

# Germany

## Apie



Since 1994, Article 3 of the Basic Law for the Federal Republic of Germany – the German constitution – stipulates the principle of equal rights for women and men, and obliges the German state to promote gender equality and to tackle existing inequalities.

Over the years, European Union (EU) policymaking has had a strong influence on the institutionalisation of gender-equality policies in Germany, and EU initiatives on gender mainstreaming have stimulated debate about respective instruments and institutional

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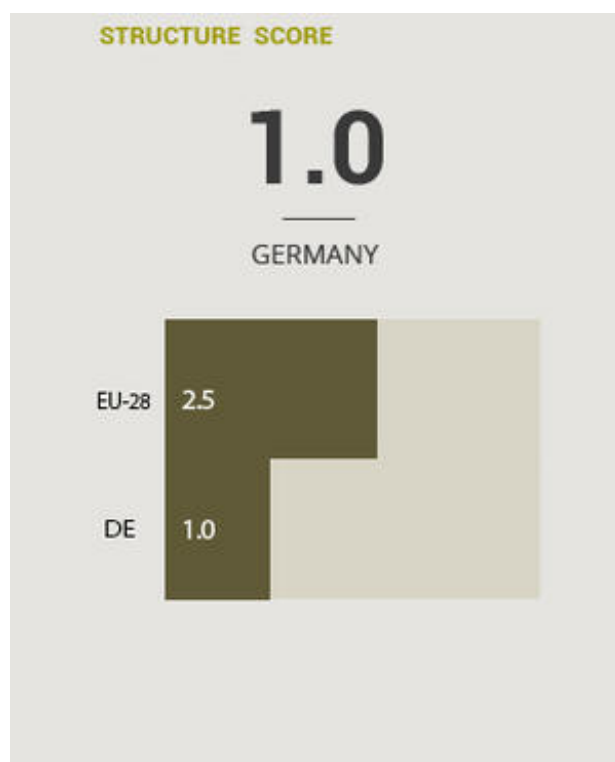
Germany's main law implementing EU anti-discrimination law is the General Act on Equal Treatment (2006). This act focuses on discrimination in employment and established the Federal Anti-Discrimination Agency.

In a Cabinet resolution of 23 June 1999, the federal government recognised that the aim of gender equality, as stipulated in the German constitution, is a guiding principle for its activities, and adopted gender mainstreaming as the joint strategy of all federal ministries. To support the implementation of this strategy, an interministerial working group on gender mainstreaming was in place between 2000 and 2005. In 1999, the government's 'Modern State – Modern Administration' programme was launched, and adopted gender mainstreaming as one of the guiding principles for the reform of the administration.

The establishment of gender mainstreaming as a duty for the ministries in the revised Common Rules of Procedure of the Federal Ministries (2000) was a significant step for the implementation of gender mainstreaming.

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## Structures



**Federal level:** The permanent body in charge of gender mainstreaming is the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, which was established in 1972. Initially only one

unit of the ministry was dedicated to gender equality, but since 1986 the entire Department for Gender Equality/Equal Opportunities deals with gender-equality policy, and consists of 10 units focusing on different areas of gender equality. Other gender-equality structures are in place both at federal and local level. Some ministries have units dedicated to gender-equality issues, and all federal ministries feature equal-opportunity commissioners who cooperate via an interministerial working group. Several units within different ministries are in charge of gender-equality policies in the German federal states (Länder).

**States level:** A department or a unit for gender equality has been created within a ministry in almost all Länder. These departments are typically overseen by ministries that cover social affairs, labour and/or health policies, with the exception of two regions that have integrated these departments under the responsibility of ministries of justice (i.e. Hamburg and Saxony-Anhalt). All departments or units include the terms 'gender equality', 'women' or 'emancipation' in their name, excluding the following three regions: Hesse, Saxony and Thuringia. A list of all regional structures is provided below:

- Baden-Wuerttemberg: Referat 22 'Chancengleichheit, Frauen, Antidiskriminierung' im Ministerium für Arbeit und Sozialordnung, Familie, Frauen und Senioren;
- Bavaria (Bayern): Leitstelle für die Gleichstellung von Frauen und Männern im Bayerischen Staatsministerium für Arbeit und Sozialordnung, Familie und Frauen;
- Berlin: Abteilung Frauen- und Gleichstellungspolitik (GPR 2) in der Senatsverwaltung für Arbeit, Integration und Frauen;
- Brandenburg: Referat 10A 'Frauenpolitik, Gleichstellung, Gender Mainstreaming' im Ministerium für Arbeit, Soziales, Frauen und Familie;  
Landesgleichstellungsbeauftragte;
- Bremen: Bremische Zentralstelle für die Verwirklichung der Gleichberechtigung der Frau (ZGF) in Kooperation mit der Stabsstelle Frauenpolitik der Senatorin für Soziales, Kinder, Jugend und Frauen;
- Hamburg: Abteilung Gleichstellung in der Behörde für Justiz und Gleichstellung;
- Hesse (Hessen): Stabsstelle Frauenpolitik im Hessischen Sozialministerium;
- Lower Saxony (Niedersachsen): Referat 201 in der Referatsgruppe FG 'Frauen und Gleichstellung' im Ministerium für Soziales, Frauen, Familie, Gesundheit und Integration;
- Mecklenburg-Vorpommern: Leitstelle für Frauen und Gleichstellung im Ministerium für Arbeit, Gleichstellung und Soziales;
- North Rhine-Westphalia (Nordrhein-Westfalen): Abteilung 3 'Emanzipation' im

- Ministerium für Gesundheit, Emanzipation, Pflege und Alter;
- Rhineland-Palatinate (Rheinland-Pfalz): Referat 'Frauenorganisationen, kommunale Gleichstellung, Gender Mainstreaming' im Ministerium für Integration, Familie, Kinder, Jugend und Frauen;
- Saarland: Referat C3 'Frauenpolitik' im Ministerium für Soziales, Gesundheit, Frauen und Familie;
- Saxony (Sachsen): Referat 45 'Familie und Gesellschaft, Gleichstellung von Frau und Mann' im Sächsischen Staatsministerium für Soziales und Verbraucherschutz;
- Saxony-Anhalt (Sachsen-Anhalt): Leitstelle für Frauen- und Gleichstellungspolitik im Ministerium für Justiz und Gleichstellung; Landesbeauftragte für Gleichstellungs- und Frauenpolitik/Leiterin der Leitstelle für Frauen- und Gleichstellungspolitik;
- Schleswig-Holstein: Referat 36 im Ministerium für Soziales, Gesundheit, Familie und Gleichstellung;
- Thuringia (Thüringen): Beauftragte für die Gleichstellung von Frau und Mann beim Thüringer Ministerium für Soziales, Familie und Gesundheit.

The approach to gender equality or women's advancement and the degree to which gender mainstreaming is addressed in these ministries differs significantly. Interministerial working groups on gender mainstreaming have been set up to coordinate initiatives between ministries and they have proved to be particularly useful in regions like Lower Saxony and Saxony-Anhalt. Two regions have created specific units for gender mainstreaming within the ministerial departments, namely Brandenburg and Saxony-Anhalt.

Since 1991, the Conference of Ministers for Gender Equality and Women's Affairs (Konferenz der Gleichstellungs und Frauenministerinnen und minister der Länder, GFMK) has annually convened the ministers of the German *Länder* responsible for gender-equality policies (preceded by a preparatory meeting) as well as the federal government, represented by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth. The purpose of this conference is to adopt common approaches, to jointly push for commitments to gender equality in each region as well as at federal level, and to exchange and promote cooperation between the gender-equality agencies of both levels. Furthermore, the GFMK decides on proposals and requests that are to be directed to the federal government. Therefore, it decides on the broad directions of common gender-equality and women's policy in Germany and adopts measures for equal opportunities for women and men. The chair of the conference rotates annually among the *Länder* and is responsible for representing the GFMK vis-à-vis the federal government as well as European institutions and organisations. Gender mainstreaming is one of the many issues that are addressed by the GFMK. Despite taking

part in the GFMK, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth does not have any remit to monitor or control gender-equality policies at Länder level.

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## Laws and policies

The Act on the Equality between Women and Men in the Federal Administration and the Federal Courts (Federal Equality Act) of 2001 obliges all public administration staff, including court staff, and especially those in leadership positions, to promote gender equality in all areas of their work. Furthermore, the Common Rules of Procedure of the Federal Ministries establish gender mainstreaming as a duty of all staff in federal ministries.

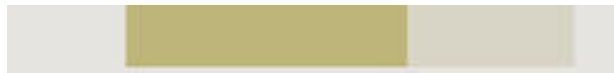
At the regional level, while all Länder have gender-equality laws in place, only some feature gender-equality strategies, and even fewer have developed specific gender-mainstreaming plans. Gender-mainstreaming plans are also implemented at Länder level and may focus on different priorities.

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## Methods and tools





The use of gender-mainstreaming methods varies widely between policy areas. Overall, gender analyses have not been successfully integrated into daily routines and all phases of the policy cycle, and stakeholder involvement is barely institutionalised.

No financial resources are allocated to the implementation of gender mainstreaming. There is no common systematic approach among the federal ministries to gender impact assessments, and the implementation of gender budgeting at federal level is not being planned. However, sex-disaggregated statistics, as well as a variety of useful guidelines and other materials to assist in the implementation of gender mainstreaming, are available.

At Länder level, gender impact assessments are carried out in a few ministries, while in others, provisions for their implementation are being developed. At present, the implementation of gender budgeting is being planned in several Länder, but the most comprehensive gender-budgeting initiative has been realised in Berlin. All in all, the city states Berlin, Bremen and Hamburg have been identified as relatively successful regarding the development and implementation of gender-mainstreaming methods.

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## Good practices

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