

**Lithuanian Presidency High Level Conference on
Gender Equality de facto as the contribution to reaching Europe 2020
targets: The effectiveness of Institutional Mechanisms**

Vilnius - Lithuania, 13 September 2013

I. Background

The Beijing Platform for Action promotes and protects the human rights of women and girls, reaffirming these rights as an inalienable, integral and indivisible part of universal human rights (United Nations, 1995). Area H of the Beijing Platform for Action call on Institutional Mechanisms for the Advancement of Women defining three strategic objectives with the aim to support governments in their work of promoting and supporting gender equality. The three strategic objectives are:

- H1. Create or strengthen national machineries and other governmental bodies;
- H2. Integrate gender perspectives in legislation, public policies, programmes and projects;
- H3. Generate and disseminate gender-disaggregated data and information for planning and evaluation.

In 2006, the Finnish Presidency presented a report on the status of the institutional mechanisms for gender equality from all 25 EU Member States, and offered an assessment of their commitment and responsibility for promoting gender equality. The report presented the results of a survey conducted among all Member States in the summer of 2006 and formed the factual evident for the three indicators proposed for the area H of the BPfA (Council of the European Union, 2006).

The Council of European Union took note of the report and adopted three proposed indicators in its Conclusions in December 2006:

- (1) Status of governmental responsibility in promoting gender equality;
- (2a) Personnel resources of the governmental gender equality body;
- (2b) Personnel resources of the designated body or bodies for the promotion of equal treatment of women and men;
- (3) Gender mainstreaming.

In addition to the adoption of the proposed indicators, the Council recommended Member States to:

- improve and strengthen the development and regular use of mainstreaming methods, particularly gender budgeting and gender impact assessment when drafting legislation, policies, programmes and projects;
- continue to support active cooperation with civil society; and
- provide national and EU statistical offices with institutional and financial support so that all relevant official statistics related to individuals are collected, compiled, analysed and presented by sex and age and reflect problems and issues related to women and men and the promotion of gender equality.

Swedish Presidency in 2009 presented its report *Beijing +15: The Platform for Action and the European Union* (Council of the European Union, 2009). The report concluded that although an increasing number of Member States had both a minister responsible for gender equality issues and a so called independent gender equality body, the mandates and responsibilities of these institutions varied to a large extent among the Member States. Furthermore, the report concluded that the need to enhance the status of these bodies in order to bring gender equality to the forefront was strongly felt (Council of the European Union, 2009).

The report acknowledged the European Union's support to further consolidate and develop the institutional mechanisms for gender equality in the Member States. The European Commission reaffirmed this commitment to gender equality in the *Roadmap for Equality between Women and Men* (2006-2010) and subsequently in the *Strategy for Equality between Women and Men* (2010-2015), which translates the objectives of the *Women's Charter* (EC, 2010a), 'represents the work programme of the European Commission on gender equality, aiming additionally to stimulate developments at national level and to provide the basis for cooperation with the other European institutions and with stakeholders' (EC, 2010b). The actions proposed in these documents follow the dual approach of gender mainstreaming (meaning the integration of the gender dimension in all policy areas) and specific measures. The Commission highlighted the necessity to take gender equality into account in all its policies and committed to implementing gender mainstreaming (GM) as an integral part of policymaking, including through impact assessment and evaluation processes. It expressed the expectation that the newly established European Institute for Gender Equality (EIGE) would have a significant impact on the knowledge base on gender equality and provide support for both the Commission and the Member States in reporting and development of EU level indicators in regard to the BPfA.

Based on the Swedish Presidency report, the Council concluded that gender mainstreaming was not always adequately implemented across policy domains although it had been recognised in the Lisbon Strategy as being essential for progress (Council of the European Union, 2009).

Therefore, the Council called on the Member States and the European Commission to:

- implement and monitor gender mainstreaming more systematically;
- support national and EU statistics offices so that the BPfA indicators would be systematically used and updated;
- ensure that men and boys are actively involved in the promotion of gender equality policies and programmes.

Building on this, in 2013, the Lithuanian Presidency of the Council of the European Union chose to review and improve the indicators for area H on institutional mechanisms for gender equality in the EU Member States. The European Institute for Gender Equality was requested to prepare a report on the status of institutional mechanisms for gender equality and gender mainstreaming.

Based on a collection of primary and secondary data, EIGE's report assessed the progress made by the 28 Member States in the implementation of critical area H of the BPfA and its strategic objectives. The report explored institutional mechanisms for gender equality, inter alia, governmental gender equality bodies, independent bodies for promotion of equal treatment of women and men in accordance with Directive 2002/73/EC, the use of structures and methods for gender mainstreaming, the involvement of civil society actors in gender equality policies and governmental instruments to promote the production and dissemination of data and statistics disaggregated by gender.

The Lithuanian Presidency of the Council of the European Union recognizes the need to share the results of the report. It is hoped that this Conference will provide a platform for discussing the

report's findings and recommendations. It will also create the opportunity for the Member States to share their experiences and contribute to the recommendations prepared by the Presidency for the Council of European Union.

II. Sub-themes

Following the content of the Area H of the Beijing Platform for Action two key areas have been identified as the priority sub-themes for the *Gender Equality de facto as the contribution to reaching Europe 2020 targets: The effectiveness of Institutional Mechanisms* Conference.

The priority sub-themes are:

1. Institutional mechanisms for gender equality (Session 2)
2. Gender mainstreaming (Session 3).

These issues will be addressed within the context set up by the Presidency Report prepared by EIGE. The Conference will provide a space to discuss the findings of the report and learn about Member States opinion on the current situation and developments in regard to the functioning of gender machineries and implementation of gender mainstreaming as the strategy for gender equality policy on the MS level. The conference will also provide space for sharing good practices in gender mainstreaming implementation – in particular in gender impact assessment.

III. Objectives of the Session 3 on gender mainstreaming

The overall objective is to share the results of the EIGE's reports and discuss the recommendations for further strengthening the implementation of gender mainstreaming strategy and the use of impact assessment in the EU Member States.

Background information on the EIGE reports findings on gender mainstreaming:

The mere existence of legal obligations or recommendations on gender mainstreaming does not guarantee the successful implementation of the strategy in practice. While almost all Member States have structures to implement gender mainstreaming at government level, only 14 Member States have established a clear-cut co-ordinating body, while the rest Member states have only contacts points or other initial forms of gender mainstreaming structure.

Nearly all governmental gender equality bodies indicated that they were consulted by other departments or ministries when drafting or evaluating policies other than gender equality policies. Two thirds of Member States reported that there are methodologies on gender mainstreaming in use in public administration of their countries. However, in only 15 Member States the consultation led to adjustment of policy 'in some cases' or 'never'. In general, the governmental gender equality bodies are more often involved in consultations on **new** policy plans than evaluation of policies. It shows that the ex-ante or ex-post evaluation of policies from a gender perspective is still not a common practice in many Member States.

Of particular concern is the lack of structured understanding of gender (in)equalities across the board in governmental policies. In the majority of countries, the understanding of gender tends to be extremely narrow and is predominantly expressed in discussions about the participation of women in income-generating activities, with little regard for broader questions of (in)equality. This seems true for most policy areas and fits into broader debates about the ‘business case’ for gender equality.

The **institutionalisation** of gender mainstreaming proves to be weak everywhere because of unclear or weak legal or administrative mandates to apply GM. Training and capacity building on gender equality happens regularly in comparatively few Member States and is provided mostly to the employees of the governmental gender equality body. On an ad-hoc basis, trainings for the same target group happen in a few more Member States (13).

Gender Impact Assessment (GIA) as a method for gender mainstreaming is not used in most of the ministries. In fact, in the majority of Member States GIA is still at its initial stage or practically an unknown concept. In these countries the effect of using GIA is obviously very minor or hardly visible at all. Furthermore, the data show the decline of GIA in twelve Member States by 2012.

The collected information indicates that the majority of the countries have developed legal or policy provisions for the implementation of GIAs, along with guidelines and other support materials (e.g. checklists) to assist with putting this method into practice. However, the research revealed that only Austria, Denmark, Finland, France, Spain and Sweden are actually deploying this method (at national level). Generally, the practice of gender impact assessments seems to be used in relation to the preparation of legislation. In a few countries, GIA implementation appears rather formalistic, and resembles a “tick-the-box” exercise that does not entail real analysis.

In summary, the scoping exercise revealed that the implementation of gender impact assessments in the EU is not robust, and only a handful of countries show evidence of a substantial analysis supporting GIA.

IV. Conclusions from Session 3:

Conclusions from the Session 3 reflect the findings and recommendations from the EIGE’s reports on institutional mechanisms and gender mainstreaming in EU Member States. They refer in particular to:

- Ensuring that a governmental body responsible for gender equality is located at the highest possible level in the Government and that such body has a mandate and capacity to analyse and affect policy, formulate and review legislation and coordinate and monitor the implementation of government decisions.
- Ensuring that the promoting, monitoring and analysing tasks of the independent body or bodies are fulfilled, in parallel to the protection and support of victims of discrimination.
- Ensuring enhanced synergies among the diversity of mechanisms within different branches of the State (legislative, juridical and executive) and on different levels – EU, national, regional and local.
- Establish or strengthen an advisory board on gender equality or another permanent form that involves civil society - women’s NGOs, academics, and other civil society members - on a regular basis.

- Establishing or strengthen an inter-ministerial structure and focal points in every ministry and ensure enhanced networking and cooperation within the structure and with the governmental body on gender equality.
- Promoting consultation of the governmental body by other departments and ministries, and have regard for the consultation results by adjusting policies/legislation or programmes by making this a legal obligation with all new policies and legislation.
- Introducing legal obligations for the use of gender mainstreaming tools and methods, including gender analysis, gender impact assessments and gender budgeting.
- Strengthen the legal and institutional commitment to improving gender competence of civil servants across the different sectors.
- Ensure that gender training provision goes beyond generic, one-off courses; that it is a continuous task that takes into account the needs of participants.

V. Participants

The Conference participants are the high level representatives of the EU Member States and European Union institutions working on the issue of gender equality.

VI. Dates and venue

The Conference will be held on 13th September 2013 at the European Institute for Gender Equality in Vilnius, Lithuania.

VII. Working Method

The programme of the Conference is prepared by the Ministry of Social Security and Labour of the Republic of Lithuania in consultation with the European Commission, High Level Group for Gender Mainstreaming and the European Institute for Gender Equality.

The Conference will be chaired by the Lithuanian Presidency. In addition, at its opening meeting, in the presence of the President of the Republic of Lithuania H. E. Dalia Gribauskaite opening remarks will be delivered by the representatives of Ireland, Greece, the European Commission and European Parliament.

The Conference will feature moderated multi-stakeholder panel discussions about two selected topics – institutional mechanisms for gender equality and gender mainstreaming. The sessions will end with the conclusions presented by the moderators. Final words will be delivered by the Lithuanian Presidency and the Director of the European Institute for Gender Equality.

The sessions' rapporteurs will formulate input to the Lithuanian Presidency to prepare a draft conference report. This report will be used for the formulation of the recommendations of the Lithuanian Presidency to the Employment, Social Policy, Health and Consumer Affairs Council (EPSCO).