

Policy Context

The BPfA defines institutional mechanisms for gender equality as the national infrastructure for the advancement of women and sees them as the central policy coordination unit inside the government. Within the EU framework, institutional mechanisms for gender equality refer to the currently existing governmental bodies with mandates that go beyond the advancement of women and extend to gender equality and the mainstreaming of such a dimension into all policy areas.

Conclusions of the Council of the European Union (2006 and 2013)

- Aim to create and strengthen national structures and other governmental bodies, to integrate a gender perspective into legislation/public policies and to obtain sex-disaggregated data (2006).
- Reaffirm the need to support institutional mechanisms for gender equality, calling for a dual approach combining gender mainstreaming and positive action (2013).
- Call for national strategies, action plans, gender mainstreaming tools and methods, and full use of comparable gender statistics (2013).

Directive 2002/73/EC on the equal treatment for men and women in employment

- Requires Member States to make the necessary arrangements for the body (bodies) responsible for promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on grounds of sex.

Communication by European Commission on Mainstreaming (1996)

- Defines the principle of 'gender mainstreaming' as a systematic account of the differences between the conditions, situations and needs of women and men in all policies and actions of the European Union.

Regulation (EC) No 1081/2006 of the European Parliament and of the Council of 5 July 2006 on the European Social Fund and repealing Regulation (EC) No 1784/1999

States that gender mainstreaming and specific action regarding women in the labour market are one of the priorities for funding and that Member States have to include a description of how they will integrate gender equality into the programming cycle.

Council Regulation (EC) No 1083/2006 of 11 July 2006

- Lays down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repeals Regulation (EC) No 1260/1999
- Lays down general provisions for the European Regional Development Fund and asserts that Member States and the Commission shall ensure that equality between men and women and the integration of the gender perspective is promoted during the various stages of implementing the funds.

The strategic objectives of the BPfA and the EU indicators

- H.1.** Create or strengthen national machineries and other governmental bodies.
- H.2.** Integrate gender perspectives in legislation, public policies, programmes and projects.
- H.3.** Generate and disseminate gender-disaggregated data and information for planning and evaluation.

In 2006, the Finnish Presidency of the Council of the EU reviewed the status of institutional mechanisms for gender equality and developed three indicators, which monitor the level of governmental responsibility in promoting gender equality, human resources of the governmental and other gender-equality bodies and measure the extent to which gender mainstreaming is applied in Member States. In 2013, during



the Lithuanian Presidency, the area was reviewed and an indicator on the use of sex-disaggregated statistics as a tool for gender mainstreaming was developed.

The database, Women and men in the EU - facts and figures, developed by the European Institute for Gender Equality provides the latest data and information on these indicators, available at:

<http://eige.europa.eu/content/women-and-men-in-the-eu-facts-and-figures>

Findings from EU-wide data

Increased legal and institutional commitment for gender mainstreaming

Nearly half (47 %) of all Member States have legal framework in place on the implementation of gender mainstreaming (compared to 36 % in 2006). Currently, governmental structures for the implementation of gender mainstreaming are present in the majority of Member States. Gender budgeting is a legal obligation in eight Member States. However, gender budgeting and gender impact assessment are not compulsory in most Member States and hence rarely used.

The implementation of gender mainstreaming requires: political commitment; structure of governmental bodies and officials responsible for gender mainstreaming; consultation with gender experts both within the government and within civil society; knowledge (training and awareness-raising) on how to implement gender mainstreaming; and the use of methods and tools. When assessing the performance, according to the model proposed by the Lithuanian Presidency, the top

EU Member States were Finland and France (14 points), Spain and Sweden (13.5 points), and Austria (13 points). Member States with the lowest ranking were Ireland (2 points), Slovakia (3.5 points), Latvia (4 points) and Greece (4.5 points). All other Member States scored in the middle range (5-10 points).

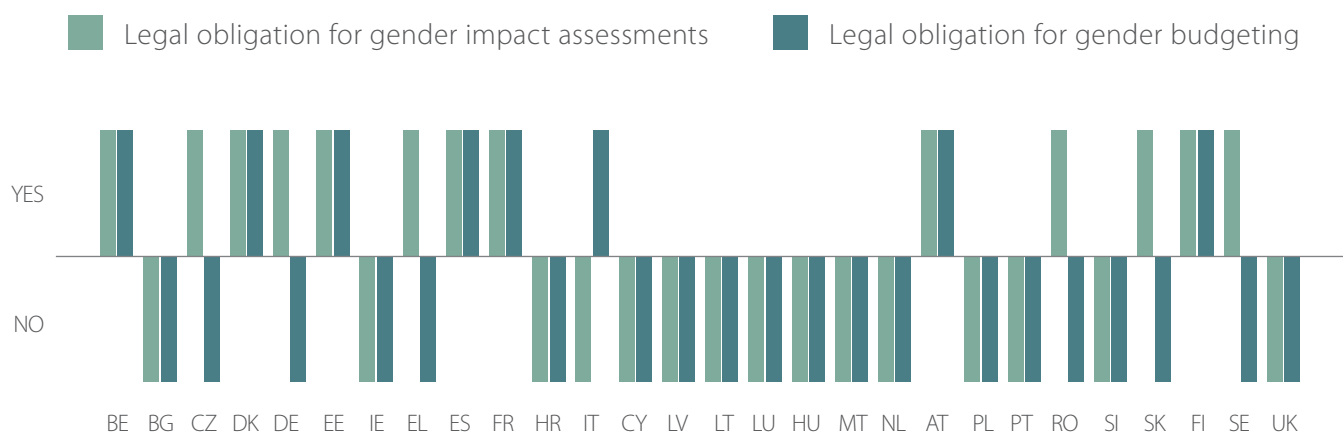
More EU Member States show high levels of performance in promoting gender equality

Following the set criteria for the performance assessment, a Member State receives 10 points if the highest responsibility for promoting gender equality is vested in a cabinet minister; there is a permanent governmental gender-equality body at the highest level in a ministry; it has the main functions of 1) forming government policy, 2) reviewing legislation and drafting laws, 3) promoting the implementation of government decisions, and 4) coordinating and/or developing gender mainstreaming; and the Member State has both an action plan for promoting gender equality and a system for reporting regularly to legislative bodies. Overall, the performance of some Member States has improved since 2006. In 2013, eight EU Member States reached the highest score, in contrast to three Member States in 2006. Among the other Member States, ten improved, five did not change and two received lower scores than in 2006.

A legal requirement to produce sex-disaggregated statistics exists in almost all EU Member States

The score to quantitatively measure the production and dissemination of statistics disaggregated by sex is given in a scale from one to six points, measuring performance against three criteria: government commitment in producing statistics disaggregated by sex, govern-

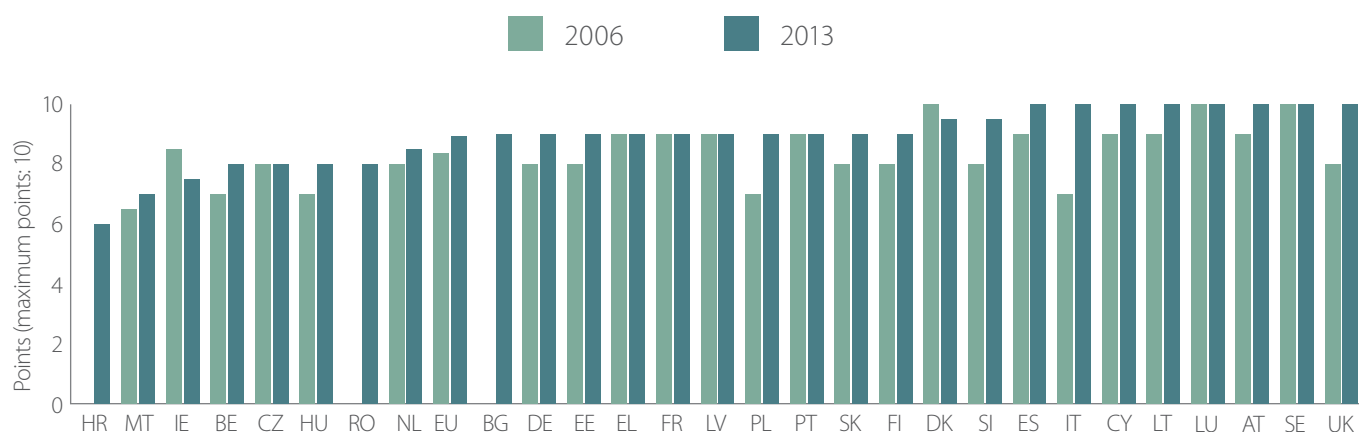
LEGAL OBLIGATIONS TO USE GENDER MAINSTREAMING METHODS BY MEMBER STATE, 2013



Source: EIGE: Effectiveness of institutional mechanisms for the advancement of gender equality.



DEVELOPMENTS IN GOVERNMENTAL RESPONSIBILITY FOR PROMOTING GENDER EQUALITY BY MEMBER STATE, 2006 AND 2013



Source: EIGE: Effectiveness of institutional mechanisms for the advancement of gender equality.

ment commitment to disseminating these statistics and methods in use for the dissemination of gender statistics. Four EU Member States scored the top number of points (6). Only three EU Member States have no national legal obligation to produce sex-disaggregated statistic, and seven have no obligation to make these statistics accessible to the public.

An independent body for the promotion of equal treatment between women and men exists in five EU Member States

The majority of Member States addressed discrimination based on sex and equal opportunities between women and men together with several other grounds of discrimi-

nation, placed under an independent body designated to address and combat discrimination. In 2013, less Member States had a specialised anti-discrimination body working solely to promote equal treatment between women and men than in 2006.

In almost all EU Member States, the economic crisis has hit the public sector, which saw significant reductions in staff. However, there was a different impact on gender equality among Member States, and not all Member States showed a worsening position in the EU-28 ranking.

Useful initiatives:

Gender budgeting: Since 2013, the Federal State, the Federal Provinces and the Municipalities in Austria have been requested to apply gender budgeting in budget management. In Belgium, in 2010 the Council of Ministers adopted a circular on gender budgeting and a manual was published on the legislative and practical context. Since 2010, all French Ministries have adopted transversal policies to highlight the budgetary efforts made for the gender equality.

Gender impact assessment: In France, in 2012, gender equality aspects are included at the ex-ante impact assessment of legislative documents. The objective is to evaluate if the regulations may benefit one sex disproportionately in a direct or indirect way, or worsen the existing situation. Since 2013, the 'test gender' tool has been in place as a specific tool for gender equality in the ex-ante impact analysis of legislation and administrative rules to be submitted to the Council of Ministers. In Austria, the gender impact assessment focuses on the effects that ministry projects might have on the equality of women and men by analysing the impact in six areas: payments to natural or legal persons; employment, income and education; unpaid work; public revenue; and decision-making processes and bodies; it is also used in analysing the laws and it includes: problem analysis, objectives and measures, indicators and an assessment of the range of impacts.



ADVANCEMENTS AND OBSTACLES IN AREA H: INSTITUTIONAL MECHANISMS FOR THE ADVANCEMENT OF WOMEN

ADVANCEMENTS

- The status of governmental responsibility in promoting gender equality has increased.
- There has been some growth in independent bodies promoting gender equality.
- EIGE has been created as an EU-level institutional mechanism for the advancement of gender equality.
- The use of sex-disaggregated statistics has grown.

OBSTACLES

- Resources allocated to gender-equality mechanisms have been affected by the financial crisis.
- Gender mainstreaming is not applied to all policy areas and gender budgeting is rarely used across Member States.
- The number of governments with cabinet ministers responsible for gender equality has reduced..
- Recent trends in merging equality bodies dealing with gender alone with bodies dealing with multiple discrimination grounds can represent a threat to the visibility and effectiveness of gender equality as a policy area.

The way forward for the EU

- Support the efficiency of institutional mechanisms by allocating appropriate human and financial resources to meet increased demands and multiple tasks.
- Increase the capacity for the application of major gender mainstreaming tools for policy-making (e.g. gender budgeting, gender impact assessment and gender capacity building).
- Maintain gender equality as a policy priority, ensure that institutional mechanisms support other policy areas by adequate gender mainstreaming and complement the work of addressing cases of discrimination based on sex.
- Reinforce the implementation of gender equality legislation and the European acquis enabling the move from 'de jure' to 'de facto' equality, while ensuring that gender equality is not only tackled from a legal perspective.

European Institute for Gender Equality (EIGE)

The European Institute for Gender Equality (EIGE) is the EU knowledge centre on gender equality. EIGE supports policy-makers and all relevant institutions in their efforts to make equality between women and men a reality for all Europeans and beyond by providing them with specific expertise and comparable and reliable data on gender equality in Europe.

More information: <http://eige.europa.eu>

The Resource and Documentation Centre (RDC) of the European Institute for Gender Equality is an innovative and practical tool developed to assist in locating key resources on gender equality, to facilitate the exchange of knowledge among those with an interest in gender equality policies and practices and to offer an online space for discussion and debate.

More information: <http://eige.europa.eu/content/rdc>



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