelsen; MIM; MIM - EUK; Ministeriet for Børn og Undervisning; Ministeriet for Forskning, Innovation og Videregående uddannelser; Morten Uhrskov (ERST); MST - Jan Wammen Dam; Nasdaq OMX; Natalia Anna Rogaczewska (DEP); National Sundheds-IT - Flemming Christiansen; National Sundheds-IT - Kenneth B. Ahrensberg; Nationalbanken; Naturstyrelsen; Offentligt Ansattes Organisationer; Parallelimportørforeningen af lægemidler - Asbjørn Hastrup; [pvs@dkpto.dk](mailto:pvs@dkpto.dk); Peter Hjørnager Pedersen (ERST); Peter Mikael Ostenfeld (ERST); Sarah Ahmad (KFST); Steffen Ring (Motorola); Susanne Aamann (KFST); Økonomi- og indenrigsministeriet; 3 - SIK Høringer (SIK); Jakob Willer (TI); Realkreditforeningen; Realkreditrådet; Regionale Banker; Rikke Wetendorff Nørgaard (DEP); SALA - Sammenslutningen af Landbrugets Arbejdsgiverforeninger ; Sammenslutningen af Danske Småøer; Scanpharm; Sikkerhedsstyrelsen Hovedpostkasse (SIK); Skatteministeriet; Skibsværftforeningen; Slots- og ejendomsstyrelsen - Bo Kopper Petersen; Social- og Integrationsministeriet; Statens Luftfartsvæsen; Statsministeriet - STM; Stig Munck Larsen; STM - Ida Hannibal; STM - Jacob G. Nielsen; STM - Troels Bay; SUM - Ministeriet for Sundhed og Forebyggelse; SUM - Peter Munch Jensen; SUM - Sandra Poulsen; Susanne Bro Lundgren (DEP); Søfartsstyrelsen Hovedpostkasse (SFS); TDC - Allan Bartoft; TDC - Henning Sørensen; Telenor - Kenneth Jarnit; Telia - Ole Stenkil; Tine Kromann Kapper (EOGS); Tine Nielsen Holm (DEP); Tone Mjøl (SFS); Trafikstyrelsen - Andreas Højgaard Kavalari; Trafikstyrelsen for jernbane og færger; Transportministeriet; Troels Blicher Danielsen (DEP); Turisterhvervets Samarbejdsforum 1; Turisterhvervets Samarbejdsforum 2; Udenrigsministeriet; Udenrigsministeriet; Udenrigsministeriet - EUK; UM - Søren Høgsbro Larsen; UM - Thomas Lehmann; Victor Kjær (EOGS); ØIM - Adam Lebech; ØIM - Marie Munk

**Cc:** Hamad Sheraz Roving (DEP); Kathrine Bjørnager Nielsen (DEP); 'loroh@lige.dk'

**Emne:** Specialudvalgshøring om ligestilling i børsnoterede selskaber i EU

## **Til Specialudvalget for Konkurrenceevne, Vækst og Forbrugerspørgsmål**

*Høring vedr. EU-Kommissionens konsultation om at øge andelen af kvindelige bestyrelsesmedlemmer i børsnoterede selskaber i EU.*

I marts 2011 lancerede EU-Kommissionen initiativet 'Women on the Board - Pledge for Europe', hvor

virksomheder frivilligt forpligter sig til at øge andelen af kvinder i bestyrelser. Indtil videre har 24 virksomheder på EU-plan, tilsluttet sig.

Den 5. marts 2012 lancerede EU-Kommissionen en rapport om kvinder i bestyrelser. Heri fastslår Kommissionen, at udviklingen med at øge andelen af kvinder i bestyrelser ved hjælp af frivillige initiativer ikke er tilfredsstillende, og at der er behov for yderligere initiativer.

Kommissionen har iværksat en høring, hvor medlemslande og øvrige interessenter har mulighed for at give input til, hvordan man mest hensigtsmæssigt øger kvinders repræsentation. Høringen vil løbe frem til d. 28. maj 2012, hvorefter Kommissionen vil tage stilling til videre foranstaltninger ift., hvordan andelen af kvinder i bestyrelser øges.

Spørgeskemaet er vedhæftet denne mail og Kommissionens høring kan læses i sin fulde længde på følgende link:  
[http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528\\_en.htm](http://ec.europa.eu/justice/newsroom/gender-equality/opinion/120528_en.htm)

Eventuelle bemærkninger til spørgeskemaet bedes sendes **senest tirsdag den 1. maj 2012** til Hamad Sheraz Rovsing ([hsb@evm.dk](mailto:hsb@evm.dk)), Kathrine B. Nielsen ([kbe@evm.dk](mailto:kbe@evm.dk)), Louise Rohde ([loroh@lige.dk](mailto:loroh@lige.dk)) og kopi til [intsekr@evm.dk](mailto:intsekr@evm.dk)

Alle opfordres ligeledes til at besvare spørgeskemaet direkte til Kommissionen på mail: [just-genderbalance-consultation@ec.europa.eu](mailto:just-genderbalance-consultation@ec.europa.eu)

Med venlig hilsen  
Sanne Olsen  
Sekretær, Internationalt sekretariat  
Tlf. +45 33 92 33 62



DANISH PRESIDENCY  
OF THE COUNCIL OF THE  
EUROPEAN UNION 2012



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL JUSTICE

## Gender imbalance in corporate boards in the EU

### Questions for the public consultation

As set out in its Work Programme for 2012<sup>1</sup>, the European Commission is considering a legislative initiative to improve the gender balance in the boards of companies listed on stock exchanges.

On the basis of the Progress Report "Women in economic decision-making in the EU" presented by Vice-President Viviane Reding on 5 March 2012, the Commission is launching a public consultation of stakeholders on possible measures in this context.

This consultation will feed into an assessment of possible EU-level measures to enhance female participation in economic decision-making, which will inform the Commission's decision on whether to propose action and on the form it should take.

The target group of this consultation are Member States, business or industry organisations, individual companies, civil society organisations with an interest in gender and/or social issues, trade unions, equality bodies, and other organisations or individuals.

The deadline for this consultation is **28 May 2012**.

The Progress Report annexed to this document provides the background to the subject matter of this consultation.

Stakeholders who wish to contribute to the consultation are invited to answer the following questions:

- (1) How effective is self-regulation by businesses to address the issue of gender imbalance in corporate boards in the EU?
- (2) What additional action (self-regulatory/regulatory) should be taken to address the issue of gender imbalance in corporate boards in the EU?
- (3) In your view, would an increased presence of women on company boards bring economic benefits, and which ones?
- (4) Which objectives (e.g. 20%, 30%, 40%, 60%) should be defined for the share of the underrepresented sex on company boards and for which timeframe? Should these objectives be binding or a recommendation? Why?
- (5) Which companies (e.g. publicly listed / from a certain size) should be covered by such an initiative?

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<sup>1</sup> COM(2011) 777 final, vol. 2

- (6) Which boards/board members (executive / non-executive) should be covered by such an initiative?
- (7) Should there be any sanctions applied to companies which do not meet the objectives? Should there be any exception for not reaching the objectives?

Contributors should clearly identify themselves and indicate whether they are replying as an individual or on behalf of an organisation. For organisations, the following information should be provided:

- full name and contact details of the organisation;
- the EU Interest Representative Register ID (if available);
- the level at which the organisation operates (national / EU / international) and the Member State or other country (in case of a national organisation);
- the type of organisation (public authority / business or industry association / company / civil society organisation / trade union / research or academic institution / other).

Contributions should be submitted at the latest **by 28 May 2012**,

- either by email to: [JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu](mailto:JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu)
- or by postal mail to the following address:

European Commission  
DG Justice / D1  
LX 46 - 1/101  
'Consultation gender balance'  
B-1049 Brussels  
BELGIUM

Incoming contributions will be published on the website. If contributors would like their submissions to remain confidential, they should explicitly state so in their submission.

A summary of the main outcomes of the public consultation will be included among the documents accompanying a possible legislative initiative.

---

**Til:** intsekr@evm.dk, Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen), Hamad Sheraz Roving (DEP), kbe@evm.dk  
**Fra:** Finansrådet [mailto:mail@finansraadet.dk]  
**Emne:** Høringssvar - øgning af andelen af kvindelige bestyrelsesmedlemmer  
**Sendt:** 01-05-2012 14:17:31  
**Bilag:** FR01-309325-v1.doc;

Til  
Erhvervs- og vækstministeriet

**Vedlagt** sender jeg Finansrådets høringssvar vedrørende EU-Kommissionens konsultation om at øge andelen af kvindelige bestyrelsesmedlemmer i børsnoterede selskaber.

Med venlig hilsen

Karen Thorndahl

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1256 København K

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Erhvervs- og Vækstministeriet  
Att.: Hamad Sheraz Rovsing ([hsb@evm.dk](mailto:hsb@evm.dk)),  
Kathrine B. Nielsen ([kbe@evm.dk](mailto:kbe@evm.dk)),  
Louise Rohde ([loroh@lige.dk](mailto:loroh@lige.dk)) og  
[intsekr@evm.dk](mailto:intsekr@evm.dk)

## **EU-Kommissionens konsultation om at øge andelen af kvindelige bestyrelsesmedlemmer i børsnoterede selskaber**

Finansrådet har den 18. april 2012 modtaget en specialudvalgshøring om EU-Kommissionens konsultation om at øge andelen af kvindelige bestyrelsesmedlemmer i børsnoterede selskaber.

Nedenfor følger Finansrådets bemærkninger til EU-Kommissionens 7 spørgsmål.

### **Besvarelse af spørgsmål 1**

Det er Finansrådets vurdering, at selvregulering har en effekt, når det giver mulighed for at øge antallet af kvindelige bestyrelsesmedlemmer som led i en proces. Man kan ikke fra den ene dag til den anden opfylde et kvotekrav, da der ikke i dag nødvendigvis er et tilstrækkeligt antal kvinder, der har kompetencerne, kvalifikationerne og erfaringen til at indtræde i bestyrelsen for en børsnoteret virksomhed.

Det er langt bedre, at virksomhederne forholder sig til anbefaling 4.1.4. fra Komiteen for god Selskabsledelse. Heraf følger det, "*at det øverste ledelsesorgan hvert år drøfter selskabets aktiviteter for at sikre mangfoldighed i selskabets ledelsesniveauer, herunder at der er lige muligheder for begge køn, samt at det øverste ledelsesorgan fastsætter konkrete mål og i ledelsesberetningen i selskabets årsrapport og/eller på selskabets hjemmeside redegør for såvel sin målsætning som for status for opfyldelsen heraf*".

Der er i dag et betydeligt antal kvinder i mellemlidergruppen, og der skal arbejdes på denne store talentmasse. Det er afgørende for at få flere kvinder opkvalificeret til at indtage en post som bestyrelsesmedlem i en børsnoteret virksomhed, at den enkelte virksomhed får mulighed for selv at tilrettelægge denne proces.

### **Besvarelse af spørgsmål 2**

Endvidere er det væsentligt at holde sig for øje, at kvinder vil foretrække at blive valgt på baggrund af deres kompetencer, kvalifikationer og erfaring frem for alene på baggrund af deres køn.

Efter Finansrådets opfattelse, er der ikke behov for lovregulering af dette område. Der er i Danmark gode erfaringer med selvregulering i form af an-

1. maj 2012

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Dok. nr. 309325-v1



befalingerne fra Komitéen for god Selskabsledelse. Disse er et nyttigt redskab for selskaberne, og det forventes også at være tilfældet med de relativt nye anbefalinger fra august 2011 om større diversitet i bestyrelserne.

Side 2

### **Besvarelse af spørgsmål 3**

De undersøgelser, som EU-Kommissionen henviser til i sin rapport, viser, at kvinder i bestyrelsen giver en højere performance. Det forekommer dog vanskeligt at måle, i hvilken grad et nyt bestyrelsesmedlem (mand eller kvinde) i sig selv bidrager til en højere økonomisk performance i et børsnoteret selskab. Der er mange andre faktorer, både internt i selskabet og eksternt, som spiller en større rolle. Endvidere er det bestyrelsens arbejde som samlet organ og ikke de enkelte medlemmers individuelle indsats, som er af betydning for et selskabs performance.

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### **Besvarelse af spørgsmål 4**

Finansrådet støtter ikke tanken om indførelse af kønskvoter i bestyrelser. Det gælder hverken en fast procentdel eller et krav om, at andelen stiger over en årrække. Nye bestyrelsesmedlemmer bør vælges på baggrund af kompetencer og erfaring frem for kriterier som køn, alder eller geografiske tilhørsforhold.

### **Besvarelse af spørgsmål 5**

Hvis EU-Kommissionen måtte vælge at tage et initiativ på dette område, bør det alene rette sig mod børsnoterede selskaber.

### **Besvarelse af spørgsmål 6**

Det er her vigtigt at pointere, at der i det skandinaviske 1½-strengede ledelsessystem findes en opdeling mellem direktion og bestyrelse. Ved ansættelse af direktionsmedlemmer er der omend i endnu højere grad behov for, at der vælges efter kompetencer, kvalifikationer og erfaring og ikke alene efter køn.

### **Besvarelse af spørgsmål 7**

Der er Finansrådets klare opfattelse, at der ikke skal indføres sanktioner for selskaber, der ikke opfylder et eventuelt kvotekrav. Dette ville resultere i bestyrelsesmedlemmer, som alene er valgt for at overholde reglerne. Samtidig ville det være uheldigt for den pågældende person. For det første ville der formentlig ikke være en tilstrækkelig respekt fra de øvrige bestyrelsesmedlemmer, hvilket påvirker samarbejdet i bestyrelsen negativt. For det andet er alle bestyrelsesmedlemmer underlagt samme ansvar.

Finansrådet besvarer gerne eventuelle spørgsmål, som ovenstående måtte give anledning til.

Med venlig hilsen

Rikke Friborg  
Direkte 3370 1080  
rif@finansraadet.dk

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**Til:** Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen), Hamad Sheraz Roving (DEP), kbe@evm.dk  
**Cc:** intsekr@evm.dk  
**Fra:** Mette Terp [mete@ftf.dk]  
**Emne:** FTFs høringssvar til Specialudvalget for Konkurrenceevne, Vækst og Forbrugerspørgsmål  
**Sendt:** 30-04-2012 15:42:31  
**Bilag:** FTFs høringssvar til specialudvalget.docx;

Hermed FTF's høringssvar.

Venlig hilsen

**Mette Terp**

Sekretær

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*(Se vedlagte fil: FTFs høringssvar til specialudvalget.docx)*

## **FTF: Ja tak til mere ligestilling i børsnoterede selskaber i EU**

**Specialudvalget for Konkurrenceevne, Vækst og Forbrugerspørgsmål har fremsendt EU kommissionens spørgeskema om ligestilling i børsnoterede selskaber i EU. EU kommissionen ønsker at afdække de forskellige argumenter for flere kvinder i ligestilling i børsnoterede selskaber i EU. FTF støtter mere ligestilling i børsnoterede selskaber, men vil fraråde stigmatisering af kvinder.**

FTF har modtaget specialudvalgshøring fra Specialudvalget for Konkurrenceevne, Vækst og Forbrugerspørgsmål om ligestilling i børsnoterede selskaber i EU i høring og har følgende bemærkninger:

Høringen består af et spørgeskema. Nedenfor er gengivet spørgeskemaet samt indledning. FTF's svar, der er markeret med kursiv, er FTF's foreløbige svar på høringen. FTF forbeholder sig retten til at sende et uddybende høringssvar i forbindelse med EU's høring over ligestilling i børsnoterede selskaber i EU.

Spørgeskema:

Som anført i Kommissionens arbejdsprogram for 2012 (KOM(2011) 777 endelig, vol 2) agter Europa-Kommissionen at fremlægge et lovgivningsinitiativ, som skal fremme en mere ligelig kønsfordeling i børsnoterede virksomheders bestyrelser.

På grundlag af statusrapporten om kvinders deltagelse i den økonomiske beslutningstagning i EU ("Women in economic decision-making in the EU"), som næstformand Viviane Reding fremlagde den 5. marts 2012, lancerer Kommissionen en offentlig høring blandt interesserede parter om, hvilke foranstaltninger der kan træffes i den forbindelse.

Høringen er led i en vurdering af, hvad man kan gøre på EU-plan for at få flere kvinder til at deltage i den økonomiske beslutningstagning, og den skal danne grundlag for Kommissionens beslutning om, hvorvidt der skal foreslås foranstaltninger, og hvori disse i så fald skal bestå.

Høringen er rettet mod medlemsstater, erhvervs- eller brancheorganisationer, individuelle firmaer, civilsamfundsorganisationer med interesse i ligestillingsspørgsmål og/eller sociale anliggender, fagforeninger, ligestillingsorganer og andre organisationer eller personer.

Fristen for høringen er den 28. maj 2012.

I statusrapporten, som er vedlagt dette dokument, beskrives baggrunden for høringen.

Interesserede parter, som ønsker at deltage til høringen, bedes besvare følgende spørgsmål:

(1) Hvor godt løser erhvervslivets selvregulering problemet med en ulig kønsfordeling i virksomhedsbestyrelser i EU?

*FTF's foreløbige svar: Det er FTF's holdning, at det allerede eksisterende "Charter for kvinder i ledelse" bør udbredes til alle virksomhederstyper.*

(2) Hvilke yderligere foranstaltninger (selvregulering/regulering) bør der træffes for at løse problemet med en ulig kønsfordeling i virksomhedsbestyrelser i EU?

*FTF's foreløbige svar: Det er FTF's holdning, at for enhver institution eller selskab, der aflægger regnskab, bør andelen af kvinder i ledelsen og dermed også i bestyrelsen fremgå af regnskabet.*

(3) Vil flere kvinder i virksomhedsbestyrelser efter din mening give økonomiske fordele og i så fald hvilke?

*FTF's foreløbige svar: Det er FTF's holdning, at spørgsmålet er stigmatiserende for kvinder. Den økonomiske udvikling gennem de sidste 100 år viser, at når mænd og kvinder er demokratisk deltagende i samfundet, skabes der stor økonomisk vækst, uden at det entydigt viser, hvad der har været den udløsende faktor til fremme af væksten.*

(4) Hvilken andel (f.eks. 20 %, 30 %, 40 % eller 60 %) bør det underrepræsenterede køn tegne sig for i virksomhedsbestyrelser, og inden for hvilken frist bør dette mål opfyldes? Bør der fastsættes bindende mål eller gives anbefalinger? Hvorfor?

*FTF's foreløbige svar: Det er FTF's holdning, at flere virksomheder og institutioner bør tilslutte sig "Charter for kvinder i ledelse". Endvidere bør fordelingen af kvinder i ledelsen fremgå som et nøgletal af virksomhedens årsrapport.*

(5) Hvilke virksomheder (f.eks. børsnoterede/virksomheder af en vis størrelse) bør være omfattet af initiativet?

*FTF's foreløbige svar: Det er FTF's holdning, at "Charter for kvinder i ledelse" bør være fundamentet for alle virksomheder og institutioner, samt at oplysningen om fordelingen af kvinder i ledelsen bør fremgå som nøgletal i virksomhedens eller institutionens årsrapport.*

(6) Hvilke bestyrelser/bestyrelsesmedlemmer bør være omfattet af initiativet?

*FTF's foreløbige svar: Det er FTF's holdning, at initiativerne bør dække alle bestyrelsesmedlemmer.*

(7) Bør der være sanktioner for virksomheder, som ikke opfylder målene? Bør der kunne gøres undtagelser for ikke at opfylde målene?

*FTF's foreløbige svar: Det er FTF's holdning, at "Charter for kvinder i ledelse" bør dække sanktioner.*

**Til:** Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen)  
**Cc:** Agnete Andersen, Karen Thormann, Pernille Christensen  
**Fra:** Beskæftigelsesministeriet [bm@bm.dk]  
**Emne:** SV: Lyn-høring: EU kommissionens høring om flere kvinder i bestyrelser  
**Sendt:** 08-05-2012 12:11:58  
**Bilag:** EU-public consultation\_lige2.doc;

Kære Louise

Hermed Beskæftigelsesministeriets bemærkninger til høringssvaret.

Mvh  
 Cecilie

Med venlig hilsen

Cecilie Kisling

Chefkonsulent  
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**Fra:** Rohde, Louise [mailto:loroh@lige.dk]  
**Sendt:** 8. maj 2012 09:48  
**Til:** Cecilie Kisling  
**Emne:** VS: Lyn-høring: EU kommissionens høring om flere kvinder i bestyrelser

<<EU-public consultation\_lige2.doc>>

EU Kommissionen har iværksat en høring frem til 28. maj om hvordan man mest hensigtsmæssigt øger kvinders repræsentation i bestyrelser.

Ligestillingsministeriet og Erhvervs- og Vækstministeriet har udarbejdet udkast til svar på høringen til intern clearing.

Regeringen har lovet Folketinget / ved Ligestillingsudvalget at sende regeringens svar senest den 11. maj.

STM skal forinden have godkendt besvarelsen.

Eventuelle bemærkninger til høringen bedes være Ligestillingsministeriet i hænde senest **onsdag d. 9. maj 2012 kl. 11.00**. Bemærkninger sendes til Louise Rohde (mail: [loroh@lige.dk](mailto:loroh@lige.dk), tlf: 22688562).

Med venlig hilsen / Best regards

**Louise Rohde**

*Fuldmægtig*

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Ligestillings- og Kirkeministeriet /  
Minister for Gender Equality and Ecclesiastical Affair

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**European Commission**  
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'Consultation gender balance'  
B-1049 Brussels  
BELGIUM

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**Consultation document:** Gender imbalance in corporate boards in the EU

The Danish Government welcomes the opportunity to respond to the European Commissions consultation on Gender Diversity.

The Danish Government is convinced that more women in top management positions and on boards are needed for the benefit of the society and for the individual – all management talent, qualifications, and skills should be brought into play.

Within the last ten years, the number of female top executives in the private sector in Denmark has only risen from four percent to seven percent, and the same trend prevails regarding women on boards. Today, women make up less than twelve percent of all board members in private companies listed on the Danish Stock Exchange. The process of securing more women in management positions and more women on boards is too slow.

Therefore, the Danish Government agrees with the European Commission that actions to improve the gender imbalance in corporate boards are needed.

However, the gender imbalance on corporate boards cannot be solved only by focusing on board representation as such. The Danish government is convinced that efforts should also be devoted to increase the recruitment base of candidates. Hence, it must be ensured that potential candidates develop relevant qualifications.

The following answers reflect the Danish Government's view on how to improve gender balance in corporate boards.

- (1) How effective is self-regulation by businesses to address the issue of gender imbalance in corporate boards in the EU?**

Corporate Governance recommendations

In August 2011 the Committee on Corporate Governance in Denmark revised their recommendations on Corporate Governance. In the new recom-

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The Danish Government





mentation the Committee recommends that the supreme governing body annually discuss the company's activities to ensure diversity at management levels, including equal opportunities for both genders. Also, the supreme governing body must set measurable objectives in the management commentary in the annual report and/or on the company's website give an account of both the objectives and the progress made in achieving the objective.

The Committee's recommendations are aimed, at the approximately 200 Danish companies whose shares are admitted to trading on a regulated market.

The recommendations are so-called soft law. Soft law reflects best practice in corporate governance and is characterised by voluntary participation, which ensures adequate flexibility in the recommendations.

As part of the "comply or explain"-approach, the individual company decides whether and to what extent it wishes to comply with the recommendations. If a company fails to comply with a recommendation, it must explain why and specify the reason.

It is still too early to say how the companies have worked with the revised recommendations from August 2011. The new recommendations will be evaluated in the summer of 2012. The preliminary evaluation shows that a number of companies actually have set objectives for 20-40 % women on their boards by 2015.

Voluntary initiatives

In Denmark several initiatives have been implemented based on a close cooperation with the private sector, including a Charter on more women in management and the so called "Operation Chain Reaction" – which aims at promoting more women on boards.

*"Operation Chain Reaction"*

"Operation Chain Reaction - Recommendation for more women on supervisory board" was launched in 2010 by the Danish minister for gender equality in close cooperation with representatives of Danish trade and industry and the Confederation of Danish Industry. As co-signatories of "Recommendation for more women on supervisory boards", the companies undertake, over the coming years, to work consistently to develop and recruit more female managers to the supervisory boards of Danish limited liability companies.

| In less than ~~six months~~ <sup>half a year</sup>, 56 major companies have signed the recommendations. The companies represent a large number of stakeholders – from owners to supervisory boards and recruitment companies.



The preliminary evaluation of Operation Chain Reaction shows, that there has only been a slight increase in the number of female board members. Board members are normally elected for a 4-year period. It is, hence, still too early to say if more changes will occur when the boards have to appoint new members. On the other hand the preliminary evaluation also shows that the companies have launched internal initiatives to increase the pool of female candidates.

*“Charter for more women in management”*

“The Charter for more women in management” was introduced in 2008. The charter has been drawn up jointly with public and private sector companies as part of the Government’s efforts to encourage companies to inspire more women to take up management positions.

In endorsing this charter companies undertake to make concrete efforts to bring more women into management positions. Efforts will be adapted to the particular company’s circumstances – for example sector conditions – and the current share of women managers.

Each company is required to hand in a baseline report which describes concrete efforts. Every second year the companies have to evaluate their initiatives.

**Kommentar [cki1]:** Hvem skal der rapporteres til?

**(2) What additional action (self-regulatory/regulatory) should be taken to address the issue of gender imbalance in corporate boards in the EU?**

From a Danish perspective it is important that companies individually ensure an equal share of women at management levels, including equal opportunities for both genders. It is important that each company commits itself to work with the underrepresentation of women on boards.

The Danish Government will in ~~the~~ Fall of 2012 propose legislation with the following elements to address the issue of gender imbalance in corporate boards in EU:

- 1) The 1.100 largest companies (both private and public) will be obliged to individually set up objective targets for the underrepresented gender on corporate boards and give an account of both the objectives and the progress made in achieving the objective.
- 2) The 1.100 largest companies will furthermore be obliged to promote policies for increasing qualified candidates of both genders in man-



agement positions to sustain an acceptable balance and to increase the recruitment base of candidates to company boards.

Side 4

- 3) The objective targets and policies for increasing qualified candidates of both genders should be stated in the companies' annual report.
- 4) Public companies are obliged – regardless of size – to set up objective targets and policies for the underrepresented gendersex.

The Danish Government will advise both private and public companies to set the objectives as ambitious as possible.

**(3) In your view, would an increased presence of women on company boards bring economic benefits, and which ones?**

There is no doubt that Danish businesses as well as the society in general will prosper if we manage to activate the country's most talented, competent and able individuals. Several international studies indicate<sup>1</sup> that there is indeed positive linkcoherence between diversity in the boardroom and the way a company performs financially. The advantageus of having more women on Boards of dDirectors is why it remains important that we help the process along.

**(4) Which objectives (e.g. 20%, 30%, 40%, 60%) should be defined for the share of the underrepresented sex on company boards and for which timeframe? Should these objectives be binding or a recommmendation? Why?**

As described in the answer to question 2 the Danish Government suggests a model where each company sets up targets for the share of women and men on corporate boards. These targets and the concrete timeframe should be developed by the company in due respect of their current gender balancestate of situation.

This will ensure flexibility for each company – regardless of industry – to set up objective targets, while the companies' right to self-management is respected.

<sup>1</sup> See: Catalyst: "The Bottom Line", 2007 and 2011, Eversheds Board Report: "Measuring the impact of board composition on company performance", 2011 and McKinsey & Company: "Women Matter - Gender diversity, a corporate performance driver", 2007.



**(5) Which companies (e.g. publicly listed / from a certain size) should be covered by such an initiative?**

Side 5

A way of increasing the number of women on company boards would be to extend the field of application further than just listed companies. Large companies of substantial economic importance to society should be considered included as well. Likewise, it should be considered to not only include representation at board level, but also to promote policies for increasing qualified candidates of both genders in management positions to sustain an acceptable balance.

**Kommentar [cki2]:** Uklart hvad der menes her – evt. blot brug for en sproglig præcisering

First of all, this ~~approach~~<sup>solution</sup> will prevent triggering additional requirements caused only by the mere fact of the company being listed. Secondly~~Furthermore~~, ~~this solution~~ will increase the recruitment field of qualified candidates.

**(6) Which boards/board members (executive / non-executive) should be covered by such an initiative?**

This issue is strongly interlinked with national company law and practice. Some jurisdictions traditionally apply the two-tier system while others have a tradition to apply the one-tier system or sometimes a mixture of the two systems. The Danish company law allows for all three possibilities.

However, according to Danish legal traditions the shareholders have a direct say on the election of the board of directors/supervisory board at the AGM.

The executive board is appointed by the board of directors/supervisory board and consequently can be dismissed by the board of directors/supervisory board. Normally, the executive board is only composed ~~of~~<sup>by</sup> few persons. In this situation the application of specific gender requirements may seem awkward.

**(7) Should there be any sanctions applied to companies which do not meet the objectives? Should there be any exception for not reaching the objectives?**

The Danish Government does not recommend or support sanctions for not reaching the objectives.

**Brevdato** 08-05-2012  
**Afsender** Flemming Stender (Udenrigsministeriet: fleste@um.dk)  
**Modtagere** Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen)  
**Akttitel** SV: Lyn-høring: EU kommissionens høring om flere kvinder i bestyrelser  
**Identifikationsnummer** 147405  
**Versionsnummer** 1  
**Ansvarlig**  
**Udskrevet** 09-05-2012

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**Til:** Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen)  
**Cc:** Sem Ulver Dupont Birkler, Lehman, Thomas  
**Fra:** Udenrigsministeriet [um@um.dk]  
**Emne:** SV: Lyn-høring: EU kommissionens høring om flere kvinder i bestyrelser  
**Sendt:** 08-05-2012 17:31:51  
**Bilag:** EU-public consultation\_lige2 (3).doc;

Kære Louise

Tak for høringen. Jeg har indføjet vores forslag og bemærkninger i dokumentet.

Ring endelig, hvis du har spørgsmål.

Mvh  
Flemming

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DANISH PRESIDENCY  
OF THE COUNCIL OF THE  
EUROPEAN UNION 2012

**Fra:** Rohde, Louise [mailto:loroh@lige.dk]  
**Sendt:** 8. maj 2012 09:46  
**Til:** Flemming Stender  
**Emne:** Lyn-høring: EU kommissionens høring om flere kvinder i bestyrelser

<<EU-public consultation\_lige2.doc>>

EU Kommissionen har iværksat en høring frem til 28. maj om hvordan man mest hensigtsmæssigt øger kvinders repræsentation i bestyrelser.

Ligestillingsministeriet og Erhvervs- og Vækstministeriet har udarbejdet udkast til svar på høringen til intern clearing.

Regeringen har lovet Folketinget / ved Ligestillingsudvalget at sende regeringens svar senest den 11. maj.

STM skal forinden have godkendt besvarelsen.

Eventuelle bemærkninger til høringen bedes være Ligestillingsministeriet i hænde senest **onsdag d. 9. maj 2012 kl. 11.00**. Bemærkninger sendes til Louise Rohde (mail: [loroh@lige.dk](mailto:loroh@lige.dk), tlf: 22688562).

Med venlig hilsen / Best regards

**Louise Rohde**  
*Fuldmægtig*

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Ligestillings- og Kirkeministeriet /  
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for Ligestilling  
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**Consultation document:** Gender imbalance in corporate boards in the EU

The Danish Government welcomes the opportunity to respond to the European Commissions consultation on Gender Diversity.

The Danish Government is convinced that more women in top management positions and on corporate? boards are needed for the benefit of ~~the~~ society and ~~for~~ the individual – all managerial~~ment~~ talent, qualifications, and skills should be brought into play.

Within the last ten years, the number of female top executives in the private sector in Denmark has only risen from four percent to seven percent, and the same trend prevails regarding women on corporate? boards. Today, women make up less than twelve percent of all board members in private companies listed on the Danish stock exchange. The process of securing more women in management positions and more women on corporate? boards is too slow.

Therefore the Danish Government agrees with the European Commission that actions to improve the gender ~~imb~~balance in corporate boards are needed.

However, the gender imbalance on corporate boards cannot be solved only by focusing on board representation as such. The Danish government is convinced that efforts should also be devoted to increase the recruitment base of candidates. Hence, it must be ensured that potential candidates develop relevant qualifications.

**Kommentar [F 1]:** Kan med fordel tilføje afsnit om at det offentlige bør gå foran.

**Formateret:** Dansk

The following answers reflect the Danish Government's view on how to improve gender balance in corporate boards.

- (1) **How effective is self-regulation by businesses to address the issue of gender imbalance in corporate boards in the EU?**

Corporate Governance recommendations



In August 2011 the Committee on Corporate Governance in Denmark revised their recommendations on Corporate Governance. In the new recommendation the Committee recommends that the supreme governing body annually discuss the company's activities to ensure diversity at management levels, including equal opportunities for both genders. Also, the supreme governing body must set measurable objectives in the management commentary in the annual report and/or on the company's website give an account of both the objectives and the progress made in achieving the objective.

Side 2

The Committee's recommendations are aimed, at the approximately 200 Danish companies whose shares are admitted to trading on a regulated market.

The recommendations are so-called soft law. Soft law reflects best practice in corporate governance and is characterised by voluntary participation, which ensures adequate flexibility in the recommendations.

As part of the "comply or explain"-approach, the individual company decides whether and to what extent it wishes to comply with the recommendations. If a company fails to comply with a recommendation, it must explain why and specify the reason.

It is still too early to say how the companies have worked with the revised recommendations from August 2011. The new recommendations will be evaluated in the summer of 2012. The preliminary evaluation shows that a number of companies actually have set objectives for 20-40 % women on their boards by 2015.

### Voluntary initiatives

In Denmark, several initiatives have been implemented based on a close cooperation with the private sector, including a Charter on more women in management and the so called "Operation Chain Reaction" – which aims at promoting more women on boards.

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"Operation Chain Reaction - Recommendation for more women on supervisory board" was launched in 2010 by the Danish minister for gender equality in close cooperation with representatives of Danish trade and industry and the Confederation of Danish Industry. As co-signatories of "Recommendation for more women on supervisory boards", the companies undertake, over the coming years, to work consistently to develop and recruit more female managers to the supervisory boards of Danish limited liability companies.



In less than half a year, 56 major companies have signed the recommendations. The companies represent a large number of stakeholders – from owners to supervisory boards and recruitment companies.

The preliminary evaluation of Operation Chain Reaction shows, that there has only been a slight increase in the number of female board members. Board members are normally elected for a 4-year period. It is, hence, still uncertain to say if more changes will occur when the boards have to appoint new members. On the other hand, the preliminary evaluation also shows that the companies have launched internal initiatives to increase the pool of female candidates.

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In endorsing this charter companies undertake to make concrete efforts to bring more women into management positions. Efforts will be adapted to the particular company’s circumstances – for example sector conditions – and the current percentage of women managers.

Each company is required to hand in a baseline report which describes concrete efforts. Every second year the companies have to evaluate their initiatives.

**(2) What additional action (self-regulatory/regulatory) should be taken to address the issue of gender imbalance in corporate boards in the EU?**

From a Danish perspective, it is important that companies individually ensure an ~~balanced?~~~~equal~~ share of women at management levels, including equal opportunities for both genders. It is important that each company commits to work with the underrepresentation of women on boards.

The Danish Government will in the fall of 2012 propose legislation with the following elements to address the issue of gender imbalance in corporate boards in EU:

- 1) The 1.100 largest companies (both private and public) will be obliged to individually set up ~~objective~~ targets for the underrepresented sex

**Kommentar [F 2]:** Teksten i de følgende fire punkter kan med fordel være en nøjagtig gengivelse af faktaarket.

**Kommentar [F ]:** Eller alternativt tilføje ”realistic and og ambitious” jfr. faktaark

on corporate boards and give an account of both the objectives and the progress made in achieving the objective.

Side 4

- 2) The 1.100 largest companies will furthermore be obliged to promote policies for increasing qualified candidates of both genders in management positions to sustain an acceptable balance and to increase the recruitment base of candidates to company boards.

- 3) ~~The objective targets and policies for increasing qualified candidates of both genders should be stated in the companies' annual report of the company.~~

**Kommentar [F 4]:** Samme kommentar som oven for

**Kommentar [F ]:** Både-mulighed bør reflekteres.

- 4) Public companies are obliged – regardless of size – to set up objective targets and policies for the underrepresented sex.

The Danish Government will advise both private and public companies to set objectives as ambitious as possible.

- (3) In your view, would an increased presence of women on company boards bring economic benefits, and which ones?**

~~There is no doubt that~~ The Danish Government is convinced that Danish businesses as well as the society in general will prosper if we manage to activate the country's most talented, competent and able individuals. Several international studies indicate<sup>1</sup> that there is indeed positive coherence between diversity in the boardroom and the way a company performs financially. The advantageous of having more women on boards of directors is why it remains important that we help the process along.

- (4) Which objectives (e.g. 20%, 30%, 40%, 60%) should be defined for the share of the underrepresented sex on company boards and for which timeframe? Should these objectives be binding or a recommendation? Why?**

As described in the answer to question 2, the Danish Government ~~propose-suggests~~ a model where each company sets up targets for the share of women and men on corporate boards. These targets and the concrete timeframe should be developed by the company in due respect ~~of~~ their individual current state of situation.

**Kommentar [F ]:** Tilføje sætning fra spm. 2 "Danish Government will advise both private and public companies to set objectives as ambitious as possible"

<sup>1</sup> See: Catalyst: "The Bottom Line", 2007 and 2011, Eversheds Board Report: "Measuring the impact of board composition on company performance", 2011 and McKinsey & Company: "Women Matter - Gender diversity, a corporate performance driver", 2007.

This will ensure flexibility for each company – regardless of industry – to set up objective targets, while the companies' right to self-management is respected.

Side 5

**(5) Which companies (e.g. publicly listed / from a certain size) should be covered by such an initiative?**

A way of increasing the number of women on company boards would be to extend the field of application further than just listed companies. It should also be considered to include other large companies of substantial economic importance to society ~~should be considered included as well~~. Likewise, it should be considered to not only include representation at board level, but also to promote policies for increasing qualified candidates of both genders in management positions to sustain an acceptable balance.

~~First of all~~ This solution will prevent triggering additional requirements ~~caused only by~~ the mere fact of the company being listed. Furthermore, this solution will increase the recruitment of qualified candidates.

**(6) Which boards/board members (executive / non-executive) should be covered by such an initiative?**

This issue is strongly interlinked with national company law and practice. Some jurisdictions traditionally apply the two-tier system while others have a tradition to apply the one-tier system or sometimes a mixture of the two systems. The Danish company law allows for all three possibilities.

However, according to Danish legal traditions the shareholders have a direct say on the election of the board of directors/supervisory board at the AGM.

The executive board is appointed by the board of directors/supervisory board and consequently can be dismissed by the board of directors/supervisory board. Normally, the executive board is ~~only~~ composed by only a few persons. In this situation, the application of specific gender requirements may seem awkward.

**(7) Should there be any sanctions applied to companies which do not meet the objectives? Should there be any exception for not reaching the objectives?**



Ministeriet  
for Ligestilling  
og Kirke

The Danish Government does not recommend or support sanctions for not reaching the objectives since sanctions will not encourage companies to set ambitious targets.

Side 6

**Til:** Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen)  
**Fra:** Finansministeriet [fm@fm.dk]  
**Emne:** SV: Lyn-høring: EU kommissionens høring om flere kvinder i bestyrelser  
**Sendt:** 08-05-2012 18:28:01  
**Bilag:** EU-public consultation\_lige2 (2).doc;

Kære Louise

Vedhæftet en udgave med vores ændringer. Du må endelig give lyd, hvis det giver anledning til spørgsmål.

Mvh Anne



**FINANSMINISTERIET**

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**Fra:** Rohde, Louise [mailto:[loroh@lige.dk](mailto:loroh@lige.dk)]  
**Sendt:** 8. maj 2012 09:44  
**Til:** Kathrine Bjørnager Nielsen \ (DEP\); Katrine Ring Andreassen (DEP); Anne Pontoppidan Sørensen; Sem Ulver Dupont Birkler; [ckl@bm.dk](mailto:ckl@bm.dk); [fleste@uvm.dk](mailto:fleste@uvm.dk); [sbl@evm.dk](mailto:sbl@evm.dk); Jakob Buhl Vestergaard  
**Cc:** Rostock-Jensen, Iben  
**Emne:** Lyn-høring: EU kommissionens høring om flere kvinder i bestyrelser

<<EU-public consultation\_lige2.doc>>

EU Kommissionen har iværksat en høring frem til 28. maj om hvordan man mest hensigtsmæssigt øger kvinders repræsentation i bestyrelser.

Ligestillingsministeriet og Erhvervs- og Vækstministeriet har udarbejdet udkast til svar på høringen til intern clearing.

Regeringen har lovet Folketinget / ved Ligestillingsudvalget at sende regeringens svar senest den 11. maj.

STM skal forinden have godkendt besvarelsen.

Eventuelle bemærkninger til høringen bedes være Ligestillingsministeriet i hænde senest **onsdag d. 9. maj 2012 kl. 11.00**. Bemærkninger sendes til Louise Rohde (mail: [loroh@lige.dk](mailto:loroh@lige.dk), tlf: 22688562).

Med venlig hilsen / Best regards

**Louise Rohde**  
 Fuldmægtig

Ligestillings- og Kirkeministeriet /  
 Minister for Gender Equality and Ecclesiastical Affairs

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Ministeriet  
for Ligestilling  
og Kirke

**European Commission**  
DG Justice / D1  
LX 46 - 1/101  
'Consultation gender balance'  
B-1049 Brussels  
BELGIUM

JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu

**Consultation document: Gender imbalance in corporate boards in the EU**

The Danish Government welcomes the opportunity to respond to the European Commissions consultation on Gender Diversity.

The Danish Government is convinced that more women in top management positions and on boards are needed for the benefit of the society and for the individual – all management talent, qualifications, and skills should be brought into play.

Within the last ten years, the number of female top executives in the private sector in Denmark has ~~only~~ risen from four percent to seven percent, and the same trend prevails regarding women on boards. Today, women make up ~~less than~~ twelve percent of all board members in private companies listed on the Danish stock exchange.

Women continue to attain higher levels of education and qualifications. However, ~~t~~the process of securing more women achieving a more equal gender balance in management positions and more women on boards is progressing slowly. ~~too slow~~ Therefore the Danish Government agrees with the European Commission that actions to improve the gender imbalance in corporate boards are needed.

However, the gender imbalance on corporate boards cannot be solved only by focusing on board representation ~~as such~~. The Danish government is convinced that efforts should also be devoted to increase the recruitment base of candidates. Hence, it must be ensured that potential candidates develop relevant qualifications.

The following answers reflect the Danish Government's view on how to improve gender balance in corporate boards.

- (1) **How effective is self-regulation by businesses to address the issue of gender imbalance in corporate boards in the EU?**

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**The Danish Government**



Corporate Governance recommendations

In August 2011 the Committee on Corporate Governance in Denmark revised their recommendations on Corporate Governance. In the new recommendation the Committee recommends that the supreme governing body annually discuss the company's activities to ensure diversity at management levels, including equal opportunities for both genders. ~~Also, the committee also recommends that the supreme governing body must set measurable objectives in the management commentary in the annual report and/or the company present its website give an account of both the objectives and the progress made in achieving the objective~~ on webpage of the company.

The Committee's recommendations are aimed, at the approximately 200 Danish companies whose shares are admitted to trading on a regulated market.

The recommendations are so-called soft law. Soft law reflects best practice in corporate governance and is characterised by voluntary participation, which ensures adequate flexibility in the recommendations.

As part of the "comply or explain"-approach, the individual company decides whether and to what extent it wishes to comply with the recommendations. If a company fails to comply with a recommendation, it must explain why and specify the reason.

It is still too early to say how the companies have worked with the revised recommendations from August 2011. The new recommendations will be evaluated in the summer of 2012. The preliminary evaluation shows that a number of companies actually have set objectives for 20-40 % ~~women on their boards~~ female board members by 2015.

Voluntary initiatives

In Denmark several initiatives have been implemented based on a close cooperation with the private sector, including a Charter on more women in management and the so called "Operation Chain Reaction" – which aims at promoting more ~~women on~~ female board members.

*"Operation Chain Reaction"*

"Operation Chain Reaction - Recommendation for more women on supervisory board" was launched in 2010 by the Danish minister for gender equality in close cooperation with representatives of Danish trade and industry and the Confederation of Danish Industry. As co-signatories of "Recommendation for more women on supervisory boards", the companies undertake, over the coming years, to work consistently to develop and recruit more female





managers to the supervisory boards of Danish limited liability companies.

Side 3

In less than half a year, 56 major companies have signed the recommendations. The companies represent a large number of stakeholders – from owners to supervisory boards and recruitment companies

The preliminary evaluation of Operation Chain Reaction shows, that there has only been a slight increase in the number of female board members. Since Board members are normally elected for a 4-year period it is, hence, still uncertain to say if more changes will occur when the boards have to appoint new members. On the other hand the preliminary evaluation also shows that the companies have launched internal initiatives to increase the pool of female candidates.

*“Charter for more women in management”*

“The Charter for more women in management” was introduced in 2008. The charter has been drawn up jointly with public and private sector companies as part of the Government’s efforts to encourage companies to inspire more women to take up management positions.

In endorsing this charter companies undertake to make concrete efforts to bring more women into management positions. Efforts will be adapted to the particular company’s circumstances – for example sector conditions – and the current percentage of women managers.

Each company is required submit to hand in a baseline report, which describes concrete efforts. Every second year the companies have to evaluate their initiatives.

**(2) What additional action (self-regulatory/regulatory) should be taken to address the issue of gender imbalance in corporate boards in the EU?**

From a Danish perspective it is important that companies individually ensure an equal share of women at management levels, including equal opportunities for both genders. It is important that each company commits to work with the underrepresentation of women on boards. At the same time it is important to respect the managerial prerogatives of the companies and to leave the companies with some flexibility.



The Danish Government will in the fall of 2012 propose legislation with the following elements to address the issue of gender imbalance in corporate boards in EU:

Side 4

- 1) The 1.100 largest companies (both private and public) will be obliged to individually set up objective targets for the underrepresented ~~sex~~ gender on corporate boards and give an account of both the objectives and the progress made in achieving the objective.
- 2) The 1.100 largest companies will furthermore be obliged to promote policies for increasing qualified candidates of ~~the underrepresented gender~~ both genders in management positions to sustain an acceptable balance and to increase the recruitment base of candidates to company boards.
- 3) The objective targets and policies for increasing qualified candidates of ~~the underrepresented gender~~ both genders should be stated in the companies' annual report.
- 4) Public companies are obliged ~~—regardless of size—~~ to set up objective targets and policies for the underrepresented ~~gender~~ sex.

The Danish Government will advise both private and public companies to set objectives as ambitious as possible.

**(3) In your view, would an increased presence of women on company boards bring economic benefits, and which ones?**

There is no doubt that Danish ~~businesses~~ companies as well as the society in general will prosper if we manage to activate the country's most talented, competent and able individuals. ~~Several international studies indicate<sup>1</sup> that there is indeed positive coherence between diversity in the boardroom and the way a company performs financially.~~ The advantageous of having a larger talent pool and thus more women on boards of directors is why it remains important that we help the process along.

**(4) Which objectives (e.g. 20%, 30%, 40%, 60%) should be defined for the share of the underrepresented sex on company boards and for which timeframe? Should these objectives be binding or a recommendation? Why?**

<sup>1</sup> See: Catalyst: "The Bottom Line", 2007 and 2011, Eversheds Board Report: "Measuring the impact of board composition on company performance", 2011 and McKinsey & Company: "Women Matter - Gender diversity, a corporate performance driver", 2007.



The Danish Government believes that concrete measures to address gender imbalances should be decided at national level.

Side 5

As described in the answer to question 2 the Danish Government suggests a model where each company sets up targets for the share of women and men on corporate boards. These targets and the concrete timeframe should be developed by the company in due respect to their current state of situation.

This will ensure flexibility for each company – regardless of industry – to set up objective targets, while the companies' right to self-management is respected.

**(5) Which companies (e.g. publicly listed / from a certain size) should be covered by such an initiative?**

A way of increasing the number of women on company boards would be to extend the field of application further than just listed companies. Large companies of substantial economic importance to society should be considered included as well. Likewise it should be considered to not only include representation at board level, but also to promote policies for increasing qualified candidates of both genders in management positions to sustain an acceptable balance.

This solution will prevent that additional requirements are imposed on companies caused only by the fact that they are listed. By including a larger group of companies, ~~First of all this solution will prevent triggering additional requirements caused only by the mere fact of the company being listed. Furthermore, this solution will~~ also increase the recruitment base of qualified candidates more than a solution that only focuses on listed companies.

**(6) Which boards/board members (executive / non-executive) should be covered by such an initiative?**

This issue is strongly interlinked with national company law and practice. Some jurisdictions traditionally apply the two-tier system while others have a tradition to apply the one-tier system or sometimes a mixture of the two systems. The Danish company law allows for all three possibilities.

However, according to Danish legal traditions the shareholders have a direct say on the election of the board of directors/supervisory board at the ~~AGM~~ annual general meeting.

The executive board is appointed by the board of directors/supervisory board and consequently can be dismissed by the board of directors/supervisory board. Normally the executive board is only composed by few persons. In this situation the application of specific gender requirements may seem awkward.

- (7) **Should there be any sanctions applied to companies which do not meet the objectives? Should there be any exception for not reaching the objectives?**

The Danish Government does not recommend or support sanctions for not reaching the objectives.

**Brevdato** 09-05-2012

**Afsender** Anne Pontoppidan Sørensen (Finansministeriet: aps@fm.dk)

**Modtagere** Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen)

**Akttitel** SV: Lyn-høring: EU kommissionens høring om flere kvinder i bestyrelser

**Identifikationsnummer** 147544

**Versionsnummer** 1

**Ansvarlig**

**Udskrevet** 09-05-2012

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**Til:** Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen)  
**Fra:** Finansministeriet [fm@fm.dk]  
**Emne:** SV: Lyn-høring: EU kommissionens høring om flere kvinder i bestyrelser  
**Sendt:** 09-05-2012 12:43:36

Hej Louise

Efter lige, at have kigget på det igen vil jeg altså understrege, at vi forsat synes at formuleringen om de internationale studier bør udgå. Jeg mener ikke det gør til eller fra i fht. at svare på spørgsmålet.

Mvh Anne

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**Fra:** Anne Pontoppidan Sørensen  
**Sendt:** 9. maj 2012 12:04  
**Til:** 'Rohde, Louise '  
**Emne:** SV: Lyn-høring: EU kommissionens høring om flere kvinder i bestyrelser

Hvad med nedenstående?

Mvh Anne

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**Fra:** Rohde, Louise [mailto:loroh@lige.dk]  
**Sendt:** 9. maj 2012 11:39  
**Til:** Anne Pontoppidan Sørensen  
**Emne:** SV: Lyn-høring: EU kommissionens høring om flere kvinder i bestyrelser

Hvad siger I til denne formulering?

The Danish Government is convinced that Danish companies as well as the society in general will prosper if we manage to activate the country's most talented, competent and able individuals. Some international studies indicate<sup>[1]</sup> that there is a positive link between diversity in the boardroom and the financial performance of a company. However, the advantage of having a larger talent pool and thus more women on boards of directors is the main reason why it remains important that we help the process along.

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[1] See: Catalyst: "The Bottom Line", 2007 and 2011, Eversheds Board Report: "Measuring the impact of board composition on company performance", 2011 and McKinsey & Company: "Women Matter - Gender diversity, a corporate performance driver", 2007.

Med venlig hilsen / Best regards

**Louise Rohde**  
*Fuldmægtig*

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Ligestillings- og Kirkeministeriet /  
 Minister for Gender Equality and Ecclesiastical Affair

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**Fra:** Anne Pontoppidan Sørensen [mailto:aps@fm.dk]  
**Sendt:** 8. maj 2012 18:28  
**Til:** Rohde, Louise  
**Emne:** SV: Lyn-høring: EU kommissionens høring om flere kvinder i bestyrelser

Kære Louise

Vedhæftet en udgave med vores ændringer. Du må endelig give lyd, hvis det giver anledning til spørgsmål.

Mvh Anne



**FINANSMINISTERIET**

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**Fra:** Rohde, Louise [mailto:[loroh@lige.dk](mailto:loroh@lige.dk)]

**Sendt:** 8. maj 2012 09:44

**Til:** Kathrine Bjørnager Nielsen \ (DEP\); Katrine Ring Andreassen (DEP); Anne Pontoppidan Sørensen; Sem Ulver Dupont Birkler; [ckl@bm.dk](mailto:ckl@bm.dk); [fleste@uvm.dk](mailto:fleste@uvm.dk); [sbl@evm.dk](mailto:sbl@evm.dk); Jakob Buhl Vestergaard

**Cc:** Rostock-Jensen, Iben

**Emne:** Lyn-høring: EU kommissionens høring om flere kvinder i bestyrelser

<<EU-public consultation\_lige2.doc>>

EU Kommissionen har iværksat en høring frem til 28. maj om hvordan man mest hensigtsmæssigt øger kvinders repræsentation i bestyrelser.

Ligestillingsministeriet og Erhvervs- og Vækstministeriet har udarbejdet udkast til svar på høringen til intern clearing.

Regeringen har lovet Folketinget / ved Ligestillingsudvalget at sende regeringens svar senest den 11. maj.

STM skal forinden have godkendt besvarelsen.

Eventuelle bemærkninger til høringen bedes være Ligestillingsministeriet i hænde senest **onsdag d. 9. maj 2012 kl. 11.00**. Bemærkninger sendes til Louise Rohde (mail: [loroh@lige.dk](mailto:loroh@lige.dk), tlf: 22688562).

Med venlig hilsen / Best regards

**Louise Rohde**

*Fuldmægtig*

Ligestillings- og Kirkeministeriet /  
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<b>Brevdato</b>	09-05-2012
<b>Afsender</b>	Hamad Sheraz Roving (DEP)
<b>Modtagere</b>	Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen)
<b>Akttitel</b>	Samlet
<b>Identifikationsnummer</b>	147545
<b>Versionsnummer</b>	1
<b>Ansvarlig</b>	
<b>Udskrevet</b>	09-05-2012

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**Til:** Rohde, Louise (Sagsbehandler, Ligestillingsafdelingen)  
**Cc:** Susanne Bro Lundgren (DEP, kbe@evm.dk)  
**Fra:** Hamad Sheraz Roving (DEP) [HSB@evm.dk]  
**Emne:** Samlet  
**Sendt:** 09-05-2012 10:41:48  
**Bilag:** Samlet(1).doc;

Kære Louise

Hermed vores bemærk. i den samlede skabelon markeret med TC (grøn). Overordnet ser det fint ud og vi har mest af alt enkelte terminologisk rettelser, særligt til spm. 6.

Følgende fremgår af det rev. svar:

*The Danish Government believes that concrete measures to address gender imbalances should be decided at national level.*

Er dette besluttet på K og kan vi sige det skråsikkert, at vi ikke ønsker EU-tiltag på dette område? Udover at det er et uheldigt signal at sende for et europæisk problem, så er KOM jo velkommen til at benytte den danske model som inspiration til evt. EU-tiltag. Dette må i vende med STM.

Endeligt så minder jeg blot om EUU-proceduren (Sem) og vores ønske om at lægge den op parallelt her i huset.

Ring, hvis jeg skal uddybe.

Vh. Hamad



**European Commission**

DG Justice / D1

LX 46 - 1/101

'Consultation gender balance'

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Formateret: Lige margener

The Danish Government

**Consultation document:** Gender imbalance in corporate boards in the EU

The Danish Government welcomes the opportunity to respond to the European Commissions consultation on Gender Diversity.

The Danish Government is convinced that more women in top management positions and on corporate? boards are needed for the benefit of ~~the~~ society and ~~for~~ the individual – all managerial talent, qualifications, and skills should be brought into play.

Within the last ten years, the number of female top executives in the private sector in Denmark has ~~only~~ risen from four percent to seven percent, and the same trend prevails regarding women on corporate? boards. Today, women make up ~~less than~~ twelve percent of all board members in private companies listed on the Danish Stock Eexchange. ~~The process of securing more women in management positions and more women on corporate? boards is too slow.~~

Formateret: Lige margener

Women continue to attain higher levels of education and qualifications. However, the process of achieving a more equal gender balance in management positions and on boards is progressing slowly. Therefore the Danish Government agrees with the European Commission that actions to improve the gender ~~imb~~balance in corporate boards are needed.

However, the gender imbalance on corporate boards cannot be solved only by focusing on board representation ~~as such~~. The Danish government is convinced that efforts should also be devoted to increase the recruitment base of candidates. Hence, it must be ensured that potential candidates develop relevant qualifications.

**Kommentar [F 1]:** Kan med fordel tilføje afsnit om at det offentlige bør gå foran.

Formateret: Dansk

The following answers reflect the Danish Government's view on how to improve gender balance in corporate boards.

**(1) How effective is self-regulation by businesses to address the issue of gender imbalance in corporate boards in the EU?**

Side 2

Corporate Governance recommendations

In August 2011 the Committee on Corporate Governance in Denmark revised their recommendations on Corporate Governance. In the new recommendation the Committee recommends that the supreme governing body annually discuss the company's activities to ensure diversity at management levels, including equal opportunities for both genders. The Committee also recommends that ~~Also,~~ the supreme governing body must set measurable objectives in the management commentary in the annual report and/or on the company's website give an account of both the objectives and the progress made in achieving the objective.

The Committee's recommendations are aimed ~~at~~ the approximately 200 Danish companies whose shares are admitted to trading on a regulated market.

The recommendations are so-called soft law. Soft law reflects best practice in corporate governance and is characterised by voluntary participation, which ensures adequate flexibility in the recommendations.

As part of the "comply or explain"-approach, the individual company decides whether and to what extent it wishes to comply with the recommendations. If a company fails to comply with a recommendation, it must explain why and specify the the different approach.

~~reason.~~

It is still too early to say how the companies have worked with the revised recommendations from August 2011. The new recommendations will be evaluated in the summer of 2012. The preliminary evaluation shows that a number of companies actually have set objectives for 20-40 % female board members~~women on their boards~~ by 2015.

Voluntary initiatives

In Denmark, several initiatives have been implemented based on a close cooperation with the private sector, including a Charter on more women in management and the so called "Operation Chain Reaction" – which aims at promoting more ~~women on~~ female board members.

*"Operation Chain Reaction"*

"Operation Chain Reaction - Recommendation for more women on supervisory board" was launched in 2010 by the Danish minister for gender equality in close cooperation with representatives of Danish trade and industry and

the Confederation of Danish Industry. As co-signatories of “Recommendation for more women on supervisory boards”, the companies undertake, over the coming years, to work consistently to develop and recruit more female managers to the supervisory boards of Danish limited liability companies.

In less than ~~six months~~~~half a year~~, 56 major companies have signed the recommendations. The companies represent a large number of stakeholders ~~within the business community~~ from owners to supervisory boards and recruitment companies.

The preliminary evaluation of Operation Chain Reaction shows, that there has only been a slight increase in the number of female board members. ~~Since B~~board members are ~~often normally~~ elected for a 4-year period ~~i~~. It is, ~~hence~~, still ~~too early~~~~uncertain~~ to say if more changes will occur when the boards have to appoint new members. On the other hand, the preliminary evaluation also shows that the companies have launched internal initiatives to increase the pool of female candidates.

*“Charter for more women in management”*

Formateret: Lige margener

“The Charter for more women in management” was introduced in 2008. The charter has been drawn up jointly with public and private sector companies as part of the Government’s efforts to encourage companies to inspire more women to take up management positions.

Formateret: Lige margener

In endorsing this charter companies undertake to make concrete efforts to bring more women into management positions. Efforts will be adapted to the particular company’s circumstances – for example sector conditions – and the current ~~share~~~~percentage~~ of women managers.

Each company is required to ~~hand in~~~~submit~~ a baseline report to the Ministry for Gender Equality, which describes concrete efforts. Every second year the companies have to evaluate their initiatives.

Formateret: Lige margener

**(2) What additional action (self-regulatory/regulatory) should be taken to address the issue of gender imbalance in corporate boards in the EU?**

From a Danish perspective, it is important that companies individually ensure a ~~an~~ ~~balanced~~~~equal~~ share of women at management levels, including equal opportunities for both genders. It is important that each company commits itself to work with the underrepresentation of women on boards. At the same time it is important to respect the managerial prerogatives of the companies and to leave the companies with some flexibility.

The Danish Government will in the fall of 2012 propose legislation with the following elements to address the issue of gender imbalance in corporate boards in EU:

- 1) The 1.100 largest companies (both private and public) will be obliged to individually set up realistic and ambitious objective targets for the underrepresented sex on corporate boards and give an account of both the objectives and the progress made in achieving the objective.
- 2) The 1.100 largest companies will furthermore be obliged to promote policies for increasing qualified candidates of both genders the underrepresented sex in the company's management levels in general ~~in management positions~~ to sustain an acceptable balance and to increase the recruitment base of candidates to company boards.
- 3) Companies must give an account in the companies' annual report of the objectives and the progress made in achieving the objective and give an account of the policy for increasing the number of the underrepresented sex in the company's management levels in general, how the policy is implemented and what progress is made.
- 3) State Owned The objective targets and policies for increasing qualified candidates of the underrepresented sex both genders should be stated in the companies' annual report of the company.
- 4) ~~Public~~ companies are obliged – regardless of size – to set up objective targets and policies for the underrepresented sex.

**Kommentar [F 2]:** Teksten i de følgende fire punkter kan med fordel være en nøjagtig gengivelse af faktaarket.

**Formateret:** Punktopstilling

**Formateret:** Punktopstilling

**Kommentar [F ]:** Både-mulighed bør reflekteres.

The Danish Government will advise both private and public companies to set objectives as ambitious as possible.

**(3) In your view, would an increased presence of women on company boards bring economic benefits, and which ones?**

~~There is no doubt that~~ The Danish Government is convinced that Danish ~~companies~~ businesses as well as the society in general will prosper if we manage to activate the country's most talented, competent and able individuals. Several international studies indicate<sup>1</sup> that there is indeed positive ~~coher-~~ enecelink between diversity in the boardroom and the way a company performs financially. The advantageous of having a larger talent pool and thus

**Kommentar [loroh4]:** FM vil have dete ud

<sup>1</sup> See: Catalyst: "The Bottom Line", 2007 and 2011, Eversheds Board Report: "Measuring the impact of board composition on company performance", 2011 and McKinsey & Company: "Women Matter - Gender diversity, a corporate performance driver", 2007.

more women on boards of directors is why it remains important that we help the process along.

Side 5

- (4) Which objectives (e.g. 20%, 30%, 40%, 60%) should be defined for the share of the underrepresented sex on company boards and for which timeframe? Should these objectives be binding or a recommendation? Why?

The Danish Government believes that concrete measures to address gender imbalances should be decided at national level.

As described in the answer to question 2, the Danish Government ~~propose~~ ~~proposes~~ ~~suggests~~ a model where each company sets up objectives ~~targets~~ for the underrepresented sex on the share of women and men on corporate boards. These ~~obejctives~~ ~~targets~~ and the concrete timeframe should be developed by the company in due respect ~~of~~ ~~to~~ their individual gender balance ~~current state of situation~~. The Danish Government will advise both private and public companies to set objectives as ambitious as possible<sup>22</sup>.

This will ensure flexibility for each company – regardless of industry – to set up ~~objective~~ ~~targets~~, while the companies' right to self-management is respected.

- (5) Which companies (e.g. publicly listed / from a certain size) should be covered by such an initiative?

A way of increasing the number of women on company boards would be to extend the field of application further than just listed companies. It should also be considered to include other large companies of substantial economic importance to society ~~should be considered included as well~~. Likewise, it should be considered ~~to~~ not only to include representation at board level, but also to promote policies for increasing qualified candidates of both genders in management positions to sustain an acceptable balance.

This solution will prevent that additional requirements are imposed on companies caused only by the fact that they are listed. By including a larger group

of companies, this solution will also increase the recruitment field of qualified candidates more than a solution that only focuses on listed companies.

Side 6

~~First of all this solution will prevent triggering additional requirements caused only by the mere fact of the company being listed. Furthermore, this solution will increase the recruitment of qualified candidates.~~

Formateret: Engelsk (USA)

**(6) Which boards/board members (executive / non-executive) should be covered by such an initiative?**

This issue is strongly interlinked with national company law and practice. Some jurisdictions traditionally apply the two-tier system while others have a tradition to apply the one-tier system or sometimes a mixture of the two systems. The Danish company law allows for all three possibilities.

As described in the answer to question 2 the Danish Government suggests a model where each company sets up objectives for the underrepresented sex on the corporate (supervisory) board.

At the same time companies will be obliged to promote policies for increasing the number of the underrepresented sex in the company's management levels in general to sustain an acceptable balance and to increase the recruitment base of candidates to company boards.

It is the opinion of the Danish Government that it is not enough to focus on the top level, i.e. on the board of directors. It is important to secure the "supply chain" of qualified candidates and therefore focus also has to be on increasing the number of the underrepresented sex in the company's management levels in general.

Formateret: Engelsk (Storbritannien)

~~However, according to Danish legal traditions the shareholders have a direct say on the election of the board of directors/supervisory board at the annual general meeting/AGM.~~

~~The executive board is appointed by the board of directors/supervisory board and consequently can be dismissed by the board of directors/supervisory board. Normally, the executive board is only composed by only a few persons. In this situation, the application of specific gender requirements may seem awkward.~~

- (7) Should there be any sanctions applied to companies which do not meet the objectives? Should there be any exception for not reaching the objectives?

Side 7

The Danish Government does not recommend or support sanctions for not reaching the objectives since sanctions will not encourage companies to set ambitious targets.

Formateret: Lige margener



**Rohde, Louise**

**Fra:** Sem Ulver Dupont Birkler [semubi@um.dk]  
**Sendt:** 11. maj 2012 12:35  
**Til:** Rohde, Louise  
**Cc:** Flemming Stender  
**Emne:** VS: Skriftlig procedure i EU-udvalget / EU-procedure internt i regeringen - Regeringens svar på EU-kommissionens høring om flere kvinder i bestyrelser. Frist d.d. kl. 14.30  
**Vedhæftede filer:** Besvarelse af EU høring{F2#1259038#5#1256380#0}.doc

Kære Louise,

Som nævnt telefonisk er svaret nu sendt i formel clearing.

Når dokumentet er oversendt formelt til FEU, giver jeg dig et kald – så kan den sendes til Ligestillingsudvalget umiddelbart derefter.

Beklager endnu engang forvirringen omkring proceduren.

Mvh  
 Sem

**Fra:** Sem Ulver Dupont Birkler  
**Sendt:** 11. maj 2012 12:32  
**Til:** Lise-Lotte Lessèl Nielsen  
**Emne:** VS: Skriftlig procedure i EU-udvalget / EU-procedure internt i regeringen - Regeringens svar på EU-kommissionens høring om flere kvinder i bestyrelser. Frist d.d. kl. 14.30

Tak for hurtig ekspedition. Du må meget gerne forberede til en oversendelse til FEU umiddelbart høringsfristens udløb.

Sem

**Fra:** Lise-Lotte Lessèl Nielsen  
**Sendt:** 11. maj 2012 12:31  
**Til:** Lene Ahlmann-Olsen Integrationsministeriet; Allan Stagaard Toft; Anders Peder Bøtker Siegumfeldt; ath@oem.dk; Anders Windfeldt Jensen (awi@trm.dk) (awi@trm.dk); 'Anette.Thorburn@Skat.dk' (Anette.Thorburn@Skat.dk); Anita Damsgaard Jensen (adj@fivu.dk) (adj@fivu.dk); Anne Cecilie Bengtsson (anben2@uvm.dk) (anben2@uvm.dk); Anne Høgenhaven Simony (ahs@jm.dk) (ahs@jm.dk); Anne Katrine Bojsen Jakobsen; Anne Louise Winsløv; Anne-Mette Kjær (akj@ism.dk) (akj@ism.dk); Anne-Mette Lund (aln@oem.dk) (aln@oem.dk); 'Anne-Mette Lund (ahl@dma.dk)'; Annemette Ross; Annett Melgaard Jensen; Ann-Marie Olsson; Are Straume (ars@fi.dk) (ars@fi.dk); 'Asbjørn Brink (asbri@fm.dk)'; Astrid Folkmann Bonde; Astrid Rathe; int@nationalbanken.dk; BBB; 'Birger Buckhave Poulsen (bbp@oim.dk)'; Birgitte Mossin Brønden; Brian Adrian Wessel (EOGS) (BAW@eogs.dk); Bryssel NATO, Ind; camho@kemin.dk; Camilla Skovgaard axelsen; Carsten Kjær Joensen (cke@oem.dk) (cke@oem.dk); Casper Vedel; Catherine Jane Lorenzen; Cecilie Kisling (cki@bm.dk) (cki@bm.dk); Center for internationalt samarbejde og retsstilling (intret@im.dk) (intret@im.dk); Nina Holst; Christian Atzen; 'Christian Duscheck-Hansen (cdh@oim.dk)'; Christian Vang; Christian Wegener; Christina Henriette Holton (cho@im.dk); Christina Pind; chwix; Christine Aggerstrøm Hansen (cag@fm.dk) (cag@fm.dk); Christine Aggerstrøm Hansen (cag@fm.dk) (cag@fm.dk); Christine Müller Andreassen (chmuan@erst.dk)'; Claus Høegh-Guldberg (chg@fmn.dk) (chg@fmn.dk); 'Rasmus Degn (rde@oim.dk)'; int@digst.dk; MEK; Dorthe Kania; Ellen Marie Friis Johansen; Elsebeth Krogh; Emilia Badstue Valbum (DEP) (emva@fvm.dk); MEK - Studenter; Anna-Grethe Hjortkjær; Enno Hoffmann-Dose; ENR; Erik Bering Poulsen;

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**Emne:** Skriftlig procedure i EU-udvalget / EU-procedure internt i regeringen - Regeringens svar på EU-kommissionens høring om flere kvinder i bestyrelser. Frist d.d. kl. 14.30

## **EU-Udvalget/EU-procedure internt i regeringen**

- **Regeringens svar på EU-kommissionens høring om flere kvinder i bestyrelser**

Materiale vedlægges.

Udenrigsministeriet går ud fra, medmindre man senest fredag den 11. maj 2012 kl. 14.30 har modtaget anden underretning, at der ikke er bemærkninger til ovenstående punkt.

Eventuelle bemærkninger bedes sendt til: [eusek@um.dk](mailto:eusek@um.dk)

EU-koordination, den 11. maj 2012



**European Commission**

DG Justice / D1

LX 46 - 1/101

'Consultation gender balance'

B-1049 Brussels

BELGIUM

[JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu](mailto:JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu)

**Consultation document:** Gender imbalance in corporate boards in the EU

The Danish Government welcomes the opportunity to respond to the European Commissions consultation on Gender Diversity.

The Danish Government is convinced that more women in top management positions and on corporate boards are needed for the benefit of society and the individual – all managerial talent, qualifications, and skills should be brought into play.

Within the last ten years, the number of female top executives in the private sector in Denmark has risen from four percent to seven percent, and the same trend prevails regarding women on corporate boards. Today, women make up twelve percent of all board members in private companies listed on the Danish Stock Exchange.

Women continue to attain higher levels of education and qualifications. However, the process of achieving a more equal gender balance in management positions and on boards is progressing slowly. Therefore the Danish Government agrees with the European Commission that actions to improve the gender balance in corporate boards are needed.

However, the gender imbalance on corporate boards cannot be solved only by focusing on board representation. The Danish government is convinced that efforts should also be devoted to increase the recruitment base of candidates. Hence, it must be ensured that potential candidates develop relevant qualifications.

The following answers reflect the Danish Government's view on how to improve gender balance in corporate boards.

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The Danish Government



**(1) How effective is self-regulation by businesses to address the issue of gender imbalance in corporate boards in the EU?**

Side 2

Corporate Governance recommendations

In August 2011 the Committee on Corporate Governance in Denmark revised their recommendations on Corporate Governance. In the new recommendation the Committee recommends that the supreme governing body annually discuss the company's activities to ensure diversity at management levels, including equal opportunities for both genders. The Committee also recommends that the supreme governing body must set *measurable objectives* in the management commentary in the annual report and/or on the company's website give an account of both the objectives and the progress made in achieving the objective.

The Committee's recommendations are aimed at the approximately 200 Danish companies whose shares are admitted to trading on a regulated market.

The recommendations are so-called soft law. Soft law reflects best practice in corporate governance and is characterised by voluntary participation, which ensures adequate flexibility in the recommendations.

As part of the "comply or explain"-approach, the individual company decides whether and to what extent it wishes to comply with the recommendations. If a company fails to comply with a recommendation, it must explain why and specify different approach.

It is still too early to say how the companies have worked with the revised recommendations from August 2011. The new recommendations will be evaluated in the summer of 2012. The preliminary evaluation shows that a number of companies actually have set objectives for 20-40 % female board members by 2015.

Voluntary initiatives

In Denmark, several initiatives have been implemented based on a close cooperation with the private sector, including a Charter on more women in management and the so called "Operation Chain Reaction" – which aims at promoting more female board members.

*"Operation Chain Reaction"*

"Operation Chain Reaction - Recommendation for more women on supervisory board" was launched in 2010 by the Danish minister for gender equality in close cooperation with representatives of Danish trade and industry and the Confederation of Danish Industry. As co-signatories of "Recommendation for more women on supervisory boards", the companies undertake, over



the coming years, to work consistently to develop and recruit more female managers to the supervisory boards of Danish limited liability companies.

In less than six months 56 major companies have signed the recommendations. The companies represent a large number of stakeholders within the business community.

The preliminary evaluation of Operation Chain Reaction shows, that there has only been a slight increase in the number of female board members. Since board members are often elected for a 4-year period it is still too early to say if more changes will occur when the boards have to appoint new members. On the other hand, the preliminary evaluation also shows that the companies have launched internal initiatives to increase the pool of female candidates.

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In endorsing this charter companies undertake to make concrete efforts to bring more women into management positions. Efforts will be adapted to the particular company’s circumstances – for example sector conditions – and the current share of women managers.

Each company is required to submit a baseline report to the Ministry for Gender Equality, which describes concrete efforts. Every second year the companies have to evaluate their initiatives.

**(2) What additional action (self-regulatory/regulatory) should be taken to address the issue of gender imbalance in corporate boards in the EU?**

From a Danish perspective, it is important that companies individually ensure a balanced share of women at management levels, including equal opportunities for both genders. It is important that each company commits itself to work with the underrepresentation of women on boards. At the same time it is important to respect the managerial prerogatives of the companies and to leave the companies with some flexibility.



The Danish Government will in fall 2012 propose legislation with the following elements to address the issue of gender imbalance in corporate boards:

- 1) The 1.100 largest companies (both private and public) will be obliged to individually set up realistic and ambitious targets for the underrepresented gender on corporate boards and give an account of both the objectives and the progress made in achieving the objective.
- 2) The 1.100 largest companies will furthermore be obliged to promote policies for increasing qualified candidates of the underrepresented gender in the company's management levels in general to sustain an acceptable balance and to increase the recruitment base of candidates to company boards.
- 3) Companies must give an account in the companies' annual report of the objectives and the progress made in achieving the objectives and give an account of the policy for increasing the number of the underrepresented gender in the company's management levels in general, how the policy is implemented and what progress is made. If the companies fail to do so, they may be fined.
- 4) State owned companies are obliged – regardless of size – to set up objective targets and policies for the underrepresented gender.

The Danish Government will advise both private and public companies to set objectives as ambitious as possible.

The Danish government believes that this model contains appropriate and sufficient measures to address gender imbalances.

**(3) In your view, would an increased presence of women on company boards bring economic benefits, and which ones?**

The Danish Government is convinced that Danish companies as well as the society in general will prosper if we manage to activate the country's most talented, competent and able individuals. Some international studies indicate that there is a positive link between diversity in the boardroom and the financial performance of a company. However, the advantage of having a larger talent pool and thus more women on boards of directors is the main reason why it remains important that we help the process along.

**(4) Which objectives (e.g. 20%, 30%, 40%, 60%) should be defined for the share of the underrepresented sex on company boards and**



**for which timeframe? Should these objectives be binding or a recommendation? Why?**

As described in the answer to question 2, the Danish Government proposes a model where each company sets up objectives for the underrepresented gender on the corporate boards. These objectives and the concrete timeframe should be developed by the company in due respect of their individual gender balance situation. The Danish Government will advise both private and public companies to set objectives as ambitious as possible.

This will ensure flexibility for each company – regardless of industry – to set up objectives, while the companies' right to self-management is respected.

**(5) Which companies (e.g. publicly listed / from a certain size) should be covered by such an initiative?**

A way of increasing the number of women on company boards would be to extend the field of application further than just listed companies. It should also be considered to include other large companies of substantial economic importance to society. Likewise, it should be considered not only to include representation at board level, but also to promote policies for increasing qualified candidates of both genders in management positions to sustain an acceptable balance.

This solution will prevent that additional requirements are imposed on companies caused only by the fact that they are listed. By including a larger group of companies, this solution will also increase the recruitment field of qualified candidates more than a solution that only focuses on listed companies.

**(6) Which boards/board members (executive / non-executive) should be covered by such an initiative?**

This issue is strongly interlinked with national company law and practice. Some jurisdictions traditionally apply the two-tier system while others have a tradition to apply the one-tier system or sometimes a mixture of the two systems. The Danish company law allows for all three possibilities.

As described in the answer to question 2 the Danish Government suggests a model where each company sets up objectives for the underrepresented gender on corporate boards.





At the same time companies will be obliged to promote policies for increasing the number of the underrepresented gender in the company's management levels in general to sustain an acceptable balance and to increase the recruitment base of candidates to company boards.

Side 6

It is the opinion of the Danish Government that it is not enough to focus on the top level, i.e. on the board of directors. It is important to secure the "supply chain" of qualified candidates and therefore focus also has to be on increasing the number of the underrepresented gender in the company's management levels in general.

**(7) Should there be any sanctions applied to companies which do not meet the objectives? Should there be any exception for not reaching the objectives?**

The Danish Government does not recommend or support sanctions for not reaching the objectives since sanctions will not encourage companies to set ambitious targets.

## Udenrigsministeriet

Medlemmerne af Folketingets Europaudvalg

Asiatisk Plads 2  
DK-1448 København K  
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Bilag	Journalnummer	Kontor	
1	400.C.2-0	EUK	11. maj 2012

### HØRINGSSVAR

#### Flere kvinder i bestyrelser

Til underretning for Folketingets Europaudvalg vedlægges Regeringens svar på Europa-Kommissionens høring om flere kvinder i bestyrelser.

Nicolai Wammen



Ministeriet  
for Ligestilling  
og Kirke

**European Commission**

DG Justice / D1

LX 46 - 1/101

'Consultation gender balance'

B-1049 Brussels

BELGIUM

JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu

**Consultation document:** Gender imbalance in corporate boards in the EU

The Danish Government welcomes the opportunity to respond to the European Commissions consultation on Gender Diversity.

The Danish Government is convinced that more women in top management positions and on corporate boards are needed for the benefit of society and the individual – all managerial talent, qualifications, and skills should be brought into play.

Within the last ten years, the number of female top executives in the private sector in Denmark has risen from four percent to seven percent, and the same trend prevails regarding women on corporate boards. Today, women make up twelve percent of all board members in private companies listed on the Danish Stock Exchange.

Women continue to attain higher levels of education and qualifications. However, the process of achieving a more equal gender balance in management positions and on boards is progressing slowly. Therefore the Danish Government agrees with the European Commission that actions to improve the gender balance in corporate boards are needed.

However, the gender imbalance on corporate boards cannot be solved only by focusing on board representation. The Danish government is convinced that efforts should also be devoted to increase the recruitment base of candidates. Hence, it must be ensured that potential candidates develop relevant qualifications.

The following answers reflect the Danish Government's view on how to improve gender balance in corporate boards.

Frederiksholms Kanal 21  
Postboks 2123  
1015 København K  
www.lige.dk

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The Danish Government



**(1) How effective is self-regulation by businesses to address the issue of gender imbalance in corporate boards in the EU?**

Side 2

Corporate Governance recommendations

In August 2011 the Committee on Corporate Governance in Denmark revised their recommendations on Corporate Governance. In the new recommendation the Committee recommends that the supreme governing body annually discuss the company's activities to ensure diversity at management levels, including equal opportunities for both genders. The Committee also recommends that the supreme governing body must set measurable objectives in the management commentary in the annual report and/or on the company's website give an account of both the objectives and the progress made in achieving the objective.

The Committee's recommendations are aimed at the approximately 200 Danish companies whose shares are admitted to trading on a regulated market.

The recommendations are so-called soft law. Soft law reflects best practice in corporate governance and is characterised by voluntary participation, which ensures adequate flexibility in the recommendations.

As part of the "comply or explain"-approach, the individual company decides whether and to what extent it wishes to comply with the recommendations. If a company fails to comply with a recommendation, it must explain why and specify different approach.

It is still too early to say how the companies have worked with the revised recommendations from August 2011. The new recommendations will be evaluated in the summer of 2012. The preliminary evaluation shows that a number of companies actually have set objectives for 20-40 % female board members by 2015.

Voluntary initiatives

In Denmark, several initiatives have been implemented based on a close cooperation with the private sector, including a Charter on more women in management and the so called "Operation Chain Reaction" – which aims at promoting more female board members.

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The Danish Government will in fall 2012 propose legislation with the following elements to address the issue of gender imbalance in corporate boards:

Side 4

- 1) The 1.100 largest companies (both private and public) will be obliged to individually set up realistic and ambitious targets for the underrepresented gender on corporate boards and give an account of both the objectives and the progress made in achieving the objective.
- 2) The 1.100 largest companies will furthermore be obliged to promote policies for increasing qualified candidates of the underrepresented gender in the company's management levels in general to sustain an acceptable balance and to increase the recruitment base of candidates to company boards.
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- 4) State owned companies are obliged – regardless of size – to set up objective targets and policies for the underrepresented gender.

The Danish Government will advise both private and public companies to set objectives as ambitious as possible.

The Danish government believes that this model contains appropriate and sufficient measures to address gender imbalances.

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**for which timeframe? Should these objectives be binding or a re-  
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**(7) Should there be any sanctions applied to companies which do not meet the objectives? Should there be any exception for not reaching the objectives?**

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---

**Til:** udvalg@ft.dk  
**Fra:** Ligestillingsafdelingen [lige@lige.dk]  
**Emne:** LIU - Besvarelse af EU-Kommissionens h?ring om flere kvinder i bestyrelser  
**Sendt:** 11-05-2012 14:51:35  
**Bilag:** Brev til Ligestillingsudvalget.doc; Besvarelse af EU h?ring.doc;



Ministeriet  
for Ligestilling  
og Kirke

Folketinget  
Christiansborg  
1240 København K  
Att: Ligestillingsudvalget

Til Ligestillingsudvalget

Hermed fremsendes, som aftalt på Ligestillingsudvalgets samråd den 11. april 2012, regeringens besvarelse af EU Kommissionens høring: "Gender Imbalance in corporate boards in the EU".

Med venlig hilsen

Manu Sareen

Frederiksholms Kanal 21  
Postboks 2123  
1015 København K  
[www.lige.dk](http://www.lige.dk)

Telefon 3392 3390  
Telefax 3392 3913  
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**Ministeren**

Dato: 11. maj 2012  
J.nr.2012-2531



Ministeriet  
for Ligestilling  
og Kirke

**European Commission**

DG Justice / D1

LX 46 - 1/101

'Consultation gender balance'

B-1049 Brussels

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**Rohde, Louise**

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**Fra:** Rohde, Louise  
**Sendt:** 14. maj 2012 14:26  
**Til:** 'laura.soerensen@ft.dk'  
**Emne:** EU-besvarelse på dansk

Kære Laura

Vi har fået sat processen i gang med at få oversat høringen. Den skal først i lyn-høring ved de øvrige ministerier. Men jeg skal sørge for, at I har den på onsdag.

Med venlig hilsen / Best regards

**Louise Rohde**

*Fuldmægtig*

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Ligestillings- og Kirkeministeriet /

Minister for Gender Equality and Ecclesiastical Affair

Tlf. +45 2268 8562

[loroh@lige.dk](mailto:loroh@lige.dk) / [www.lige.dk](http://www.lige.dk)

**Postadresse / Mail address:**

Frederiksholms Kanal 21, Postbox 2123 / DK-1015 København K / Denmark

**Rohde, Louise**

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**Fra:** Rohde, Louise  
**Sendt:** 15. maj 2012 11:56  
**Til:** 'Ida Rosenberg (EOGS)'  
**Emne:** SV: Oversættelse af EU-hørinig

Kære Ida

Tak for den hurtige assistance.

Med venlig hilsen / Best regards

**Louise Rohde**  
*Fuldmægtig*

---

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**Fra:** Ida Rosenberg (EOGS) [<mailto:IdaRos@erst.dk>]  
**Sendt:** 15. maj 2012 11:41  
**Til:** Rohde, Louise  
**Emne:** SV: Oversættelse af EU-hørinig

Nogle jurisdiktioner har en tradition for at anvende det tostrengede ledelsessystem, mens andre sædvanligvis anvender det enstrengede ledelsessystem eller nogle gange en blanding af de to systemer. Den danske selskabslov tillader alle tre muligheder.

Mvh

Ida

**Fra:** Rohde, Louise [<mailto:loroh@lige.dk>]  
**Sendt:** 15. maj 2012 11:08  
**Til:** Ida Rosenberg (EOGS)  
**Emne:** Oversættelse af EU-hørinig

Kære Ida

Jeg har fået dine kontaktoplysninger af Kathrine fra EVM.  
Hun har oplyst mig, at du har været med til at skrive en formulering til regeringens høringssvar til EU-kommissionen om flere kvinder i bestyrelser. Vi er i øjeblikket i gang med at oversætte besvarelsen til dansk, og har i den forbindelse brug for at få oversat følgende formulering:

06-06-2012

*Some jurisdictions traditionally apply the two-tier system while others have a tradition to apply the one-tier system or sometimes a mixture of the two systems. The Danish company law allows for all three possibilities.*

Vi har desværre allerede deadline i dag. Tror du det vil være muligt at nå det i dag?

Med venlig hilsen / Best regards

**Louise Rohde**

*Fuldmægtig*

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**Rohde, Louise**

---

**Fra:** Rohde, Louise  
**Sendt:** 14. maj 2012 14:45  
**Til:** 'Sem Ulver Dupont Birkler'; 'Anne Pontoppidan Sørensen'; 'Kathrine Bjørnager Nielsen (DEP)'; 'Hamad Sheraz Roving (DEP)'  
**Emne:** EU-besvarelsen om flere kvinder i bestyrelser - oversættes til dansk

Kære alle

Ligestillingsudvalget har bedt om at få tilsendt besvarelsen til EU-kommissionen på dansk. Vi sidder i øjeblikket og oversætter - og sender den i LYN-høring i morgen eftermiddag.

Med venlig hilsen / Best regards

**Louise Rohde**  
*Fuldmægtig*

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**Fra:** Rohde, Louise  
**Sendt:** 15. maj 2012 14:58  
**Til:** 'Sem Ulver Dupont Birkler'; Flemming Stender; 'Hamad Sheraz Rovsing (DEP)'; 'Kathrine Bjørnager Nielsen (DEP)'; 'Anne Pontoppidan Sørensen'  
**Emne:** LYN-høring: Besvarelse af EU-kommissionens høring på dansk  
**Vedhæftede filer:** Besvarelse af høring\_dansk.doc

Kære alle

Som varslet i går, sender jeg hermed udkast til dansk besvarelse af regeringens høringsvar til EU-kommissionen om flere kvinder i ledelse.

Eventuelle bemærkninger til høringen bedes være Ligestillingsministeriet i hænde senest **i dag tirsdag d. 15. maj 2012 kl. 17.00**. Bemærkninger sendes til Louise Rohde (mail: [loroh@lige.dk](mailto:loroh@lige.dk), tlf: 22688562).

Jeg beklager meget den korte tidsfrist.



Besvarelse af  
høring\_dansk.doc...

Med venlig hilsen / Best regards

**Louise Rohde**  
*Fuldmægtig*

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Ligestillings- og Kirkeministeriet /  
Minister for Gender Equality and Ecclesiastical Affair

Tlf. +45 2268 8562

[loroh@lige.dk](mailto:loroh@lige.dk) / [www.lige.dk](http://www.lige.dk)

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Ministeriet  
for Ligestilling  
og Kirke

**European Commission**  
DG Justice / D1  
LX 46 - 1/101  
'Consultation gender balance'  
B-1049 Brussels  
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[JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu](mailto:JUST-GENDERBALANCE-CONSULTATION@ec.europa.eu)

**Consultation document: Gender imbalance in corporate boards in the EU**

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De følgende svar afspejler den danske regerings holdning til, hvordan man mest hensigtsmæssigt fremmer flere kvinder i ledelse og bestyrelser

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The Danish Government



**(1) Hvor effektivt et redskab er selv-regulering til at løse den køns-  
mæssige ubalance i virksomhedsbestyrelser i EU?**

Anbefalingerne for god selskabsledelse

I august 2011 reviderede Komiteen for God Selskabsledelse deres anbefalinger for god selskabsledelse. Komiteen anbefaler med den seneste revidering, at det øverste ledelsesorgan hvert år drøfter selskabets aktiviteter for at sikre mangfoldighed i selskabets ledelsesniveauer, herunder at der er lige muligheder for begge køn. Komiteen anbefaler desuden, at det øverste ledelsesorgan fastsætter konkrete mål og i ledelsesberetningen i selskabets årsrapport og/eller på selskabets hjemmeside redegør for såvel sin målsætning som status for opfyldelsen heraf.

Komiteens anbefalinger er målrettet de ca. 200 danske virksomheder, som har aktier optaget til handel på et reguleret marked.

Anbefalingerne er såkaldt "soft law". "Soft law" afspejler "best practice" for god selskabsledelse og er endvidere kendetegnet ved frivillighed, hvilket giver anbefalingerne den fleksibilitet, der er nødvendig for selskaberne.

Som en del af "følg eller forklar" - princippet, så afgør det enkelte selskab selv, i hvilket omfang det ønsker at efterleve anbefalingerne. Efterlever et selskab ikke en anbefaling, skal det forklare, hvorfor det har valgt anderledes, og hvordan det i stedet har indrettet sig.

Det er stadig tidligt at give et billede af, hvordan virksomhederne har arbejdet med de reviderede anbefalinger fra august 2011. De reviderede anbefalinger vil blive evalueret i sommeren 2012. De foreløbige data viser dog, at en række virksomheder har sat måltal på 20-40 % kvindelige bestyrelsesmedlemmer inden 2015.

Frivillige initiativer

Danmark har implementeret en række initiativer i tæt samarbejde med bl.a. den private sektor – heriblandt et "Charter for flere kvinder i ledelse" og "Operation Kædereaktion" der har til formål at få flere kvinder i bestyrelser.

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I 2010 blev Operation kædereaktion – anbefalinger for flere kvinder i bestyrelser" lanceret i fællesskab med repræsentanter for det danske erhvervsliv og Dansk Industri. Ved at underskrive anbefalingerne forpligter selskaberne sig til at yde en særlig målrettet indsats for at udvikle og rekruttere flere kvindelige ledere til bestyrelserne.



På under seks måneder har 56 større virksomheder underskrevet anbefalingerne. Virksomhederne repræsenterer en større gruppe af interessenter fra erhvervslivet.

Side 3

Den første evaluering af "Operation Kædereaktion" viser, at der kun har været en mindre stigning i antallet af kvindelige bestyrelsesmedlemmer. Bestyrelsesmedlemmer er oftest valgt til en 4-årig periode, og det er derfor for tidligt at sige, om der vil ske større ændringer, når der skal vælges nye bestyrelsesmedlemmer ved de kommende generalforsamlinger. Omvendt viser undersøgelsen også, at mange af de underskrivende virksomheder har igangsat aktiviteter, som kan være med til at forøge antallet af kvindelige bestyrelsesmedlemmer.

#### *"Charter for flere kvinder i ledelse"*

Charteret for flere kvinder i ledelse blev lanceret i 2008. Charteret blev udviklet i tæt samarbejde med offentlige og private virksomheder som en del af regeringens indsats for at få flere kvinder i ledelse.

Ved at underskrive charteret forpligter virksomhederne sig til at gøre en konkret indsats for at få flere kvinder i ledelse. Indsatsen tilpasses virksomhedens vilkår, eksempelvis brancheforhold og nuværende andel af kvinder i ledelsen.

Hver enkelt virksomhed er forpligtet til at udarbejde baseline rapporter om deres initiativer for at fremme flere kvinder i ledelse. Rapporten skal sendes til Ministeriet for Ligestilling og Kirke. Hvert andet år foretages en evaluering af virksomhedernes initiativer på området.

#### **(2) Hvilke andre indsatser skal igangsættes for at adressere den kønsmæssige ubalance i virksomhedsbestyrelser?**

Fra et dansk perspektiv, er det vigtigt, at hver enkelt virksomhed er med til at sikre et mere balanceret antal af kvinder på ledelsesniveau, og at der er lige muligheder for begge køn.

Det er vigtigt, at hver enkelt virksomhed forpligter sig til at arbejde med at øge andelen af det underrepræsenterede køn i bestyrelser. Derudover er det vigtigt at respektere virksomhedernes ledelsesret, og at give virksomhederne den fornødne fleksibilitet.





Den danske regering vil i efteråret 2012 fremsætte lovforslag med følgende elementer, der skal adressere problemet med den kønsmæssige ubalance i bestyrelser.

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- 1) De 1.100 største virksomheder skal opstille måltal for antallet af det underrepræsenterede køn i det øverste ledelsesorgan, redegøre for de opstillede måltal og beskrive den foreløbige udvikling.
- 2) De 1.100 største virksomheder skal have en politik for at øge antallet af det underrepræsenterede køn i virksomhedens ledelsesniveauer generelt bl.a. med henblik på at opnå en acceptabel kønsmæssig balance i rekrutteringsgrundlaget for potentielle bestyrelsesmedlemmer.
- 3) Virksomhederne skal redegøre for status for opfyldelsen af de opstillede måltal i årsrapporten. Derudover skal de oplyse om politikken i årsrapporten, hvordan den gennemføres, og hvad der er opnået. Sker dette ikke, vil der være mulighed for at pålægge virksomhederne bøder.
- 4) Statslige virksomheder skal uanset størrelse opstille måltal og udarbejde en politik for at få flere kvinder i ledelsen.

Den danske regering vil anbefale alle virksomheder at sætte så ambitiøse mål som muligt.

Den danske regering mener, at modellen indeholder passende og tilstrækkelige foranstaltninger til at adressere kønsmæssige ubalancer i bestyrelser.

**(3) Vil en stigning i andelen af kvinder i virksomhedsbestyrelser øge virksomhedens økonomiske præstationer?**

Den danske regering er overbevist om, at danske virksomheder og det danske samfund er bedst tjent med, at alle talenter, kompetencer og evner kommer i spil. Flere internationale undersøgelser tyder på, at der er positive sammenhænge mellem mangfoldighed i bestyrelseslokalet og en virksomheds økonomiske præstationer. Men ønsket om i højere grad at udnytte den samlede talentmasse hos både kvinder og mænd er den vigtigste årsag til at sætte fokus på kvinder i bestyrelser og ledelse mere generelt.

**(4) Hvilke måltal (20 %, 30 %, 40 %, 60 %) skal fastsættes for andelen af det underrepræsenterede køn i bestyrelser – og inden for hvilken tidsramme? Skal disse måltal være bindende eller rekommandationer?**



Som beskrevet i svaret på spørgsmål 2, så har den danske regering lanceret en model, der forpligter virksomhederne til at opstille måltal for det underrepræsenterede køn i bestyrelsen. Måltallene og den konkrete tidshorisont skal fastsættes af virksomheden selv på baggrund af virksomhedernes individuelle kønsbalance-situation. Dette vil sikre fleksibiliteten for den enkelte virksomhed, samtidig med at virksomhedernes ledesret respekteres.

Den danske regering vil anbefale alle virksomheder at sætte så ambitiøse mål som muligt.

**(5) Hvilke virksomheder skal omfattes af initiativet?**

For at øge andelen af kvindelige bestyrelsesmedlemmer bør det overvejes, at indsatsen ikke kun målrettes de store børsnoterede selskaber. Det bør således overvejes, om større virksomheder med en signifikant betydning for samfundsøkonomien inkluderes. På samme måde, bør initiativet ikke kun være forbeholdt repræsentationen i bestyrelseslokalet, men også have fokus på at øge andelen af kvalificerede kvinder på ledelsesniveauer generelt.

Løsningen vil modvirke, at yderligere forpligtelser vil blive pålagt virksomheder, alene fordi de er børsnoterede. Ved at inkludere en større mængde af virksomheder vil løsningen også bidrage til, at øge antallet af kvalificerede kandidater til ledelse generelt og til bestyrelsesposterne.

**(6) Hvilke bestyrelser / bestyrelsesmedlemmer skal inkluderes i initiativet?**

Spørgsmålet er stærkt relateret til den danske selskabslov og praksis.

Nogle jurisdiktioner har en tradition for at anvende det tostrengede ledelsessystem, mens andre sædvanligvis anvender det enstrengede ledelsessystem eller nogle gange en blanding af de to systemer. Den danske selskabslov tillader alle tre muligheder.

Den danske regerings forslår, som beskrevet i svaret på spørgsmål 2, at hver enkelt virksomhed opstiller måltal for det underrepræsenterede køn i bestyrelsen.

Derudover skal virksomhederne have en politik for at øge antallet af det underrepræsenterede køn i virksomhedens ledelsesniveauer generelt bl.a. med henblik på at opnå et bredere rekrutteringsgrundlag for potentielle bestyrelsesmedlemmer.



Det er den danske regerings holdning, at det ikke er tilstrækkeligt at fokusere på bestyrelsesniveauet. Det er vigtigt, at der også er et rekrutteringsgrundlag af kvalificerede kvinder, og derfor skal der også være fokus på at fremme en kønsmæssig balance i ledelsen generelt.

Side 6

**(7) Skal der indføres sanktioner, hvis virksomhederne ikke når det fastsatte måltal?**

Den danske regering mener ikke, at der skal indføres sanktioner over for virksomheder, der ikke opnår de opstillede mål. Sanktioner vil ikke tilskynde virksomhederne til at opstille ambitiøse mål.

**Rohde, Louise**

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**Fra:** Rohde, Louise  
**Sendt:** 16. maj 2012 10:32  
**Til:** 'laura.sorensen@ft.dk'  
**Emne:** Høringsbesvarelse på dansk

**Vedhæftede filer:** Besvarelse af høring\_dansk.pdf

Kære Laura

Som aftalt sender jeg dig hermed regeringens besvarelse af EU-kommissionens høring om flere kvinder i bestyrelser på dansk.



Besvarelse af  
høring\_dansk.pdf...

Med venlig hilsen / Best regards

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**(5) Hvilke virksomheder skal omfattes af initiativet?**

For at øge andelen af kvindelige bestyrelsesmedlemmer bør det overvejes, at indsatsen ikke kun målrettes de store børsnoterede selskaber. Det bør således overvejes, om større virksomheder med en signifikant betydning for samfundsøkonomien inkluderes. På samme måde, bør initiativet ikke kun være forbeholdt repræsentationen i bestyrelseslokalet, men også have fokus på at øge andelen af kvalificerede kvinder på ledelsesniveauer generelt.

Løsningen vil modvirke, at yderligere forpligtelser vil blive pålagt virksomheder, alene fordi de er børsnoterede. Ved at inkludere en større mængde af virksomheder vil løsningen også bidrage til, at øge antallet af kvalificerede kandidater til ledelse generelt og til bestyrelsesposterne.

**(6) Hvilke bestyrelser / bestyrelsesmedlemmer skal inkluderes i initiativet?**

Spørgsmålet er stærkt relateret til den danske selskabslov og praksis.

Nogle jurisdiktioner har en tradition for at anvende det tostrengede ledelsessystem, mens andre sædvanligvis anvender det enstrengede ledelsessystem eller nogle gange en blanding af de to systemer. Den danske selskabslov tillader alle tre muligheder.

Den danske regerings forslår, som beskrevet i svaret på spørgsmål 2, at hver enkelt virksomhed opstiller måltal for det underrepræsenterede køn i bestyrelsen.

Derudover skal virksomhederne have en politik for at øge antallet af det underrepræsenterede køn i virksomhedens ledelsesniveauer generelt bl.a. med henblik på at opnå et bredere rekrutteringsgrundlag for potentielle bestyrelsesmedlemmer.

Det er den danske regerings holdning, at det ikke er tilstrækkeligt at fokusere på bestyrelsesniveauet. Det er vigtigt, at der også er et rekrutteringsgrundlag af kvalificerede kvinder, og derfor skal der også være fokus på at fremme en kønsmæssig balance i ledelsen generelt.

Side 6

**(7) Skal der indføres sanktioner, hvis virksomhederne ikke når det fastsatte måltal?**

Den danske regering mener ikke, at der skal indføres sanktioner over for virksomheder, der ikke opnår de opstillede mål. Sanktioner vil ikke tilskynde virksomhederne til at opstille ambitiøse mål.

**Rohde, Louise**

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**Fra:** Sem Ulver Dupont Birkler [semubi@um.dk]  
**Sendt:** 14. maj 2012 10:58  
**Til:** Bryssel EU  
**Cc:** Stine Rønsholt; Peter Truels Nielsen; Flemming Stender; EUK UM; Rohde, Louise  
**Emne:** Oversendelse af regeringens svar på Kommissionens høring om flere kvinder i bestyrelser  
**Vedhæftede filer:** Besvarelse af EU høring{F2#1259038#5#1256380#0}.doc

EU-repræsentationen Bryssel

**Instruktion**

EUK j.nr. 400.S.4-5-0.

EU-repræsentationen anmodes venligst om at videreformidle til DG Justice / D1 vedhæftede svar på Kommissionens høring om flere kvinder i bestyrelser.

Kommissionens kvitteringsskrivelse bedes sendt til [loroh@lige.dk](mailto:loroh@lige.dk), EUK samt semubi.

På forhånd tak.

EUK / Sem Birkler



Ministeriet  
for Ligestilling  
og Kirke

**European Commission**

DG Justice / D1

LX 46 - 1/101

'Consultation gender balance'

B-1049 Brussels

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**Consultation document:** Gender imbalance in corporate boards in the EU

The Danish Government welcomes the opportunity to respond to the European Commissions consultation on Gender Diversity.

The Danish Government is convinced that more women in top management positions and on corporate boards are needed for the benefit of society and the individual – all managerial talent, qualifications, and skills should be brought into play.

Within the last ten years, the number of female top executives in the private sector in Denmark has risen from four percent to seven percent, and the same trend prevails regarding women on corporate boards. Today, women make up twelve percent of all board members in private companies listed on the Danish Stock Exchange.

Women continue to attain higher levels of education and qualifications. However, the process of achieving a more equal gender balance in management positions and on boards is progressing slowly. Therefore the Danish Government agrees with the European Commission that actions to improve the gender balance in corporate boards are needed.

However, the gender imbalance on corporate boards cannot be solved only by focusing on board representation. The Danish government is convinced that efforts should also be devoted to increase the recruitment base of candidates. Hence, it must be ensured that potential candidates develop relevant qualifications.

The following answers reflect the Danish Government's view on how to improve gender balance in corporate boards.

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The Danish Government



**(1) How effective is self-regulation by businesses to address the issue of gender imbalance in corporate boards in the EU?**

Side 2

Corporate Governance recommendations

In August 2011 the Committee on Corporate Governance in Denmark revised their recommendations on Corporate Governance. In the new recommendation the Committee recommends that the supreme governing body annually discuss the company's activities to ensure diversity at management levels, including equal opportunities for both genders. The Committee also recommends that the supreme governing body must set *measurable objectives* in the management commentary in the annual report and/or on the company's website give an account of both the objectives and the progress made in achieving the objective.

The Committee's recommendations are aimed at the approximately 200 Danish companies whose shares are admitted to trading on a regulated market.

The recommendations are so-called soft law. Soft law reflects best practice in corporate governance and is characterised by voluntary participation, which ensures adequate flexibility in the recommendations.

As part of the "comply or explain"-approach, the individual company decides whether and to what extent it wishes to comply with the recommendations. If a company fails to comply with a recommendation, it must explain why and specify different approach.

It is still too early to say how the companies have worked with the revised recommendations from August 2011. The new recommendations will be evaluated in the summer of 2012. The preliminary evaluation shows that a number of companies actually have set objectives for 20-40 % female board members by 2015.

Voluntary initiatives

In Denmark, several initiatives have been implemented based on a close cooperation with the private sector, including a Charter on more women in management and the so called "Operation Chain Reaction" – which aims at promoting more female board members.

*"Operation Chain Reaction"*

"Operation Chain Reaction - Recommendation for more women on supervisory board" was launched in 2010 by the Danish minister for gender equality in close cooperation with representatives of Danish trade and industry and the Confederation of Danish Industry. As co-signatories of "Recommendation for more women on supervisory boards", the companies undertake, over



the coming years, to work consistently to develop and recruit more female managers to the supervisory boards of Danish limited liability companies.

In less than six months 56 major companies have signed the recommendations. The companies represent a large number of stakeholders within the business community.

The preliminary evaluation of Operation Chain Reaction shows, that there has only been a slight increase in the number of female board members. Since board members are often elected for a 4-year period it is still too early to say if more changes will occur when the boards have to appoint new members. On the other hand, the preliminary evaluation also shows that the companies have launched internal initiatives to increase the pool of female candidates.

*“Charter for more women in management”*

“The Charter for more women in management” was introduced in 2008. The charter has been drawn up jointly with public and private sector companies as part of the Government’s efforts to encourage companies to inspire more women to take up management positions.

In endorsing this charter companies undertake to make concrete efforts to bring more women into management positions. Efforts will be adapted to the particular company’s circumstances – for example sector conditions – and the current share of women managers.

Each company is required to submit a baseline report to the Ministry for Gender Equality, which describes concrete efforts. Every second year the companies have to evaluate their initiatives.

**(2) What additional action (self-regulatory/regulatory) should be taken to address the issue of gender imbalance in corporate boards in the EU?**

From a Danish perspective, it is important that companies individually ensure a balanced share of women at management levels, including equal opportunities for both genders. It is important that each company commits itself to work with the underrepresentation of women on boards. At the same time it is important to respect the managerial prerogatives of the companies and to leave the companies with some flexibility.



The Danish Government will in fall 2012 propose legislation with the following elements to address the issue of gender imbalance in corporate boards:

Side 4

- 1) The 1.100 largest companies (both private and public) will be obliged to individually set up realistic and ambitious targets for the underrepresented gender on corporate boards and give an account of both the objectives and the progress made in achieving the objective.
- 2) The 1.100 largest companies will furthermore be obliged to promote policies for increasing qualified candidates of the underrepresented gender in the company's management levels in general to sustain an acceptable balance and to increase the recruitment base of candidates to company boards.
- 3) Companies must give an account in the companies' annual report of the objectives and the progress made in achieving the objectives and give an account of the policy for increasing the number of the underrepresented gender in the company's management levels in general, how the policy is implemented and what progress is made. If the companies fail to do so, they may be fined.
- 4) State owned companies are obliged – regardless of size – to set up objective targets and policies for the underrepresented gender.

The Danish Government will advise both private and public companies to set objectives as ambitious as possible.

The Danish government believes that this model contains appropriate and sufficient measures to address gender imbalances.

**(3) In your view, would an increased presence of women on company boards bring economic benefits, and which ones?**

The Danish Government is convinced that Danish companies as well as the society in general will prosper if we manage to activate the country's most talented, competent and able individuals. Some international studies indicate that there is a positive link between diversity in the boardroom and the financial performance of a company. However, the advantage of having a larger talent pool and thus more women on boards of directors is the main reason why it remains important that we help the process along.

**(4) Which objectives (e.g. 20%, 30%, 40%, 60%) should be defined for the share of the underrepresented sex on company boards and**



**for which timeframe? Should these objectives be binding or a re-  
commendation? Why?**

Side 5

As described in the answer to question 2, the Danish Government proposes a model where each company sets up objectives for the underrepresented gender on the corporate boards. These objectives and the concrete timeframe should be developed by the company in due respect of their individual gender balance situation. The Danish Government will advise both private and public companies to set objectives as ambitious as possible.

This will ensure flexibility for each company— regardless of industry – to set up objectives, while the companies' right to self-management is respected.

**(5) Which companies (e.g. publicly listed / from a certain size) should be covered by such an initiative?**

A way of increasing the number of women on company boards would be to extend the field of application further than just listed companies. It should also be considered to include other large companies of substantial economic importance to society. Likewise, it should be considered not only to include representation at board level, but also to promote policies for increasing qualified candidates of both genders in management positions to sustain an acceptable balance.

This solution will prevent that additional requirements are imposed on companies caused only by the fact that they are listed. By including a larger group of companies, this solution will also increase the recruitment field of qualified candidates more than a solution that only focuses on listed companies.

**(6) Which boards/board members (executive / non-executive) should be covered by such an initiative?**

This issue is strongly interlinked with national company law and practice. Some jurisdictions traditionally apply the two-tier system while others have a tradition to apply the one-tier system or sometimes a mixture of the two systems. The Danish company law allows for all three possibilities.

As described in the answer to question 2 the Danish Government suggests a model where each company sets up objectives for the underrepresented gender on corporate boards.





At the same time companies will be obliged to promote policies for increasing the number of the underrepresented gender in the company's management levels in general to sustain an acceptable balance and to increase the recruitment base of candidates to company boards.

Side 6

It is the opinion of the Danish Government that it is not enough to focus on the top level, i.e. on the board of directors. It is important to secure the "supply chain" of qualified candidates and therefore focus also has to be on increasing the number of the underrepresented gender in the company's management levels in general.

**(7) Should there be any sanctions applied to companies which do not meet the objectives? Should there be any exception for not reaching the objectives?**

The Danish Government does not recommend or support sanctions for not reaching the objectives since sanctions will not encourage companies to set ambitious targets.