



**National machinery, actions plans
and gender mainstreaming
in the Council of Europe member states
since the 4th World Conference on Women
(Beijing, 1995)**

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The Council of Europe

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The consideration of equality between women and men, seen as a fundamental human right, is the responsibility of the Steering Committee for Equality between Women and Men (CDEG). The experts who form the Committee (one from each member State) are entrusted with the task of stimulating action at the national level, as well as within the Council of Europe, to achieve effective equality between women and men. To this end, the CDEG carries out analyses, studies and evaluations, defines strategies and political measures, and, where necessary, frames the appropriate legal instruments.

For information on the activities of the Council of Europe in the field of equality between women and men, please consult our website:

<http://www.coe.int/equality>

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INTRODUCTION

This report was first prepared for the United Nations review in 2000 on the progress made since the conferences of Beijing and Nairobi. The Council of Europe was asked by the United Nations Economic Commission for Europe to give a substantive contribution to its regional preparatory meeting (Geneva, 19-21 January 2000) on the year 2000 review of implementation of the Beijing Platform for Action. Following the request, the Steering Committee for Equality between Women and Men (CDEG), agreed that one of the Council of Europe's contributions would be an update of the study from 1994 on national institutional machinery to promote equality between women and men¹. It was also decided that the update would include information on provisions (statutory or other) for gender mainstreaming and action plans for the promotion of equality.

In September 1999, a questionnaire was sent to member states by the Secretariat (see Appendix II). For the elaboration of the report, the Secretariat did not only rely on the answers provided by member states, but also on the Council of Europe 1994 study on national institutional machinery¹ as well as other information documents such as national CEDAW reports or national reports on the implementation of the Beijing Platform for Action.

In preparation for the 5th European Ministerial Conference on Equality between Women and Men (Skopje, 22-23 January 2003), member states were asked, in January 2002, to give updated information on their national machinery, action plans and gender mainstreaming strategies.

In 2004, the CDEG decided that an updated version of this document could be presented as a contribution of the Council of Europe to the Review of the implementation of the Beijing Platform for Action (Beijing + 10) to be held in March 2005 during the 49th session of the Commission on the Status of Women in New York. To this end, member States were asked, in April 2004, to give updated information on their national machinery, action plans and gender mainstreaming strategies.

Since the information of national machinery, action and gender mainstreaming strategies has proved to be a useful tool to assess the progress accomplished, it was decided that the contribution of the Council of Europe to the review of the implementation of the Beijing Platform for Action (Beijing + 15) would be an excellent occasion to update this information.

In preparation for the 7th European Ministerial Conference on Equality between Women and Men (Baku, 24-25 May 2010), member states were asked, in June 2009, to give updated information on their national machinery, action plans and gender mainstreaming strategies.

This updated document takes into account the information received up to 30 October 2009 from 38 member states out of 47.

The Secretariat thanks members of the CDEG for their constant help and co-operation in preparing this document.

¹ National institutional machinery in the Council of Europe member States to promote equality between women and men, comparative study by Eliane Vogel-Polsky with the co-operation of Dominique Rodriguez, Strasbourg 1994 (EG (93) 2 def.).

ALBANIA ¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Department of Women and Family:* This government body, initially established in 1992 as “Sector of Women and Family”, became the Department of Women and Family in 1994. It is part of the Ministry of Labor, Emigration and Social Protection. The goal of the department is to implement the governmental policy for the women of Albania. The budget, which foresees the wages of the employees, is part of the budget of the Ministry.
- *Group of Parliamentary Women:* In 1994, a group of parliamentary women was set up. It was composed of 8 female members of parliament. The group was entitled of the parliamentary commission mandate. The goal of this group was to protect and to promote women’s rights and to raise awareness in the parliament to support and inspire the solution of different issues related to women.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- 1996 - 1997 secretariat of state for woman and youth/the directorate for women and family
- March 1997 Woman and Family Department at the Ministry of Culture, Youth and Women
- September 1997 Woman and Family Department at the Ministry of Labor and Social Affairs
- July 1998 With Decision of Council of Ministers No. 415 dated 1.7.1998 the Women and Family Committee was established under the dependency of the Council of Ministers.
- March 2001 The denomination of the Committee changed in 2001 by decision of the Council of Ministers No. 127/15.03.2001. It was known as the Committee on Equal Opportunities.
- March 2001 By decision of the Council of Ministers No. 127/15.03.2001 the Central Council for Equal Opportunities was established – as a Consultative Council for the compilation of national policies for gender equality.
- 2003-2004 With Decision of Council of Ministers No. 59 dated 23.1.2003, amended dependence. Committee for Equal Opportunities is nominated central institution under the Minister of Labor and Social Affairs.

¹ Based on: Replies to the 1999 questionnaire on national machinery, action plans and gender mainstreaming and update provided in 2009; National report on the progress of the implementation of the Beijing Platform for Action.

- 2004 - dec 2005 With the adoption of the Law Nr. 9198 dated 1.7.2004 "On gender equality in society, the Committee on Gender Equality was established".
- 2004 - 2006 With the adoption of the Law Nr. 9198 dated 1.7.2004 "On gender equality in society, the Committee for Gender Equality was created as an Inter advisory body for the policies of gender equality which was headed by Deputy Prime Minister.
- 2006 - and the following
 Authority responsible for issues of gender equality and domestic violence is the Minister of Labor, Social Affairs and Equal Opportunities, which performs this function through the structure established for this purpose the Department of Equal Opportunities Policy (DEOP)
- July 2008 With the adoption of the new Law no. 9970 dated 24.07.2008 "On gender equality in society" a new structures such as the National Council for Gender Equality was created as an advisory body on gender policies and for ensuring integration of gender maistreating in all areas, especially in political, social, economic and cultural ones.
- 2006 – 2008 Network focal points in line ministries and prefectures
- 2008 Gender officers in ministries and local officials on gender issues .

At the parliamentary level

- 1997 - 2001 Sub-commission for Youth and Women within the Labor and Social Affairs Commission, had comprised 11 women MP's.
- 2001 - 2005 After the general election of the 24 July 2001, the Sub-Commission for Youth and Women was replaced with the Sub-Commission on Equal Opportunities in the Parliament.
- 2005 - 2009 The Parliamentary Sub Commission for minors and Equal Opportunities within the Commission of Health, Labor and Social Affairs.
- Since 1992 the institutional mechanism for women has been heightened and decrease-starting from a sector of the Ministry to a simple key (above), then the directory, going back a rise in the State Secretariat. Secretariat of State marks the highest point for the mechanism responsible for governmental affairs of women, as these issues directly represented in the Council of Ministers. In the period of governance Government Stability 1997, the government mechanism for Woman and Youth passes like structure under the dependency of the Ministry of Labor and Social Affairs, Directorate wife and family. On 1 of July 1998 by Decree Nr. 415 dated 1.7.1998 the woman and family sector was established on the dependency of the Council of Ministers. Head of this institution reported directly to the office of the Deputy Prime Minister.
- With Decree Nr.127 dated 15/03/2001 differs denomination of this committee to *the Committee for Equal Opportunities and the Central Council for Equal Opportunities*, chaired by Deputy Prime Minister is established. The Council failed to meet anytime due to frequent changes in Cabinet Government.
- With Decree no. 054, Date 23/01/2003 Committee passes under the dependency of the Minister of Labor and Social Affairs until the adoption of the Law Nr. 9198 dated 1.7.2004 "On gender equality in society." Uncertainty and failure of secondary legislation

left the institution mentioned in the law as the Committee for Gender Equality in a double that depending on the prime minister and MOLSA.

- Adoption of the Law nr.9198 dt.01.07.2004 "On Gender Equality in Society" (now abolished) envisioned the creation of two structures, and specifically: 1). Inter-Committee, with an advisory role on policy of gender equality. 2). Committee on Gender Equality "(not speaking directly to the committee, but the head of this institution). By adopting the Law on Gender Equality, Committee for Equal Opportunities, a structure that preceded the creation of the Committee for Gender Equality had contact points in each ministry and prefecture. However, these structures can not play the role for which they were raised because it suffered lack of clarity, force, and sufficient financial resources. Inter-committee met only once in May 2005, where identified the deficiencies and the lack of implementation of law nr.9198, dt.01.07.2004, "on gender equality in society" and left the task of reviewing this law.
- The law does not talk to the Committee for Gender Equality, but only for chairperson of this committee. It lacks this dysfunction and uncertainty created a governing mechanism for gender equality. With the amendments that were made in the Law on Gender Equality in June 2006, the authority responsible for gender equality becomes Minister of Labor, Social Affairs and Equal Opportunities and the Directorate on Equal Opportunities Policy (DEOP) was created. This structural view of the Directory replaced the former Committee for Equal Opportunities (Committee for Gender Equality)

1.2.2 CREATION OF NEW INSTITUTIONS

- The advancement of women and achievement of gender equality are regarded as important policy priority by the government emerged from the 2005 parliamentary elections and again the emphasis is placed on strengthening the government mechanism. That was in line with the obligations arising in the implementation of CEDAW Committee Recommendations and the Beijing Platform for Action field H). For this reason, in MOLSAEO (institution regarded as the authority responsible for issues of gender equality) was established Directorate of Equal Opportunities Policy (DEOP), following the changes that the law suffered No.9198, dt.01.07.2004 "On gender equality in society." This structural view of the Director replaced the former Committee for Equal Opportunities (Committee for Gender Equality - structures that have functioned during the period 2002-2005). Another mechanism that has operated up to 2006 has been the Sub-Commission on Gender Equality (abolished with changes in the law on gender equality).
- During the period 2006-2008 "the gender mainstreaming in local and central level ", was realized through the network of focal points, which were people who voluntarily work for gender equality issues in addition to their functional duties. Establishing and strengthening the network of focal points in the ministry level (14 persons) and prefectures (12 persons) and 65 municipalities of the country made it possible the institutional coordination of the work for the inclusion of gender policies at central and local levels. Focal Points were trained on gender issues from the initial level to the more advanced. Training on gender mainstreaming is also realized in line ministries. With the adoption of the Law Nr. 9970 dated 24.07.2008 "On gender equality in society" opens the way for the institutionalization of de jure network gender employees. According to the Law on Gender Equality to all ministries and local level are obliged to cooperate with the Minister responsible for gender issues and appointed officials on issues of gender equality. The process for their appointment to the ministry and local entities has now begun.

- Currently, institutional mechanism for gender issues and domestic violence in Albania presented by several structures:
- According to Law Nr. 9970 dt.24.07.2008 "For gender equality in society" responsible for the progress of gender issues and under the Law 9669 dated 18.12.2006 "On measures against violence in family relations" are:
- According to Laws No. 9970 dt.24.07.2008 "For gender equality in society" and No.9669 dated 18.12.2006 "On measures against domestic violence" bodies responsible for gender issues and domestic violence are:

1. The Minister responsible for gender equality and domestic violence issues is the authority responsible for implementing the above-mentioned laws and state programs for gender issues and domestic violence (currently Minister of MOLSAEO). Minister responses for the duties defined in the law, and supervises the activities for gender equality issues through the structure established for this purpose. (Actually DEOP)

2. Directorate of Equal Opportunities Policies of gender equality, functions carried out through the structure established for this purpose within the Directorate of Equal Opportunities Policies (DEOP). DEOP works since 2006 as the structure responsible for gender equality in MOLSAEO, it has as its main mission: "the formulation and development of policies to promote equality in areas such as gender equality, equality / inequality in skills, problems ethnic minorities, ethno-cultural, generation race and linguistic inequality etc.. In particular, issues of gender equality directorate aims "to promote gender equality and broad participation of women in the economic, political and cultural country. The main duties of this department (DEOP) for gender equality issues are:

- To formulate policies for equal chances perspective focused on gender equality and protecting the rights of other categories of society, as mentioned in its mission.
- To propose initiatives in the field study and analysis of the entire range of policies for equal chances and use of these studies in the process of development policies.
- To draft legal acts necessary for the achievement of equality in different areas and implement and monitor equality provisions of law and regulations adopted under it.
- To oversee the implementation of agreements and international acts with the field covered, and having government approval.
- Co-operate with non-governmental organisations that are active in the field of equal opportunities.
- To coordinate the preparation of national programs for equal opportunities for categories of population that covers the object of DEOP.

The Directorate has two sectors: Sector for gender issues and sector for measures against domestic violence. Staff covering the subject matter act under the civil servant status and are categorized as high-level specialists. The staff has long experience working almost 10 years and is trained in gender issues, gender mainstreaming, gender budgeting, women's rights and domestic and international legislation, drafting of project management and other fields.

3. The Council of Ministers which approves national strategy and action plan for achieving gender equality in Albania and has the obligation in the exercise of legislative initiative to make an assessment of impacts for each sex in the draft-laws proposed to the Assembly.

4. National Council on Gender Equality which is an advisory organ on gender policies. This Council is headed by the Minister responsible for issues of gender equality (currently by the Minister of Labor, Social Affairs and Equal Opportunities) and it comprises from 9 deputy ministers and three members of civil society representatives. Council meet not less than twice a year and its duties are:

a) advises the Government to defining the area of state policies on gender equality, with the exception of the issues that fall within the mandate of the National Labour Council. On issues of particular importance, the National Council for Gender Equality may hold joint meetings with the National Labor Council;

b) ensures gender mainstreaming in all fields, especially in political, social, economic and cultural;

c) Council of Ministers proposes major programs for promoting and achieving gender equality in Albania;

d) evaluates the present situation of gender equality in the country, come up with guidelines for the structure of gender equality issues in the ministry responsible for gender equality issues and issuing proposals and recommendations to the Government on the improvement of the situation;

e) approves the annual report on gender equality issues to the ministry.

5. State institutions: the central level (ministries) and local government organs (districts, municipalities,)

- Gender equality employees in all ministries
- Gender equality employees in local government organs

Gender issues on the parliamentary level represented by the Sub-commission on Minors and Equal Opportunities which functions within the Parliamentary Commission of Health, Labor and Social Affairs.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The original Action Plan of Albania (never endorsed by the Government) foresaw interventions in all areas of concern indicated in the Beijing Platform for Action. However, this plan was not sustainable for a country as poor as Albania.

In 1998, the *Women and Family Committee* prepared a new plan, which was to be implemented between 1998 and 2000. This platform was expanded in 2001 and must be implemented before 2005. The Governmental Platform for Action focuses on:

- Equality between men and women in politics and decision-making processes;
- Economical empowerment of women;
- Social issues focusing on the work to combat domestic violence and trafficking in human beings;
- Women's health issues;
- Education.

The Committee has organised many seminars in these areas and has successfully implemented different projects to improve the actual situation of Albanian women to realise the Governmental Action Plan. One of the most important steps of the work done by the Committee was the preparation of the CEDAW periodic report (initial and first report). This report is the first one prepared by the Albanian Government.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The new *Commission on Equal Opportunities* is an important step towards gender mainstreaming.

In 2002, the *Commission on Equal Opportunities* will prepare the draft law on equal opportunities.

The *Commission on Equal Opportunities* has prepared a project in collaboration with the Albanian Human Rights Centre and the Institute of Pedagogy in order to include gender issues in the school curricula.

A gender perspective is integrated in the current revision of the *Family Code* (divorce, maintenance, inheritance, custody, foster care).

ANDORRA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

In 1995 Andorra symbolically took part in the Beijing Conference two years after the approval of the Andorran Constitution in 1993 at a time when the country was gradually entering international networks and taking up its international commitments.

On the 15th of January 1997 the Principality of Andorra delivered to the Secretary General of the United Nations' Organisation its instrument of accession to the Convention on the Elimination of All Forms of Discrimination against Women, which came into force in the Principality on the 14th of February 1997. Two years ago, on the 14th of October 2002 the Government of Andorra delivered to the United Nations' Organization the instrument of ratification of the Optional Protocol to the same Convention.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.2 CREATION OF NEW INSTITUTIONS

In June 2000 an Andorran delegation took part in the 5th Extraordinary Session. The Principality of Andorra took on board the document on new measures and initiatives directed at overcoming existing obstacles to the application of the Beijing Action Program as a reference for the public authorities when drawing up action plans aimed at achieving gender equality.

By a governmental decree on the 6th of June 2001 a first Secretary of State for the Family was appointed for the first time on a proposal from the Minister of Health and Welfare. The State Secretariat for the Family was set up as a single, well-defined structure, which fully integrates aspects related to women. Once the members of his governmental team had been appointed, the Head of Government set the well-being of the population as a priority for the four years of the term of office.

In questions of gender equality, the aim which the Executive laid down for the State Secretariat for the Family was to set out directives to develop projects conceived and planned on the basis of an analysis of the consequences which economic, social, political and cultural pressures exert on family structure and family members (women, children, elderly persons and men). This aim took the form of a desire to find out what gender inequalities existed in family life, work and health in the Principality of Andorra, which might give an orientation to the setting up of priority lines for action.

On the 22nd of June 2001 there was an official presentation of the Protocol for Action in Cases of Domestic Violence (PAVD), under the aegis of the Ministries of Health and Welfare

¹ Information provided in September 2004, no new information in 2009.

and of Justice and Home Affairs, responsible for coordinating and setting procedures for all those involved so as to produce effective answers to the problem of domestic violence in Andorra.

The drawing up of PAVD took place bearing in mind the various spheres of intervention: health, psychosocial, police and judicial as well as the women's associations in the country. It was designed with a community-based methodology closely linked to the specific traits of the country.

PAVD work groups were set up: health, psychosocial and police groups, which aim to offer a space for reflection and in-depth study of the specific subjects in each sphere for intervention. The main objectives of the work groups are: to enhance mutual acquaintance and favour coordination between the professionals involved; to formulate proposals for improvement in the Protocol and also to enable information on their progress to be shared. A work group has been set up for each type of intervention defined in the Protocol and meets once every two months.

The **PAVD follow-up commission** was also set up and comprises at least one representative from each sphere of intervention and is chaired by the Secretary of State for the Family. It aims at being a space for following-up, decision-making and evaluation of the working of the Protocol and at the same time it is also planned that it collect information, detect new needs and make proposals for changes and improvements bearing in mind the work, contributions and reflections of each work group.

The members of this commission are: the Secretary of State for the Family, the Secretary of State for Welfare, the Director of the Police Force, the Director General of SAAS (Andorran Health Care Services), the Head of the Legal and Forensic Medicine Service, the President of the College of Doctors of Andorra, the Dean of the College of Lawyers of Andorra, the President of the College of Psychologists of Andorra and the President of the College of Nurses and Midwives of Andorra.

The Government of Andorra presented the first report on the situation and the follow-up of the Convention on the Elimination of All Forms of Discrimination against Women to the Committee (CEDAW) on 10 July 2001.

As a result of the recommendations which the Committee made, the Ministry of Health and Welfare set up the guidelines, which form the lines for work in the following years:

- The promotion of responsible social participation set in motion by structuring civil society and encouraging the setting up of associations.
- The struggle against the obstacles which hinder and impede the effective fulfilment of the rights of women and which imply any form of discrimination against them such as: cultural stereotypes and prejudices about the traditional roles of women and men; domestic violence; insufficient income; the negative effects of family break-up.
- The inclusion of the gender perspective in planning and carrying out programs and projects designed to attend to the specific social needs of women (as a particularly vulnerable group).

At the same time, as we have noted in the introduction, on the 14th of October 2002 the Government of Andorra delivered to the United Nations' Organization the instrument of ratification of the Optional Protocol to the same Convention.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

During 2004, with a view to designing an action plan for encouraging gender equality, the Ministry of Health and Welfare in cooperation with the Steering Committee for Equality between Women and Men of the Council of Europe (CDEG) organized a seminar as part of the preparation of a national action plan for equal opportunities for women and men which took place in Andorra la Vella on the 27th – 28th January. On 16th – 18th June 2004, representatives of the Ministry of Health and Welfare attended the 30th Meeting of the CDEG, all of which makes clear Andorra's wish to follow European provisions with regard to the promotion of effective gender equality.

With regard to all this work carried out, the conclusion has been reached that the promotion of the gender perspective among the various Government departments must be a priority task of the utmost importance and work must begin to implement a transversal gender policy at governmental level.

There has been a redefinition of the strategic lines to guide the work to be done when drawing up a national plan to encourage equal opportunities. These are:

1. The encouragement women's social participation and leadership.
2. The fight against domestic violence.
3. The binomial: woman and work.
4. Attention to vulnerable groups: in particular single women with family responsibilities and elderly women.
5. The incorporation in other Government departments of the gender perspective as a transversal axis when designing actions.

Each of these strategic lines takes the form of general aims, specific aims and actions making up the programs and projects which the Government of Andorra is carrying out in order to achieve gender equality, thus completing the program set out by the State Secretariat for the Family following the recommendations of CEDAW.

THE ENCOURAGEMENT OF SOCIAL PARTICIPATION BY AND THE LEADERSHIP OF WOMEN.

Program for social participation by and the leadership of women. This program is aimed at enhancing social participation by women and the presence of women in positions of responsibility.

- a. Project for social participation by women and encouragement of membership in associations.
- b. Project for information and the raising of social awareness about women's rights: The campaign T'HO CREUS? (DO YOU THINK SO?) to eliminate cultural stereotypes and encourage gender equality of opportunity.
- c. Project for encouraging the presence of women in positions of responsibility and leadership.

THE FIGHT AGAINST DOMESTIC VIOLENCE.

Program for the fight against domestic violence. This program aims to:

1. Guarantee overall care for victims of domestic violence in accordance with the following objectives:

See to the proper working of the Protocol for Action in Cases of Domestic Violence by prioritizing coordination between the various institutions responsible for acting in response to the problem.

Diversify the availability of specialized resources in care for cases of domestic violence.

Sensitize professionals who may intervene in the problem.

2. Inform and sensitize the population with regard to domestic violence.

3. Ascertain the real extent of the problem.

Projects and actions to carry out this program:

- a. The resource of instant care for victims of domestic violence.
- b. Social care for the victims of domestic violence.
- c. Project of the Protocol for Action in Cases of Domestic Violence.
- d. Project for designing and setting up specialized resources for cases of domestic violence.
- e. Project for sensitizing professionals to matters of domestic violence.
- f. Project for information and sensitizing society to domestic violence.
- g. Project for collecting data and setting up a computer program on domestic violence.

THE BINOMIAL: WOMEN AND WORK.

Women and work program. This programs aims to:

Encourage real, effective gender equality of opportunity in the work place.

Promote the balancing of family and working life in Andorra.

Project for balancing working and family life.

- a. Project for balancing working and family life

Attention to vulnerable groups: in particular single women with family responsibilities and elderly women.

- b. Social care for single parent families

The incorporation in other government departments of the gender perspective as a transversal axis when designing actions.

With the carrying out of this line work is in progress with other Government departments such as Education, the Police, the Department of Finance and the Department for Multilateral Affairs and Cooperation for Development.

- a. Coeducation project with the Ministry of Education, Culture, Youth and Sport. There is joint work on projects aimed at encouraging equitable situations and the prevention of the arising of bullying.
- b. The Government of Andorra recognises the particular vulnerability of young and adolescent girls in conflict and post-conflict situations. In the framework of the Interministerial Commission for International Cooperation it has set up a follow up for the aims of the Millennium Declaration, encouraging the presence of the gender perspective when designing actions carried out, of the overriding interest of the child and governability and democracy as basic criteria for granting subsidies to projects by

civil nonprofit making bodies in the social sphere and for deciding on contributions to international bodies and agencies.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

Work is currently underway to ensure that other Government departments such as Education, the Police, the Department of Finance and the Department for Multilateral Affairs and Cooperation for Development, semi-public bodies such as the Andorran Health Care Service, the Andorran Social Security Chest, the Institute of Andorran Studies and the University of Andorra as well as civil nonprofits making bodies (mainly the associations of women) should open a budget line taking into account the five priority action lines laid down in January 2004.

This work has shown us that there is a will and a willingness on the part of the various aforementioned Government departments and the cooperation of other nongovernmental bodies in favour of carrying out the programs, projects and actions being drawn up in the sphere of the promotion of the achievement and fulfilment of the Convention on the Elimination of All Forms of Discrimination against Women and the Beijing Platform for Action (1995) and the Outcome of the Twenty-third Special Session of the General Assembly (2000).

At present encouragement of gender equality continues to be mainly a priority for the Ministry of Health and Welfare; although there is a tendency to transversal action, work continues in sector by sector planning and action.

ARMENIA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

The Republic of Armenia signed the following conventions concerning the advancement of women and the protection of women's rights:

- The 1950 Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value;
- The 1958 Convention concerning Discrimination in Respect of Employment and Occupation;
- The 1957 Convention on the Nationality of Married Women;
- The 1960 Convention against Discrimination in Education;

In 1993 Armenia ratified the “Convention on Elimination of All Forms of Discrimination against Women”.

The law on employment adopted in 1992 prohibits all forms of discrimination in employment.

The Parliament of the Republic of Armenia passed a resolution on 8 July 1991 on "the protection of women, maternity and childhood, and the strengthening of the family". This resolution gives women and mothers supplementary rights in the fields of work and social security.

In 1992 the National Assembly adopted a resolution on "Amendments to the Marriage and Family Code of the Republic of Armenia", which stipulates an increase in alimonies.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.2 CREATION OF NEW INSTITUTIONS

The Department for Family, Women's and Children's Issues, comprised of 11 specialists, was established in 1997 in the Ministry of Labour and Social Affairs. The aim of the Department is to examine, analyse and assess the needs and problems of women and children, as well as to take appropriate measures for their solution by developing and implementing corresponding state policy.

The Commission on Human Rights was established in April 1998. In the context of human rights' protection, the commission also deals with women's rights issues. It is attached to the office of the President of the Republic of Armenia.

On December 29, 2000 the “Council on Women Issues” was created. It is headed by the Prime Minister and involves representatives of Ministries and different NGOs,

¹ Last update provided in September 2009.

In May 2002 a decree of the Prime Minister created the position of Deputy Minister within the Ministry of Labour and Social Affairs responsible for women's and gender issues in Armenia.

The Deputy Minister supervises the Department for Family, Women's and Children's Issues, coordinates all women-related activities of other Ministries, ensures collaboration with women's non-governmental organisations and enforces compliance with the Convention.

In 2006 at the RA regional administrations and Yerevan municipality children's rights protection units were set up, which according to their regulations also elaborate and implement targeted projects on women's rights protection.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

Armenia has signed and ratified over 40 international instruments on human rights, a number of which are directed at the protection of women's rights. These documents (international conventions, treaties) take precedence over national laws, therefore the International Bill of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, which contains a general definition of the concept "discrimination against women", and other international treaties all guarantee the equal rights of men and women in Armenia.

In September 2002 under the Prime Minister's Decree, an Intergovernmental Commission was established to develop a national action plan and create mechanisms for the implementation of this plan. The Commission members are Deputy Ministers and Heads of Departments from the Ministries of Health, Education, Foreign Affairs, Culture, Youth and Sport, a member of the National Assembly, as well as the Presidents of four women's NGOs. The Deputy Minister for Labour and Social Affairs heads the Commission.

The Intergovernmental Commission has already developed the "National Action Plan on Improving the Status of Women and Enhancing Their Role in Society for 2004-2010". The action plan was submitted to the government, and in April 2004 the document was finally adopted by the President.

In March 2004 the Ministry of Labour and Social Affairs and United Nations Development Programme launched a new joint Programme on Gender and Politics in Southern Caucasus: Georgia and Armenia.

The aim of the Programme is to help strengthen gender policies in Armenia, build the capacities of women to promote their active involvement in decision-making processes, identify regional and local gender problems, improve the regional strategy on gender promoting to develop the programme of regional activities, as well as to empower the national mechanisms in the view of gender.

There are more than 60 women NGOs promoting women's political, social and cultural rights. Branches have been established in different regions and the organisations have carried out extensive work in raising awareness among women on gender issues. Some of these organisations have been set up along professional lines and bring together women scientists, artists, journalists and entrepreneurs. Other organisations are engaged in social and political activities: environmental protection, protection of mothers and children, and promoting equal rights for men and women, etc.

The RA Government Program for 2008-2012 in its Social Protection Sector contains provisions on establishment of gender equality by means of ensuring equal rights and equal opportunities for men and women in public, political and economic spheres.

Accordingly, Gender Policy Concept Paper and the RA Law "On Equal Rights and Equal Opportunities for Women and Men" have been drafted.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The “National Action Plan on Improving the Status of Women and Enhancing Their Role in Society for 2004-2010” was adopted by the Government.

The Action Plan is based on the relevant provisions of the Republic of Armenia Constitution and is targeted at the fulfilment of the UN Convention on the Elimination of All Forms of Violence against Women, the recommendations of the Fourth Beijing Conference (1995), the documents of the Council of Europe Steering Committee for Equality between Women and Men, the UN Millennium Declaration requirements, and commitments of the Republic of Armenia under other international instruments.

The Action Plan will assist in achieving equal rights and opportunities for women and men, as a prerequisite to shape a democratic, social, and legal state and civil society.

The measures included in the Action Plan will also be helpful in addressing the social and economic problems of women, which will, in turn, help to overcome poverty in the framework of the Poverty Reduction Strategy Paper.

The Action Plan comprises seven sections:

- Ensuring equal rights and opportunities for women and men in decision-making and in the social and political spheres;
- Improving the Social and Economic Condition of Women;
- Education Sector;
- Improving the Health Condition of Women;
- Eliminating Violence against Women;
- Role of the Mass Media and Cultural Institutions in Reporting on Women’s Issues and Building a Female Role Model;
- Institutional Reforms.

Each section is made up of the following parts: Situation Analysis, an overview of Challenges, Strategies, and Measures to address the issues.

The implementation of the Action Plan will be pursued in close co-operation with international and non-governmental organisations.

AUSTRIA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Federal Minister of Women's Affairs*: Established in 1991, this Minister was placed under the Federal Chancellery and thus represented women's issues at the highest political level. The Minister had general responsibility for women's issues affecting several jurisdictions. She co-ordinated women's policies, gathered information and initiated women's policies.
- *Equal Treatment Commission*: Established in 1979, this mixed body is attached to the Minister of Women's Affairs. The Ombudsperson working for the commission needs to be a barrister. The commission deals with salary discrimination and other employment discrimination in the private sector. Its objective is to supervise the implementation of the law on non-discrimination of salary (1979). It prepares expert reports at the request of the Ombudsperson or his/her representatives. It also creates sub-commissions and publishes information. The commission does not have a separate budget.
- *Office of the Ombudsperson for Equal Employment Opportunities*: the Office was established in 1991 under the *Equal Treatment Act* (for contracts of employment under private law) and is part of the Federal Ministry for Social Security and Generations.

The main tasks of the *Office of the Ombudsperson for Equal Employment Opportunities* were:

- to offer advice to women/men who feel discriminated against in comparison with men/women at the workplace;
- to inform the public in Austria on the issue of discrimination in employment on the ground of sex
- to hold consulting hours and to organise discussions in each of the federal provinces.

The function of the *Office of the Ombudsperson for Equal Employment Opportunities* was thus that of a conciliation agency whose aim was to cause the employer, by means of decisions and proposals, to comply with the provisions of the Equal Treatment Act. In a case where such attempts were unsuccessful, a law-suit needed to be filed either by the aggrieved woman/men or by one of the two organisations representing the interests of employees in Austria.

The first regional office of the Ombudsperson for Equal Employment Opportunities between women and men was established in Innsbruck in November 1998, followed by regional offices for the south of Austria in Graz (Styria) 2000, in Klagenfurt (Carinthia) 2001 and one in Linz (Upper Austria) in 2002.

¹ Last update provided in October 2009.

The Equal Treatment Act at that time prohibited discrimination on the ground of sex in general and more particularly in regard to:

- the formation of the employment contract;
- the determination of pay
- voluntary social benefits not part of the salary;
- measures taken by the employer for training and education of employees;
- career matters, especially promotions;
- other working conditions;
- the termination of the employment contract.

Once a violation had occurred, the Act provided the following remedies: an obligation to comply with the legal requirements, refunds/compensation payments in case of wage discrimination, and an award of damages in cases of discrimination in connection with job applications, promotions and sexual harassment.

- *Federal Committee for Equality of Treatment*: Established in 1993, this committee is attached to the Chancellery. Its role is to implement the Federal Act of 1993 on Equal Treatment of Women and Men and on the Advancement of Women within all organisations belonging to the Federal public service. It examines complaints and appeals concerning violations of the Act. It formulates opinions on discrimination cases submitted to it and addresses them to the competent Federal authorities while proposing correction or redress measures or strategies for change. The committee does not have a separate budget.
- *Policy Division for Women's Affairs*: Established in 1983 (1988), this administrative unit was attached to the Federal Ministry of Labour, Health and Social Affairs and under direct authority of the Federal Minister of Labour, Health and Social Affairs. Its objective was to promote equality issues within social policies, to establish programmes for positive action concerning women's employment and their working conditions and to identify future legal measures concerning labour law and social security of women etc.
- *Division of Industrial Relations and Equality Affairs*: This body was established in 1966 as the "Division for Women". It was a division of the Department of Labour Law and Social Policy of the Federal Ministry of Economic Affairs and Labour.
- *Division for Labour Market Policy and Gender Equality*: The Division was an administrative unit attached to the Federal Ministry of Economic Affairs and Labour. It was a division of the Directorate for Labour Market Policies and its objective was to promote gender equality issues and women's issues in labour market policies.
- *Working Parties on questions of equal treatment*: Established in 1993, this institution is provided for in each Ministry. The parties are responsible for questions on equal treatment and the promotion of women within the Ministry.
- *Division for the elimination of sexual bias in young girls' and women's education*: Established as the *Division for Women's Issues in Education* in 1989, this body was attached to the Federal Ministry of Education and Arts. Its objective was to eliminate discrimination in the school education system according to the UN Convention and to take measures to promote equal rights.

- *Division of Women's Affairs:* Division attached to the Federal Ministry of Agriculture and Forestry, Environment and Water Management. The Division is in charge of:
 - Extension Service, adult education, rural youth (4H Clubs);
 - Further training or in-service training for teachers and advisors in agriculture, home economics and forestry;
 - Preparation of extension service teaching materials for implementing of extension project;
 - Co-ordination of programmes for women farmers at federal level;
 - International work.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *In 1997 the Federal Minister of Women's Affairs* was turned into Minister for Women's Affairs and Consumer Protection and then in 2003, it became the Ministry of Health and Women. In 2009 the Minister for Women and Public Administration is attached to the Federal Chancellery.
- *Since 2004 in the (renamed) division "Gender mainstreaming and Gender issues in Education"* in the Ministry for Education, Arts and Culture" initiatives to spread gender mainstreaming have priority.

1.2.2 CREATION OF NEW INSTITUTIONS

Federal Minister for Women and Public Administration within the Austrian Federal Chancellery.

- *Division of Women's Affairs:* This body was set up in the Federal Chancellery in 1997 in order to support the Minister for Women's Affairs in her work at civil service level. The Division was transferred from the Federal Chancellery to the Federal Ministry of Social Security and Generations in April 2000 and to the Federal Ministry of Health and Women in 2003. Since March 2007 the Division of Women's Affairs is re-established within the Federal Chancellery. The competence of the Division covers the establishment of women's politics: concepts, studies, and measures as well as the implementation of gender mainstreaming strategies in Austria, the promotion of projects, measures on violence against women, women and health and equality concerning employment discrimination in the private sector and the civil service and Women's Affairs at international level.

Two Equal Treatment Commissions: One for the private sector and one for the civil service.

Commission for Equal Treatment and Office for Equal Treatment

The legislative basis of the specialised bodies is the amended Equal Treatment Act, BGBl. Nr. 66/2004, which came into force on 1 July 2004. The specialised bodies are the Commission for Equal Treatment and the Office for Equal Treatment (Ombudspersons for Equal Treatment). The chairperson and his/her substitute are independent in their functions and the Office for Equal Treatment is allowed to conduct independent surveys and to publish independent reports.

The Equal Treatment Act covers provisions against discrimination in employment and occupation, such as

- access to employment relationship, self-employment and to occupation;
- fixing the remuneration;
- guaranteeing voluntary social contributions, which are no remuneration;
- measures with regard to training, further education and retraining;
- other working conditions;

- ending of the employment relationship;
- vocational training, training, further education and retraining outside an employment relationship, membership of and involvement in an organisation of workers or employers or any organisation, whose members carry on a particular profession, including the benefits provided for such organisations;
- and in other areas than employment and occupation, such as access to and supply of goods and services which are available to the public, including housing.

Structure and internal organisation or the specialised bodies

The since 1979 existing Commission for Equal Treatment, which was till 1 July 2004 competent for gender discrimination in employment and occupation, consists now of three panels. The Office for Equal Treatment is also divided into three departments (Ombudspersons for Equal Treatment). The first panel is competent for equal treatment of women and men in employment and occupation, the second is competent for equal treatment irrespective of racial or ethnic origin, religion or belief, age or sexual orientation in employment and occupation and the third panel is competent for equal treatment irrespective of racial or ethnic origin in other areas than employment and occupation. The Office of Equal Treatment is divided in the same way. The Commission for Equal Treatment is set up at the Federal Ministry for Women and Civil Service and consists of representatives of the social partners (organisations of workers and employers) and of ministries. The chairperson of the Commission has to be a civil servant. The Ombudspersons also have to be civil servants.

Functions of the Commission for Equal Treatment

The main tasks of the Commission for Equal Treatment in the areas mentioned above are to draw up expertises and surveys as well as recommendations. The Commission is supposed to propose expert opinions on general questions and examine the existence of discrimination in individual cases. Being a conciliation board, its ruling has no binding effect on independent courts. Rather, their primary objective is to help parties achieve an agreement as rapidly and simply as possible.

Complaints procedure

The Commission for Equal Treatment has to deal with all questions concerning discrimination according to the Equal Treatment Act. The law provides for two different procedures according to the object under consideration:

- In general questions the Commission has to publish its findings on questions of violations of the Equal Treatment Act, in particular by rulings of collective acts of law (collective agreements, plant agreements), when this is requested by one of the interest groups represented on the Commission, the Office for Equal Treatment or because of the demands of the Commission's job.
- In individual cases the Commission has to consider, based on a request by an employee, an employer, a works council, one of the interest groups represented on the Commission , the Office for Equal Treatment or because of the demands of the Commission's job, whether a violation of the Equal Treatment Act exists in an individual case or not. If the Commission comes to the conclusion in an individual case that a violation of the Equal Treatment Act exists, it has to provide the business with a written suggestion for the realisation of equal treatment and call on it to end the discrimination. If this request is not complied, any of the interest groups represented on the Commission can take legal actions to determine a violation of the Equal Treatment Act.

Functions of the Office for Equal Treatment

The main tasks of the Office for Equal Treatment are to advice, support and assist victims of

discrimination. The Office serves an institution, which you can address directly and helps victims of discrimination to go to the Commission for Equal Treatment or to the court. The Office has the right to hold office hours and office days all over Austria. There also exists the possibility to establish Regional Offices for Equal Treatment by regulation, if it is necessary for the improvement of advising and supporting the victims (especially for persons, who are not living in or near Vienna). The Office for Equal Treatment is also allowed to conduct independent surveys concerning discrimination, to publish independent reports and to make recommendations on any issue relating to such discrimination.

The Equal Treatment Act of 2004 set up a new Ombud for Equal Opportunities in the Ministry for Health and Women (since 2007 in the Federal Chancellery/Minister for Women and Public Administration) which consists of three specialised departments:

1. Ombud for Equal Employment Opportunities between Men and Women, which was established in 1991 and coordinates the work of the three departments in the area of the independent functions according to the Equal Treatment Act;
2. Ombud for Equal Employment Opportunities concerning the grounds of ethnic origin, religion and belief, sexual orientation and age
3. Ombud for Equal Opportunities concerning the ground of ethnic origin in other areas of life

According to the amendment of the Equal Treatment Act in 2004 the area of authority of the Ombud for equal Opportunities comprises:

- the whole world of work including freelance contracts, access to self-employed work, access to training;
- access to cooperation and membership in employer's and employee's organisations and access to services of these organisations;
- access to and supply of public goods and services, education, social protection and social advantages regardless ethnic origin according to Dir.: 2000/43/EC;
- full equality between women and men as a general goal;
- counselling and support in case of multiple discrimination;
- Independent reports and surveys on all matters of discrimination.

Since the amendment of the Equal Treatment Act in 2008 the area of authority of the Ombud for Equal Treatment also comprises access to and supply of goods and services regardless sex according to Dir.:2004/113/EC.

- *Department for Industrial Relations and Equality Affairs* within the Ministry Labour, Social Affairs and Consumer Protection. The mandate includes promoting equality issues at national and international level within social policy, labour law and labour relations.
- *Working Parties on questions of equal treatment*: Established in 1993, these groups exist in every Ministry. The working parties are responsible for questions of equal treatment and the promotion of women within the Ministries. Their representatives meet in the *Interministerial working group on questions of equal treatment (IMAG)*.
- *Department for Science of Society*. This is a department for policy-oriented university research dealing with statistics, information, reports and promotion of professional women and attached to the Federal Ministry of Education, Science and Culture. Since 1997 its priority research programme relates to women in science and research. It aims at carrying out projects (accompanied by an Advisory Board) for the promotion of women at university level, establishing data banks etc.

Since the year 1997, the Ministry of Education has started two comprehensive action plans to promote gender equality (Action Plan 2000 and Action Plan 2003). Gender sensitive vocational orientation, purposeful implementation of the teaching principle, education in equality of women and men, development of networks, school quality and equal opportunities and women and new technologies are some of the main points of the Action Plan 2003.

- *Department for the elimination of sexual bias in young girls' and women's education* within the Ministry of Education, Science and Culture. Its objective is to eliminate discrimination in the school education system according to the UN Convention and to take measures to promote equal rights.
- *Department for Men's Affairs*: This department acts within the Federal Ministry of Labour, Social Affairs and Consumer Protection. Since the beginning of 2001 the *Department for Men's Affairs* is responsible for research in this field, for supervising the implementation of legislation from a specific male viewpoint, for the promotion and for supporting initiatives for men.

Federal Ministry for Science and Research – Frauenpolitischer Beirat (2003).

- *The feminist Board* is an advisory body of the Federal Minister of science and research policy issues from the perspective of equal participation of women and men in science and research.

The University Act 2002 includes a legal instrument (Working for Equality Issues, Arbitration) and women's instruments to reduce structural inequalities. An important instrument is the obligation of Women of the Autonomous University of adopting a plan for women.

The University of laws Amendment Act 2009 has ensured that the 40% quota for women for all university and collegiate nominations (Senate, Appointment Committee, election of the rector is to be applied).

Consultants for Women's Affairs at provincial level: all the Laender have special working units for women's affairs.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The measures Austria has taken, and will take in the future, to implement the demands laid down in the Platform for Action of the 1995 Beijing World Conference on Women for the full participation of women on the basis of equality in all spheres of society, include in particular:

- The creation of a statutory framework for the promotion of equality of women and men in all spheres of life;
- Maintenance and creation of jobs for women, designing special support measures for women re-entering the labour market after periods of unemployment;
- Measures encouraging the diversification of occupational choices for women and the upgrading of women's skills with the aim of increasing their numbers in leading positions in politics, business, administration, science and other important spheres of society;
- Guaranteeing the compatibility of career and family;
- Improvement in the statutory provisions for the social security of older women;
- Providing for the basic material and non-material needs of women and their children;
- Measures to prevent violence and to help victims of violence.

According to the Federal Equal Treatment Act each ministry needs a Plan for the Advancement of Women with quantifiable goals to raise women in better paid positions and

functions. This plan has to be published in the federal law gazette and has to be reviewed every second year.

Other action taken consisted of the 25-Point Catalogue of Measures against Violence, the Plan of Action to promote women in science and the "Vienna Declaration". This declaration contains recommendations for a European Action Plan to enforce women's participation in information and communication technologies.

In the field of education the first action plan 1997-2000 included 99 measures with a focus on promoting equality in school and adult-education. In the second one (2000-2003) the number of topics was reduced to five main concerns (school quality and equal opportunities, gender sensitivity and vocational orientation with a focus on girls and technology, net-working und support for equality delegates, equal treatment and women's/girls' advancement, adult education with a focus on women and new technologies). The third action plan (2003-2006) concentrated on three areas: gender-sensitive education and instruction, gender-sensitive vocational training and career planning, Gender Mainstreaming. Besides that special programmes were enforced to promote girls in non-traditional areas, like traditionally male professions, and to implement gender mainstreaming into the quality management.

Further more the following National Action Plans (NAP) had been established for special issues:

- NAP on trafficking of women: 1 (2007-2008)
- NAP on trafficking of women: 2 (2009-2011)
- NAP for the implementation of SC Res. 1325 (agreed 2007)
- NAP for gender equality in the labour market (currently under construction; to come into force 2010)

Referring to the Beijing Platform of Action in the context of the Austrian EU-Presidency during the first half of 2006, the Ministry of Health focused the issue of women's health and gender-specific diseases as well as the issue of development of indicators on women's health. The topic "women's health and gender-specific diseases" included six priority female diseases such as: cardiovascular diseases in women, the gender-specific consequences of smoking and lung cancer, osteoporosis, endometriosis, breast cancer and women's mental health and depression.

This Austrian initiative on women's health was making a significant contribution to the achievement of gender-based medicine. One main result was the adoption of the council conclusions on women's health and on the implementations of the Beijing Platform concerning women's health.

The follow-up of the Beijing Platform for Action regarded three indicators concerning women and health which included three main topics as healthy life years, access to health care and chronic vascular diseases (CVD). The council conclusions of the follow-up of the Beijing Platform for Action in the issue of "women and health" highlighted, first, that women tend to have a lower percentage of life expectancy without disability, secondly that the gender perspective should take into account the identifying of various access barriers to health care, and third, that the research on cardiovascular diseases should consider women and the gender-specific differences in these diseases (prevention, therapy).

The results of the Austrian EU-Presidency were that the aspect of gender difference in the health system should be considered and enhanced. Furthermore, gender mainstreaming in health care should be encouraged.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

Austria considers gender mainstreaming as another method to reveal the structural obstacles impeding the active participation of women in all spheres of life.

At the federal level, an array of cabinet decisions prepared the ground for the introduction and implementation of gender mainstreaming in the year 2000. Gender budgeting is an integral part of this process.

In accordance with political and legal standards, an Inter-Ministerial Working Group for Gender Mainstreaming (IMAG GM) was set up in 2000, which is chaired by the Minister responsible for Women's Affairs, following a cabinet decision of July 11th 2000 for the purpose of implementing gender mainstreaming at the federal level. The aim of the IMAG GM is to support and facilitate the process of gender mainstreaming in all government departments and at all political levels.

AZERBAIJAN¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

There was no special national institutional machinery responsible for promoting gender issues in the Republic. The observance of human rights of women, equality and improvement of their social conditions was implemented by the Ministry of Labour and Social Welfare, the Ministry of Youth and Sports and other governmental agencies.

In 1994, the National Preparatory Committee for the IVth World Conference on Women was established by presidential decree. The Committee was also responsible for the national report of the Republic.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

None.

1.2.2 CREATION OF NEW INSTITUTIONS

- The *State Committee for Women's Issues* was established on January 14, 1998 by Decree of the President of the Azerbaijan Republic, and is attached to the Cabinet of Ministers.

Among its tasks: design and implementation of the governmental policy on gender equality; encouraging women's active participation in public life and decision-making; raising public awareness on gender issues; advocacy; protection of women's rights in political, economic, social and domestic spheres.

The *State Committee for Women's Issues* has established the Intersectoral Council which comprises gender focal points, representing all ministries, committees and women's NGOs. It is a nationwide coordinating body which monitors the realisation of the State Programme's gender policy.

This period was characterised by a widespread network of newly established women's NGOs, creating opportunities for implementing the Beijing Platform for Action.

In December 2001 the National Parliament adopted the Constitutional Law on the establishment of the Institute of Ombudsperson on human rights.

¹ Last update provided in August 2004, no new information in 2009.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The National Plan of Action on Women's Policy (2000-2005) was elaborated by the *State Committee for Women's Issues* in close cooperation with all relevant ministries and approved by the Cabinet of Ministers in March 2000. The NPA considers national priorities and situation in the Republic and defines adequate measures related to all areas of concern defined in the Beijing Platform, of which the following have been of primary importance: "Women and Violence", "Women in Armed Conflicts", "Women refugees and IDPs".

The NPA reflects the government's commitment to gender equality, and the country's special attention to the role of women in social and economic development of the country.

Decrees of the President of Azerbaijan "On strengthening the role of women" of 1998 and "On Implementation of the National Gender Policy" of 2000 recognise gender equality as an inherent constituent of state policy, an integral component of the civil society.

The latter entitles the government structures to ensure equal representation of women and men in the state administration, equal possibilities for women within the framework of ongoing economic reforms and provision of gender expertise on the national legislature.

A draft law on "Equal Rights and Equal Opportunities" has been submitted to Parliament.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The State Committee for Women's Issues has initiated the work done by the focal points within the bodies of the Executive Powers in all administrative districts of the Republic, creating conditions for gender mainstreaming development.

The Ministry of Youth, Sports and Tourism has worked out the State Programme entitled "Young Families", adopted by the Cabinet of Ministers. The Programme is focused on implementation of strategic objectives referring to the issues of reproductive health, gender advocacy, etc.

As a follow-up to the presidential decree of 2000, the Cabinet of Ministers approved the Programme for women refugees and IDPs, aimed at providing relevant employment in refugee camps.

Azerbaijan is implementing a number of actions to eliminate existing gender inequality in combination with its poverty alleviation efforts. Taking the lead role is the State Programme on Poverty Reduction and Economic Development (SPPRED). There is already official recognition in Azerbaijan that poverty can affect women and men in different ways and that policies have to take into account these differences. At present international organizations extend support and assistance to measures related to gender and women issues. Great efforts have been made to ensure that gender issues are reflected in the priorities formulated in SPPRED. One of the main conditions for successful implementation of the SPPRED will be further attempts to increase gender awareness in programme monitoring in the implementation phase.

BELGIUM ¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

Federal Government

- *Minister of Employment:* Since 1992, this minister has overall responsibility for policies for equal opportunities between men and women at federal level. He/She replaced, at a higher level of decision, the State Secretary for Social Emancipation who had been responsible for female emancipation since 1985.
- *The institute for equality between women and men* is an independent public institution established by a 2002 law to combat sex discrimination, promote equality between women and men and develop instruments with a view to implementing the gender mainstreaming strategy in federal policies. The institute has a management and a Board of administration. It has a staff of 35. In 2008 it had a budget of €4,911,949. One third of its budget is allocated to financial support of women's associations.
- *Council for Equal Opportunities between men and women:* This consultative council was established in 1993 by Royal Decree. It was formed by merging the Council for Social Emancipation and the Women's Labour Commission. It is attached to the Ministry of Employment and Labour. The aim of this mixed body is to contribute to the elimination of all sorts of discrimination of men and women and to the achievement of real equality between the sexes. It prepares reports, carries out research, suggests legal or statutory measures and provides and disseminates information.
- *Commission Women and Development:* This commission was established by Royal Decree in 1993. It is attached to the general administration of the international co-operation. Its overall objective is to improve the status of women in the Third World. In the sphere of "women and development", it advises the Minister on the elaboration and implementation of a policy, gives advice on all related questions, co-ordinates and exchanges information and promotes public awareness-raising.
- *Advisory Committee for Social Emancipation:* This parliamentary commission was established in 1987 and attached to the Lower House of the Federal Parliament. It ensures that due respect is given to emancipation policies in legal projects and government programmes. It gives advice and adopts resolutions. It does not have a separate budget.

French Community

- *The Equal Opportunity Directorate of the Ministry of the French Community* works on questions of equality and equality between women and men in the framework of the jurisdiction of the Wallonia-Brussels French Community. These are customisable

¹ Last update provided in July 2009.

subjects such as the different levels and types of teaching, education, scientific research, culture (music, dance, performing arts, permanent education, cultural centres, literary arts, cultural heritage, etc.), health promotion, sport, youth, youth assistance, broadcasting and the media.

Walloon Region

- *Regional Women's Commission:* Established in 1994, this body is set up at the Economic and Social Council of the Walloon Region. This mixed body elaborates opinions on drafts, Decrees, orders and regulations in all regional fields concerning women (housing, health, training, employment). It also proposes actions to be implemented and plays an information and awareness-raising role in the field of equality. It does not have a separate budget.

Flemish Community

- *Emancipation Service:* The service was established in 1991 by Decree of the Flemish Executive. It is located within the human resources administration of the Flemish Community. Its objective is to promote equal opportunities within the administration. It has to ensure the implementation of the positive action programme within the administration.
- *Flemish Women's Concertation Commission:* Established in 1990 by the Flemish Government, this consultative body is part of the Economic and Social Council of Flanders. The objective of this mixed body is the promotion of the position of women in the economic and social sector. It gives opinions to the Economic and Social Council, makes recommendations and carries out studies in the socio-economic sphere. The Commission does not have a separate budget.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *Minister of Employment:* from July 1999 to June 2003, the Deputy Prime Minister, who was also Minister for Employment, held responsibility for equal opportunities; since July 2003, following parliamentary elections, it has been the Minister for the Civil service, social integration and city policy who is in charge of equality policy.
- *Equal Opportunities Department:* In 1999, this federal department merged with the Unit for Positive Actions of the Federal Ministry of Employment and Labour. Thus, the responsibilities of the department have been developed as regards employment and particularly as regards the implementation of a positive action policy in the private sector. The department then changed title, becoming the Equality directorate. After the creation of the Institute for equality between women and men (see paragraph 1.2.2 below) it was disbanded and its staff transferred to the Institute in June 2003.
- The *Vlaamse Overlegcommissie Vrouwen* (Flemish Women's Concertation Commission) operating within the framework of the Economic and Social Council of the Flemish Community was abolished in 2000. Its policy approach shifted from gender to ethnic origin and handicap and is now called the commission diversity.
- The Flemish Authority emancipation department is still in existence.

Federal Government

- *Advisory Committee for Equal Opportunities between women and men*: Established in 1996, this parliamentary commission is attached to the High Chamber of the Federal parliament. Its objective is to ensure the follow-up and the evaluation of legislative initiatives and government policies from an equal opportunities point of view, as well as to give incentives in order to orient legislation and government policy towards greater concern for equal opportunities. It gives advice, adopts resolutions and produces reports. It does not have a separate budget.
- *Institute for equality between women and men*: this Institute was created by the law of 16 December 2002 (Belgian official journal of 31/12/2002). Its purpose is to ensure respect for equality between women and men, combat all forms of discrimination and inequality based on gender and draw up instruments and strategies based on gender mainstreaming.

It took over the prerogatives assigned to the Equality directorate of the Federal Public Service for Employment, Labour and Social Dialogue, as well as the latter's staff, who were transferred on 1 June 2003.

The Institute is authorised to:

- carry out, develop, support and coordinate studies and research in the area of gender and equality, assess the impact in gender terms of the policies, programmes and measures implemented;
- make recommendations to public authorities with a view to improving laws and regulations;
- make recommendations to public authorities and private individuals and institutions based on the findings of studies and research mentioned under point 1;
- organise support for associations active in the equality field or projects aimed at achieving equality between women and men;
- assist, within the limits of its brief, any individual seeking to ascertain the extent of their rights and obligations, helping them to obtain information and advice on how to exercise their rights;
- take legal action in disputes that might arise from the application of criminal legislation and other laws specifically intended to guarantee equality between women and men;
- produce and supply any information, documentation and archive material useful to its work;
- gather and publish, with no possibility of identifying the parties in question, statistical data and court decisions useful for evaluating laws and regulations on equality;
- request, in cases where the Institute can cite facts suggesting the existence of discriminatory treatment within the meaning of laws and regulations on equality that the competent authority investigate and pass on its findings. The authorities must inform the Institute of intended follow-up, giving reasons;
- create a network involving the different players in the equality field.

French Community

- *Directorate of Equal Opportunities*: This directorate was set up in 1997 at the Ministry of the French Community, replacing the Equal Opportunities Department. It is dependent on the Minister-President of the Government and is administratively attached to the Secretariat General of the Department. Its missions are to promote equal opportunities

in the spheres for which the French Community is responsible, to serve as a centre of resources and exchange, to inform and support associations and to help initiate new projects in order to establish a concrete policy regarding equal opportunities. It ensures the follow-up to international, European and francophone activities in the field of equal opportunities. In 2009, its budget was €744,000.

- **Advisory Committee responsible for the Examination of Questions related to Equal Opportunities between men and women of the Parliament of the French Community.** This advisory parliamentary committee was established in 1999 and is composed of 9 members, proportionally representing the recognised political parties. It gives advice on questions related to equal opportunities at the request of the President of Parliament, parliamentary commissions or at its own initiative. The committee does not dispose of a separate budget but, if necessary, it can obtain subsidies.
- *Equal opportunities coordination unit:* the unit, set up by a decree of 18 April 2002, is made up of staff from the Ministry and public interest bodies. Its task is to produce opinions on all matters relating to equal opportunities, at its own initiative or at the request of the Minister responsible for equal opportunities. The coordination unit is also responsible for drawing up a plan for promoting equal opportunities, which is non-binding and comprises two sections: the first section reports on the situation for each of the prerogatives assigned to the French Community; the second sets out a list of proposed initiatives for promoting equal opportunities within the framework of each of those prerogatives. The coordination unit, whose secretariat services and chairing are provided by the Equal Opportunities directorate, was set up in February 2003 and submitted its plan for promoting equal opportunities to the Minister with that brief on 25 February 2004. Different opinions on the question of equality between women and men and combating discrimination have also been submitted.

Walloon Region

- *Advisory Committee for Equal Opportunities between men and women:* This committee was established in 1996 and attached to the Walloon Parliament. Its objective is to examine, within the regional competencies, the inequalities still existing between women and men. The committee gives advice, develops gendered statistics and examines women's situation as regards poverty etc. It does not have a separate budget.

Flemish Community

- *Flemish Minister responsible for the Equal Opportunities Policy :* a minister responsible for Equal Opportunities was first appointed to the Flemish Government in June 1995, so the equal opportunities policy has existed for 14 years now in the Flemish Government. As coordinating minister, the Flemish Minister responsible for Equal Opportunities is competent for the inclusive (or horizontal) equal opportunities policy for Flanders, across all policy areas and policy levels. Apart from that, this Minister pursues a specific (vertical) equal opportunities policy with his/her own priorities and resources aiming to eradicate discriminatory mechanisms based on gender, sexual orientation and inaccessibility.
- *Equal Opportunities in Flanders:* the administrative unit attached to the Minister of Equal opportunities prepares, implements and evaluates the Flemish Equal Opportunity policy. It operates as an administrative unit from the horizontal department 'Services for the General Government Policy. Since 1995 this unit has grown to 11 staff members. The Flemish equal opportunities and non-discrimination decree (July 10th 2008) officialised the framework for the Flemish Equal Opportunities Policy by structurally anchoring the Open Method of Coordination as the transversal component of its equal opportunity policy. Its intent is to systematically implement a gender perspective in all policy areas of the Flemish Government.

- *The interdepartmental workgroup (Equal Opportunities Commission, created in 2006), is the motor of the horizontal equal opportunities policy. Every Flemish Minister formulates objectives in the field of equal opportunities and is responsible for realising these objectives within his./her competences. This commission, where all 13 policy departments of the Flemish Authority are represented, is responsible for the translation of these objectives into action plans and will evaluate the progress of implementation of these action plans. The Equal Opportunities Commission meetings will be an opportunity to exchange good practices, to acquire further expertise with regard to the target groups and issues that are of central importance in the coordination process and to prepare and crystallize the next phases of the process (such as the reporting phase and the preparation of new objectives and/or action plans).*

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

Since the mid 70s, Belgium has developed an active policy for the promotion of equality between women and men.

In 1996, a law was published at federal level concerning the monitoring of the application of the resolutions reached at the Beijing Conference. Each year, three reports have to be presented to Parliament on policies concerning the objectives of the Beijing Conference. The first report is prepared by the government. The two other reports are prepared by the minister responsible for equal opportunities and the State Secretary for development co-operation, covering only the fields lying within their responsibility. Since 2001 the reports are regrouped in one document. In 2004 Parliament will examine the report covering the period 2002-2003.

Similarly, the *Decree* of May 13 1997 obliges the Flemish Government to annually report to the Parliament of Flanders on the action it has taken to implement the Beijing Platform for Action. The Flemish Government has already drawn up six reports for the Flemish Parliament. In 2004, in addition to the 2003-04 report, it will also produce an overall evaluation of ten years of equality policy in Flanders.

On 19 December 2002, the Parliament of the French Community adopted a decree following up the resolutions of the United Nations Conference on Women in Beijing. The decree asked the Government to produce an annual report on the progress made and measures taken under the policy pursued in accordance with the Beijing Platform objectives. Two such reports have been submitted to the Parliament of the French Community: from September 1999 to September 2002 and from September 2002 to September 2003. Specifically, they were presented to the Committee on international and European relations.

In February 2005, the Government of the French Community adopted a government action programme for the promotion of equality between women and men, interculturalism and social inclusion. With regard to equality between women and men, this action programme particularly aimed at: combating sexist stereotypes; combating violence against women; mixed gender and gender equality in education; promotion of gender studies and research; balanced participation of women and men in decision-making; and putting in place a coherent internal statistics system broken down by sex.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

Gender mainstreaming is slowly starting to find its way into policy-making and legislation after the launching of an awareness-raising and information campaign (e.g. by the EU).

In the federal public administration a governmental agreement was struck at the end of 2000 on gender mainstreaming in federal policies. Each of the ministers identified a policy in which

gender mainstreaming would be pursued. In this connection the federal public administration was assisted by experts drawn from universities, and an assessment was carried out in 2002. Tools were developed to facilitate the mainstreaming process and generalise it. Similarly, a gender budgeting experiment was carried out in 2001-02 in several government programmes. However, the introduction of a gender mainstreaming strategy with gender budgeting included is a long-term process entailing numerous stages of awareness-building and learning. While the tangible results in terms of impact on people's lives throughout Belgian society are still fairly modest, the foundations have been laid for a change of mentality within the federal authorities and small steps towards promoting equality have been taken in numerous departments.

When experts evaluated the gender mainstreaming project carried out at the beginning of 2003 their recommendations focused mainly on the institutionalisation of the process, which requires long-term efforts and clear objectives, on continued information work and awareness-building on the equality issue particularly for the higher echelons of the administrative and political hierarchy, gearing the objective of equality to the organisational realities in the public administration, and on the role of expertise and necessary assistance that should be played by the Institute for equality between women and men. At the time of drafting this report, proposals for institutionalising the mainstreaming process, including gender budgeting, drawn up in the light of experience gained with these two projects, were under discussion.

Since 2005 the Flemish Equal Opportunities policy works via de Open Method of Coordination to implement a equal opportunity perspective in all Flemish policy domains. Every Flemish Minister formulates objectives in the field of equal opportunities, related to gender, sexual orientation and physical accessibility, and is responsible for realising these objectives within his./her competences. These objectives are translated into action plans and monitored by the Equal Opportunities Commission (chaired by Equal Opportunities in Flanders). This commission gathers every 2 months and provides an opportunity to exchange good practices, to acquire further expertise with regard to the target groups and issues that are of central importance in the coordination process and to prepare and crystallize the next phases of the process (such as the reporting phase and the preparation of new objectives and/or action plans).

The cell "Gelijke Kansen in Vlaanderen" (Equal Opportunities in Flanders) will continue its work in developing and monitoring methodologies that facilitate gender mainstreaming. Collaborations with structural entities will be strengthened. The cell follows the daily developments in mainstreaming so that it can also detect the appropriate time to introduce techniques for incorporating a gender perspective in the budgetary process.

As regards monitoring and developing indicators, a *Resolution on equality between women and men in the French Community* was adopted by the French Community Parliament on 14 January 2002. In particular this recommended that the Government of the French Community encourage the production of *gender-specific data* by all French Community bodies and strive to develop and coordinate statistical databases.

BOSNIA AND HERZEGOVINA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF BEIJING CONFERENCE

At the time of Beijing Conference, the national institutional machinery that would promote gender equity did not exist in Bosnia and Herzegovina (BiH). The existing laws were not discriminatory, nor were they gender sensitive, which means that laws were gender neutral.

BiH went through a difficult war period (1992-1995), which indeed had an impact on the creation of the legislative framework and, in particular, the protection of women and women's rights.

The Convention on Elimination of All Forms of Discrimination Against Women (CEDAW), which BiH took over by succession in 1993, came into effect in October 1993.

In 1995, representatives of BiH were present in Beijing, and on behalf of the BiH state signed the Beijing Platform for Action.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CREATION OF NEW INSTITUTIONS

The Institutional Gender Mainstreaming Mechanisms (IGMM) were established as a part of an overall endeavour for the improvement of the equality of women and men in Bosnia and Herzegovina. This action took place at a time when gender issues were not easily recognized as a development priority. Despite the complex and multilayered levels of Government in Bosnia and Herzegovina, the institutional gender mainstreaming mechanisms were established, trained and are functioning as a network of legislative and executive mechanisms.

The IGMMs consist today of legislative and executive permanent and ad hoc bodies at all levels of legislative and executive governments of BiH.

The institutional gender mechanisms are:

- The Gender Equality Agency of BiH (at the state level, established in 2004), established by the Gender Equality Law of BiH (Art. 22) under the Ministry for Human Rights and Refugees of BiH;
- The Gender Centre of Federation BiH (at entity level, established by the Decision of the Government of the FBiH in 2000) and Gender Centre of Republika Srpska (at entity level, established by the Decision of the Government of the RS in 2001).
- Commission for Gender Equality of the Parliamentary Assembly of Bosnia and Herzegovina at the state level and at entity level: the Gender Equality Commissions within the Parliament of Federation BiH, and the Board for Equal Opportunities of the National Assembly of Republika Srpska;

¹ Information provided in September 2009.

- The commissions in all cantonal assemblies and cantonal governments;
- The commissions in municipal councils/assemblies and in Mayors' offices throughout the country;
- The Commission for gender equality of Brcko District of BiH

Mandates of the executive gender mainstreaming mechanisms

Agency for Gender Equality of BiH

- Periodical preparation of the National Action Plan for the promotion of gender equality, based on proposals from all state-level ministries and plans prepared by entity Gender centres and annually submitted by the Ministry to the BIH Council of Ministers for adoption;
- Monitoring the implementation of the National Action Plan and coordinating the activities of all relevant subjects in the process of its implementation;
- Preparing annual reports for the BIH Council of Ministers on the status of women and men in BiH based on reports issued by Gender centres of the F BiH and RS;
- Evaluating laws and bylaws adopted by the BIH Council of Ministers in order to monitor their impact on gender equality and balanced representation of sexes;
- Preparing methodology for the evaluation of state policy and state programs related to gender equality;
- Performing other tasks related to the promotion of gender equality and the implementation of the Gender Equality Law.

Entity gender centres

- Monitor the status of women and implementation of their guaranteed rights;
- Establish cooperation with legislative and executive bodies for gender equality on the entity level and other levels of governance. Participate in the preparation of laws and other acts as well as in the formulation of measures by the relevant ministries in order to insure equal decision-making influence of women and men in the development process;
- Promote equal rights and opportunities for both sexes and organize professional panel discussions and debates concerning this topic;
- Collect the initiatives for modifications of legislation from the gender aspect;
- Offer professional assistance concerning bilateral and multilateral relations in the area of gender policy;
- Establish cooperation with national and international NGOs and coordinate the implementation of national and international programs;
- Coordinate the preparation of reports by authorized bodies to international institutions concerning the adopted conventions and other documents in the area of gender;
- Inform the public on the extent of realization of gender equality.

Commissions for gender equality at the municipal level /mayor's cabinet

- Monitoring the status of women in the municipality as well as the implementation of their rights guaranteed by law,
- Promoting equal rights and opportunities for men and women,
- Cooperating with the local NGOs active in the area of gender equity and equality,
- Cooperating with relevant entity Gender centres,
- Participating in the implementation of projects launched by the Gender centre in a particular municipality,
- Cooperating with the Municipal council / assembly and monitoring the passing of relevant decisions on the municipal level in order to ensure equal influence of women and men in the development process,

- Submitting proposals to the Mayor and Gender centre concerning activities which contribute to supporting strategic needs in the promotion of gender equity and equality.

Mandates of the legislative gender mainstreaming mechanisms

State and entity Gender commissions within the state/entity Parliamentary assemblies:

- Consider drafts or draft proposals of laws from the aspect of their compatibility with the Gender Equality Law and international conventions concerning the prohibition of discrimination on the basis of sex.
- Consider issues concerning gender equality in BiH – in particular the promotion of women's status in BiH.
- Consider proposals of reports and other institutional documents concerning the implementation of CEDAW convention, Beijing Declaration and Platform of Action,
- Establish cooperation with other working and executive bodies dealing with gender equality issues on all levels of governance in BiH.
- Propose gender activities

Coordination between the gender institutional mechanisms is at satisfactory level and constantly improving, particularly between the state Gender agency and entity gender centres as well as between them and state and entity parliamentary Gender commissions.

This partnership has been proved through permanent coordination in preparation of annual working plans and budgets, regular meetings and exchange of information on activities on daily basis. This is further enriched by establishment of the B&H Gender Coordination Board (GCB) composed of directors of the state Gender Agency and two entity gender centres. GCB is tasked to coordinate all activities related to the BiH Gender Equality Law and Gender Action Plan implementation as well as all BiH commitments towards international documents, and joint projects with international, regional and local partners. GCB has been recognised by the BiH Government as the best practice of coordination at state and entity level.

Focal points for gender equality have been established within different ministries at state, entity and cantonal levels of government. By now, there are focal points in the following state ministries and agencies, which operate within the ministries:

- *Ministry for foreign affairs*
- *Ministry of defence*
- *Ministry of security*
- *Ministry of justice*
- *Ministry of finance and treasury*
- *Ministry for civil affairs*
- *Ministry of communications and transport*

Focal points have been established within different agencies on the state level operating within the mentioned ministries. These agencies are:

- *Border police*
- *State Investigation and Protection Agency*
- *Directorate for European Integration*
- *Agency for Work and Employment*
- *Agency for Preschool, Primary and Secondary Education*

2. HAS ANY PLAN OF ACTION FOR PROMOTION OF GENDER EQUITY AND ADVANCEMENT OF WOMEN BEEN CREATED SINCE THE BEIJING CONFERENCE?

The Gender Action Plan (GAP) of BiH, as the 5-year strategy for gender mainstreaming in BiH, was adopted by the Council of Ministers of BiH on the 14th of September, 2006.

The main goal of the BiH GAP is “to define strategies and realise program objectives to reach equality of women and men in Bosnia and Herzegovina” with the following joint strategic goals in all fields of work defined in the GAP document:

- Harmonisation of legislation in each field with domestic and international legal standards for gender equity and equality;
- Advancement of databases, research and socio-economic analysis of the gender equality situation in all GAP areas;
- Education and raising awareness of public on the need to introduce gender equality in all fields of life and work; and
- Building capacities and encouraging an active cooperation and participatory approach of all institutional and non-institutional participants in Bosnia and Herzegovina”.

The GAP contains 15 areas related to gender inequalities in:

- European integrations in light of gender equality
- Cooperation and capacity building
- Macroeconomic and development strategies
- Gender sensitive budgets
- Political life and decision-making
- Employment and labour market
- Social inclusion
- Gender sensitive media
- Lifelong education
- Health, prevention and protection
- Domestic violence, gender-based violence, harassment, sexual harassment and human trafficking
- The role of men
- Reconciliation of professional and family life
- Gender and sustainable environment
- Information and communication technologies

The GAP document is ambitious and refers to important international documentation in the area out of which the most important are the CEDAW Convention and Recommendations of the UN CEDAW Committee, the National Plan of Action based on the Beijing Declaration and Platform for Action, CoE recommendations, EU directives and regulations as well as a number of other binding and recommended UN, CoE and EU documents. GAP also refers to domestic documents such as the state, entity and cantonal constitutions as well as the Gender Equality Law in BiH which gives the direct basis and obligation to create the GAP. All fifteen areas are important for the promotion of women's rights and improvement of gender equality in BiH. The FIGAP program proposal seeks to prioritise and narrow down fields of strategic value for the State of BiH to focus upon in their efforts to promote gender equality.

3. WERE ANY OF THE PROVISIONS FOR GENDER MAINSTREAMING ADOPTED AFTER BEIJING CONFERENCE?

The Gender Equality Agency of BiH (at the state level, established in 2004), established by the Gender Equality Law of BiH (Art. 22) under the Ministry for Human Rights and Refugees of BiH.

The Gender Centres of FBiH (established by the Decision of the Government of the FBiH in 2000) and RS (established by the Decision of the Government of the RS in 2001).

The Gender Equality Law (GEL) is a central document for strengthening gender equality in BiH. GEL was adopted in 2003 and is an important instrument for increasing gender awareness and introduces a gender perspective in public policies and legislation. The law

follows CEDAW in all aspects. It promotes gender equality in private and public sphere and prohibits discrimination based on sex or sexual orientation. The Law has 18 chapters, including those on discrimination and definitions, education, employment, social and health care, sports, culture, public life, media, prohibition of gender based violence, harassment and sexual harassment, statistics, court protection, obligations and measures of the state, sanctions, etc. The GEL obligates the government and its institutions to make the programmes for implementation of the Law in all segments of life, establishes the GEA and its mandate to prepare state plan of action on gender equality (Article 23 of the GEL).

BULGARIA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

The observance and protection of human rights is a constitutional duty for all State institutions at national and local level. Consequently, the promotion of equality between women and men is performed by all government ministries and agencies, such as the Ministry of Labour and Social Policy, the Ministry of Justice and the Ministry of Health as well as other ministries/agencies and the local governments. Since 2000, the Ministry of Labor and Social Policy was responsible for developing and implementing the national policy of equal opportunities for women and men in the field of social and employment, and since the end of 2002 in all fields.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

Since the 1995 Beijing Conference, the Republic of Bulgaria has revised its position on the establishment of national institutions responsible for equality between women and men, and significant progress has been and continues to be made in this regard.

Since late 2002, the Ministry of Employment and Social Policy has been responsible for developing and implementing national policy on equality of opportunity in all fields.

1.2.2 CREATION OF NEW INSTITUTIONS

Since 2000 the Minister of Labour and Social Policy has been charged with the formulation and implementation of the state policy in the field of equal opportunities for women and men in labour and social sphere, and since the end of 2002 – in all spheres. In 2000 an expert dealing with gender equality issues was appointed to the Ministry of Labour and Social Policy, and on 1 March 2004 the “Gender equality” Sector was established in the Ministry of Labour and Social Policy. With this the efforts for strengthening the state administration are not over. Further development and extension of the capacity of the Ministry of Labour and Social Policy will take place.

In February 2003 a Consultative Commission for equal opportunities of women and men was established in the Ministry of Labour and Social Policy. The commission comprises representatives of state institutions, social partners and NGOs.

This Commission will play an important role in enforcement of gender equality de facto. The Commission will work in three panels, one which is responsible for cases of discrimination based on sex. Cases of multiple discrimination (i.e. discrimination on more than one ground) will be dealt with by an extended panel of five members of the Commission. The establishment of the Commission is also important because it is charged with carrying out independent studies on discrimination and publishing independent reports and giving recommendations on all issues related to discrimination.

¹ Last update provided in October 2009.

On 17 November 2004, a *National Council on Equality between Women and Men* was established within the Council of Ministers, chaired by the Minister for Employment and Social Policy. The main aims of the Council are to advise the government on issues connected with the development and application of gender equality policy, the monitoring of equality, the elimination of discrimination and the improvement of the status of women and men in every area of public life, and it proposes related measures and activities to the Council of Ministers.

With regard to further development of the national machinery 100 experts from the state administration have been trained. This allowed establishment of focal points in each institution.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

New developments:

In 2005 the Council of Ministers adopted the first National Action Plan to promote equality between women and men, drawn up in accordance with the 1995 Beijing Platform for Action as an instrument for the application of national policy in the field of equality between women and men in every area of social, economic and political life. The Plan contains 11 main objectives, including:

- Promotion of equality between women and men as an essential part of national policy.
- Guarantee of equal opportunities for women and men in access to economic activities.
- Promotion of the policy reconciling the work and family commitments of parents with young children or relatives caring for persons with disabilities.
- Equality between women and men in access to health.
- Equality between women and men in the education sphere.
- The combating of domestic violence and people trafficking.
- Equality between women and men in decision-making processes.
- Equality between women and men as a horizontal priority of the European Community Support Framework and operative programmes.
- Monitoring and evaluation of the effectiveness of the application of the principle of equality between women and men.
- Civil society: measures to eliminate stereotypes about the roles of women and men, work with the media.

On 19 October 2007, the Bulgarian Government approved a prevention and protection programme on domestic violence. A 24-hour national phone line for reporting such violence and refuges for victims have been opened as part of this programme. Special training courses have been developed for certain categories of staff from specialised institutions, the police and the prosecuting authorities. Application of the programme is in accordance with paragraph 2 of the Final Regulations relating to Article 6, paragraph 1, of the Law on protection from domestic violence, corresponding to international standards and to Bulgaria's commitments under international conventions.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The Law on protection against discrimination adopted in September 2003 and in force since 1 January 2004 contains, beside general rules and tools for guaranteeing equality and the fight against discrimination (including on the grounds of sex), several provisions related to gender mainstreaming. Such as:

Article 35

- (1) Persons, providing training or education, as well as the compilers of textbooks and learning materials, are obliged to give information and to apply methods of training and education in a way, focused on overcoming the stereotype of the roles of women and men in all spheres of the public and family life.
- (2) The kindergartens, schools and high schools shall include in their educational curricula and plans training on the problems of the equality of women and men.
- (3) Paragraph 1 shall apply also to overcoming the negative stereotypes towards racial, ethnic and religious groups, as well as towards persons with disabilities.

Article 38

The state and public bodies and the bodies of local self-government shall conduct a policy to encourage the balanced participation of women and men, as well as for the representative participation of persons belonging to ethnic, religious or language minorities in the governance and the decision-making.

Article 39

- (1) If the candidates for a position in the administration are equivalent in view of the requirements for occupying the position, the state and public bodies and the bodies of local self-government shall employ the candidate of the under represented sex until the achievement of a 40% representation in the respective administrative units.
- (2) Paragraph 1 shall apply also in the selection of participants or board members, expert working groups, governing, counsellor or other bodies, unless those participants are determined by means of election.

It must be noted that the law is based on the principle of responsibility of state authorities for ensuring of equality, including gender equality, which also reflects the idea of gender mainstreaming.

Bulgaria is a country which in 2005 adopted the Act on protection against domestic violence. The Act defines the rights of victims of domestic violence, protective measures and the order of their implementation. The liability under the Act does not preclude civil liability and criminal aggressor. The Act stipulates that Bulgaria creates conditions for the implementation of prevention programs and protection against domestic violence and support programs for victims.

In 2009 the Bulgarian Government has discussed some amendments in the Act. The purpose of these amendments is the guarantee of child protection and improvement of prevention and protection and the creation of a special fund from the Ministry of Justice or annual amounts will be transferred from the budget of 'State to fund activities such as:

- Programs on prevention and protection from domestic violence;
- Programs to help people, victims of domestic violence;
- Program for the recovery of victims;
- Specialized programs designed for perpetrators.

CROATIA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

At the time of the Beijing Conference there was no national institutional machinery to promote gender equality.

In the application of the legislation related to women's rights, all competent sectoral authorities were entrusted with the promotion and protection of human rights of women.

In 1994, an *ad hoc* national commission for the preparation of Croatia's participation in the 4th World Conference on Women was established. The establishment of this commission marked the beginning of the development of the national machinery.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CREATION OF NEW INSTITUTIONS

In 1996, the Commission for Equality Issues was established as the government advisory body composed of representatives of ministries and other relevant institutions. Its objective was to monitor and promote National Policy for the Promotion of Gender Equality 1997-2000 in the Republic of Croatia.

In 2000, the principle of gender equality became an integral part of the Croatian Constitution and the Commission changed its name to the *Commission for Gender Equality*.

In 2001, the Government of the Republic of Croatia established the *Office for Human Rights*, as the main coordinative body for the promotion and protection of human rights in the Republic of Croatia. *The Secretariat of the Commission for Gender Equality* was formed within this new *Office for Human Rights*.

The Committee for Gender Equality was formed in the Croatian Parliament in 2001.

In July 2003 the *Gender Equality Act* was adopted by the Croatian Parliament.

In October 2003 the Ombudsperson for Gender Equality was appointed and the Office of the Ombudsperson for Gender Equality was formed.

In March 2004 the Government of the Republic of the Croatia established the Office for Gender Equality as one of the main coordinating body for implementation of the *Gender Equality Act* and all actions for the promotion and the protection of gender equality in the Republic of Croatia.

In 2004 coordinators were appointed in all ministries and other bodies of state administration as in all offices of state administration in the counties, who, in line with the scope of work of the body of state administration, cooperate with the Office for Gender Equality and are responsible for the implementation of the *Gender Equality Act*. The foundation of these institutions, along with the work of the Committee for Gender Equality of the Croatian

¹ Last update provided in September 2009.

Parliament since 2001, has completed the system of institutional mechanisms for implementation of the policy of gender equality at a state level.

In July 2008 the new *Gender Equality Act* was adopted by the Croatian Parliament. This Act is fully aligned with the *acquis communautaire* i.e. the directives of the EU in the field of equal opportunities and gender equality. In the Republic of Croatia since 2004 the Commissions for Gender Equality are established in each county and in the capital City of Zagreb as a part of the Institutional Framework for the Implementation of Gender Equality Policy on the local level. There is also a large number of Gender Equality Commissions established in towns and municipalities, thus continuing the process of empowerment and the improvement of the coordination of bodies for the promotion of gender equality and for gender mainstreaming.

In 2009, the Government of the Republic of Croatia has founded the Commission for Advancement of Protection against Domestic Violence as an expert and advisory body of the Government of the Republic of Croatia charged with proposing operational plans and other activities necessary for the implementation of the *National Strategy for Protection against Domestic Violence*, participating in the coordination of the implementation and evaluation of the *National Strategy* and permanent monitoring of the implementation of measures of the *National Strategy*.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

In the first *National Policy for the Promotion of Equality Issues 1997-2000* particular attention was directed at improving the economic and political position of women. In the field of women and economy attention was given to the employment and self-employment of women, while in the area of participation of women in political life, greater attention was devoted to sensitising the public to the need for a greater presence of women in various forms of political decision-making. The national policy was directed towards abolishing stereotypes concerning gender differences during processes of education and the stereotype that *de jure* gender equality necessarily signifies *de facto* equality.

On the basis of the previous National Policy for the Promotion of Equality Issues and Outcome documents of the Beijing+5 Special Session of the UN, the Commission for Gender Equality was re-established and reshaped. The Commission prepared, in cooperation with NGOs and other actors of civil society, a new *National Policy for the Promotion of Gender Equality from 2001 to 2005*. The *National Policy* was approved in the Croatian Parliament on 4 December 2001 and therefore became a comprehensive document for the promotion and protection of women's human rights in the Republic of Croatia. It is important to emphasise the fact that the *National Policy* is a result of a consensus by government institutions and civil society.

In 2006, following a Government proposal, the Croatian Parliament adopted the third *National Policy for the Promotion of Gender Equality 2006-2010* as the basic strategic document of the Republic of Croatia for eliminating discrimination against women and establishing real equality between women and men for the period from 2006 to 2010. It continues the tradition of the previous fundamental commitment and goals, redefining the national priorities, the manner of implementation and taking special measures in line with the altered social and political circumstances and the progress achieved. Its provisions are founded on national and other regulations, and corroborate the contents of gender equality guarantees which are part of international law, the *acquis communautaire*, the UN Convention on the Elimination of All Forms of Discrimination against Women, ILO conventions, the European Convention for the Protection of Human Rights, and the Beijing Declaration and Platform for Action. It contains defined goals and a large number of measures for their implementation for the following critical areas: women's human rights,

equal opportunities in the labour market, gender-sensitive education, equality in decision making, violence against women, women's health, and institutional mechanisms and implementation methods. The July 2003 *Gender Equality Act* protects and promotes gender equality as a fundamental value of the constitutional order of the Republic of Croatia, regulates the right to protection from discrimination on the basis of gender and creation of equal opportunities for women and men in political, economic, social, educational and all other areas of public life. It defines discrimination on the basis of gender as the dark side of equality in all its occurring forms – as a direct and indirect discrimination, and harassment and sexual harassment. It determines state mechanisms for achievement of equality and non-discrimination, as well as the obligation to introduce principals of gender equality (gender mainstreaming). Furthermore, it determines mechanisms for protection of the principles of gender equality.

This Law for the first time introduces prohibition of sexual harassment – defined as discrimination on the basis of gender – to Croatian legislation.

The Croatian Parliament adopted a new *Gender Equality Act* in July 2008 which expands prohibition of discrimination in the labour market and employment and access of goods and services and prescribes sanctions for different types of discrimination. Furthermore, the *Act* improves the court protection of victims of discrimination and introduces new institutes such as the possibility of raising joint prosecution, the provision of burden of proof and the principle of urgency in the court cases. It also prescribes the obligation to collect statistical data on cases of discrimination based on sex. The *Act* also introduces quotas for political parties which must observe the principle of balanced participation of women and men on the election lists for elections at all levels, both national and local, in line with the provision of at least 40% of underrepresented gender on the candidate lists.

Another important new organic law has been adopted in the area of human rights. The *Anti-Discrimination Act* came into force on 1 January 2009, creating the prerequisites for the realisation of equal opportunities, and regulating protection against discrimination on grounds of sex (but also race, ethnic origin, colour, language, religion, political or other belief, national or social origin, economic status, property, trade union membership, social status, marital or family status, age, health condition, disability, genetic heritage, gender identity, expression or sexual orientation). The central body for the implementation of this Act is the People's Ombudsman.

Measures aimed at achieving gender equality and empowering women are also included in other national strategies, and in the plans and programmes adopted by the Government in the recent period. These include the *National Strategy for Protection against Domestic Violence 2005-2007*, and for the period 2008-2010, with accompanying *Protocols on Response to Domestic Violence*. These also include the *National Programme for the Protection and Promotion of Human Rights from 2008 to 2011*, and the *National Plan to Combat Discrimination 2008-2013*.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

In the *National Policy for the Promotion of Gender Equality 2001-2005*, as well as the *National Policy for the Promotion of Gender Equality 2006-2010* which is presently in force, there are a significant number of programme tasks aimed at introducing gender mainstreaming as the cross-cutting issue in the public and private sectors.

Political will to introduce this principle is also expressed in the *Gender Equality Act* whose Article 3 introduces gender mainstreaming as a legal obligation stipulating that: “Public bodies, units of local and regional self-government, legal persons with public authorities and legal persons that are majority-owned by the state and units of local and regional self-government shall, in all stages of planning, adopting and implementing legal acts,

decisions and actions, assess and evaluate the impact of such acts, decisions or actions on the position of women, or men, with a view to achieving *de facto* equality between women and men.»

Some steps towards the implementation of the gender mainstreaming principle have been made, such as introducing gender equality, as the highest value of the Republic of Croatia from which national interests emerge, into the *Government National Security Strategy from 2002*. By the *Defence Act*, also adopted in 2002, the Committee for Gender Equality was established within the Ministry of Defence with the purpose of realisation of equal treatment and status, as well as provision of equal approach and equal opportunities for the members of both genders. Also, the *National Family Policy* from 2002 stresses consolidation of family and professional obligations with emphasis on development of equal opportunities for men and women.

In July 2008, the *Act on Maternity and Parenting Rights and Allowances* prescribed the basic entitlements of employed, self-employed and unemployed mothers/parents to parental leave and allowances given in the Labour Act and the Act on Maternity Leave for Self-Employed and Unemployed Mothers. In 2008, in the area of pension insurance, the *Act on Amendments to the Act on Entitlements Arising from the Pension Insurance of Active Military Persons, Police Officers and Authorised Official Persons* was adopted, by which entitlements arising from compulsory pension insurance based on intergenerational solidarity were specifically regulated in such a manner that the conditions related to retirement age and years of service were equalised, so that the entitlement to old-age pension and the early retirement pension is equal for men and women.

In 2008, the Central Bureau of Statistics adopted the new *National Classification of Occupations* in which, for the first time, all occupations are stated in both the male and female gender, which has created the preconditions for a balanced representation of men and women in the labour market and for the elimination of gender role stereotypes.

With the purpose of promoting gender equality principles and familiarizing state bodies officials authorized for their implementation, an UNDP handbook, *Gender Mainstreaming in Practice: a Handbook*, has been translated and a seminar on the same issue was organized for the members of the Commission of the Government of the Republic of Croatia for Gender Equality and the Committee for Gender Equality of the Croatian Parliament, as well as the members of political parties.

Office for Gender Equality regularly translates, publishes and widely disseminates most important international documents on women's human rights and the documents which promote gender mainstreaming with a view to informing the Croatian public about this issue. These include the Council of Europe's *Recommendation CM/Rec(2007)17 of the Committee of Ministers to member states on gender equality standards and mechanisms* and the *Recommendation CM/Rec(2007)13 of the Committee of Ministers to member states on gender mainstreaming in education*, the European Commission document *Code of Practice for the Implementation of Equal Pay for Work of Equal Value* and the *Manual for Gender Mainstreaming of Employment, Social Inclusion and Social Protection Policies* which are published on the Office for Gender Equality's web-site, The *Joint Inclusion Memorandum (JIM)* which was signed with the European Commission as the national strategy for combating poverty and social exclusion is entirely created on the principles of gender mainstreaming and all results indicators are gender sensitive. It comprises one chapter specifically dedicated to gender equality.

The Government has also adopted the *National Action Plan for Employment for the period from 2005 to 2008* which is based on the employment guidelines set by the European Union for Member States, and also includes guidelines referring to gender equality (6th EU Guideline). Based on this Plan, Annual Plans for Stimulating Employment for 2006, 2007 and

2008 were adopted. Pursuant to the *Joint Assessment of Employment Policy Priorities (JAP)*, which was signed between the Government of the Republic of Croatia and the European Commission in 2008, a national Plan for the Promotion of Employment for 2009 and 2010 was adopted. One of the key priorities to be achieved through this National Plan is to improve the employability and participation rate of women of the prime-age group (especially those with low or inadequate skills) in the labour market.

CYPRUS¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *National Machinery for Women's Rights (NMWR)*: The NMWR was set up by the Council of Ministers in 1994 as a continuation of the Permanent Central Agency for Women's Rights, established in 1988. It includes four bodies, i.e. the Council for Women's Rights, the National Committee, the Inter-ministerial Committee and the General Secretariat which operate under the auspices and chairmanship of the Minister of Justice. It advises the Council of Ministers on policies, programmes and legislation promoting women's rights, monitors, co-ordinates and evaluates the implementation of these programmes, carries out information, education and training programmes and supports and subsidises women's organisations. A large number of NGOs are represented in the NMWR. The budget of the Permanent Central Agency for Women's Rights in 1995, was 44 000 €.

In addition, each ministry has an official responsible for the promotion of women's rights (gender focal points) who is a member of the NMWR and all of them form the Interministerial Committee of the NMWR, which is under the chairmanship of the Permanent Secretary of the Ministry of Justice and Public Order.

There are no regional or local bodies dealing with the promotion of equality of women.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

National Machinery for Women's Rights (NMWR): The budget of the NMWR has been increasing considerably during the last years, namely from 366.000 Euros in 2003 to 980.000 Euros in 2009. The budget covers operational expenses of the Equality Unit, as well as a budget for grants and subsidies to women's organizations. The grants for women's organizations and NGOs cover two categories of sponsoring: a) an annual subsidy to cover operational costs of all members of the Council and National Committee, and b) the subsidies for the implementation of particular projects and activities such as conferences, training workshops and information seminars, research, on gender related issues.

The annual budget of the NMWR is part of the budget of the Ministry of Justice and Public Order. The wages of the staff and the operational expenses are paid for by the general budget of the Ministry.

In terms of cooperation and collaboration with women's organizations and NGOs, the Council of the NMWR consists of sixteen women's organizations, including two Turkish Cypriot organizations. An additional 60 NGOs are members of the National Committee, which is the largest body of the four bodies of the NMWR. These organizations become involved in the projects, programmes and activities of the NMWR; they receive information, funding, and are consulted in decision making on serious issues such as the development of relevant national action plans.

¹Last update provided in July 2009.

1.2.2 CREATION OF NEW INSTITUTIONS

Since the Beijing Conference, new bodies and committees have been put in place, in the public sector, promoting gender equality within their specific sphere of competence. These include the:

- *Advisory Committee for the Prevention and Combating of Domestic Violence*

The Advisory Committee for the Prevention and Combating of Domestic Violence established in 1994 continues to work intensively to monitor the implementation of the Violence in the Family (Prevention and Protection of Victims) Law and to raise awareness among professionals and the public in general. The Committee has been very active and has played a vital role in raising awareness, carrying out research, strengthening interdepartmental cooperation, monitoring implementation of the relevant law and evaluating existing services, providing training to relevant professionals, and most importantly, in developing a National Action Plan on Combating Violence in the Family.

- *National Institution for the Protection of Human Rights*

The National Institution for the Protection of Human Rights established in 1998 monitors respect for human rights according to the relevant decisions/Conventions of the United Nations and Recommendations of the Council of Europe. The National Institution receives a number of complaints per year, a considerable number of which come from women on issues of health, housing, migration, sexual harassment, and family violence. Based on the findings of the investigation, the Institution makes suggestions to the Government and relevant Parliamentary Committees.

- *Gender Equality Committee in Employment and Vocational Training*

The Gender Equality Committee of the Ministry of Labour and Social Insurance was established on 15th June 2003, as provided for in the Equal Treatment of Women and Men in Employment and Vocational Training Law (L.205(I)/2002). The Committee is responsible for monitoring the implementation of the relevant law and can accept complaints of discrimination within the sphere of employment and vocational training.

- *Commissioner for Administration/Cyprus Equality Body*

As of May 2004 the Commissioner for Administration was appointed the competent body (an independent authority) to deal with and decide upon discrimination matters in Cyprus. As a result two separate Authorities were created, namely the Cyprus Anti-Discrimination Body and the Equality Authority, which together comprise the “Cyprus Equality Body”. The Equality Authority investigates complaints on the grounds of sex in the area of employment and vocational training including sexual harassment, implementation of maternity protection and rights, discrimination in access to employment, and employment and working conditions (including dismissal and pay). In 2008, the Equality Authority expanded its mandate further to cover the Equal Treatment of Men and Women (Access to Goods and Services) Law of 2007.

- *Parliamentary Committee on Equal Opportunities between Men and Women;*

The Committee for Equal Opportunities was established in June 2006 with the decision of the Committee of Choice of the House of Representatives after the elections of May 2006. The aim of this committee is to monitor the governmental policies and actions on the issue of equal opportunities between men and women. More specifically the committee monitors and supports the implementation of the National Action Plan for Gender Equality, the National Machinery for Women's Rights, and the efforts of governmental and non-governmental organisations which promote gender equality. This is done through the examination of legislative bills and regulations that fall within the scope of the committee and the exercise of the parliamentary scrutiny through the examination of self commissioned issues that are proposed for discussions.

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- *Coordinating Multidisciplinary Group for Combating Trafficking in Human Beings.*

The Coordinating Multidisciplinary Group on Trafficking in Persons was established by the Law on Combating Trafficking and Exploitation of Human Beings and Protection of Victims (L.87(1)/2007). The group's purpose, among others, is to monitor the implementation of the Law and the National Action Plan on Trafficking in Persons (2005) as well as to take all necessary measures, to monitor and evaluate the national referral mechanism of the victims and to collect, exchange information between the members of the team with regards to offences as these are foreseen by the law. All agencies involved directly or indirectly in combating trafficking in human beings are members of the Group such as the Attorney General's Office, the Ministry of Interior, the Ministry of Labour and Social Insurance, the Ministry of Foreign Affairs, the Police Anti-trafficking Unit, the National Machinery for Women's Rights as well as two NGOs.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

In recent years, a number of National Action Plans (NAPs) and strategies have been developed that either specifically address issues of gender equality or routinely incorporate gender mainstreaming. The National Action Plans that specifically target issues of gender equality are those of Employment (2004), Trafficking in Human Beings (2005) and Gender Equality (2007). Additionally, the National Action Plan on Social Protection and Social Inclusion (2008) routinely incorporates gender mainstreaming and addresses policy areas such as health care, reconciliation of work and family life, pension plans, long-term care among others.

The most significant achievement in terms of the national policy on gender equality is the development of the first National Action Plan on Gender Equality (2007-2013). The National Action Plan on Gender Equality was initiated by the National Machinery for Women's Rights (NMWR), and adopted by the Council of Ministers in August 2007.

The National Action Plan on Gender Equality is significant in that it incorporates a holistic approach to gender equality addressing six priority areas, namely: employment, education, decision-making, social rights, violence and gender stereotypes. The development of the National Action Plan was a collective achievement thanks to close collaboration with all government departments and local authorities as well as women's organizations, NGOs, academic institutions and human rights bodies.

The National Action Plan on Gender Equality was formulated on the basis of international conventions and recommendations particularly the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Concluding Comments to the Cyprus Report to the CEDAW Committee in 2006, the Beijing Platform for Action (1995), as well as EU policy frameworks such as the Roadmap for Equality between Men and Women and EU Directives.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The goal of gender mainstreaming has been incorporated in the new 5 Year National Development Plan (1999-2003) under the special chapter on Women and Development.

The Republic of Cyprus acknowledges that an important component of the new strategy of gender mainstreaming is to set up mechanisms that will allow gender issues to be integrated into key sectors of government, as well as the private sector and civil society. To this end, it has developed close collaboration between government departments and the *National Machinery for Women's Rights* (NMWR) on the one hand, and other agencies, academic institutions and NGOs on the other.

A consultancy visit by Professor Teresa Rees – a University of Cardiff Social Scientist, expert on Gender Mainstreaming – took place in June 2001 in order to assist the NMWR in the development of a framework for a project on gender mainstreaming in Cyprus. Based on the proposals of her report, the NMWR in collaboration with the British Council in Nicosia, organised a training programme on gender mainstreaming for the Gender Focal Points of the Ministries as well as an awareness raising session on gender mainstreaming for high-ranking officials (April 2002).

Gender mainstreaming and positive action measures are gradually being implemented at all levels in various policy areas, particularly in the area of employment and vocational training, aiming at the economic empowerment of women and their integration into the labour market.

The National Action Plan on Employment (2004), the National Action Plan on Social Protection and Social Inclusion (2008) and in particular the National Action Plan on Gender Equality (2007-2013) are the main tools towards promoting gender mainstreaming.

The National Machinery on Women's Rights (NMWR) plays a leading role in ensuring the introduction of gender mainstreaming in all national policies and programmes. This is done through the encouragement of training of relevant professionals within the public service on gender equality issues, the support of the development of research on gender-related issues, the promotion of data collection and gender-disaggregated statistics, and the organisation of relevant training workshops, seminars, and conferences with the participation of international experts, such as the Seminar on Gender Budgeting, in November 2008, with the involvement of relevant stakeholders such as the Ministry of Finance and the Parliamentary Committee on Finance.

The NMWR also participates in a number of multidisciplinary committees under other ministries dealing with issues such as family, children, violence against women, trafficking, social inclusion, and employment and contributes substantially in ensuring a gender perspective in the formulation and implementation of relevant policies. It should also be noted, that the government has developed much stronger ties with women's organisations by involving them in relevant spheres of policy formulation and decision-making processes.

Besides, it should be noted that all development projects implemented in Cyprus with the support of Structural Funds of the European Union must comply with national and European gender equality laws and policies. The NMWR is involved in this procedure and is responsible for evaluating and certifying that projects funded by the Structural Funds incorporate gender mainstreaming in all stages (programming, selection of projects, implementation and evaluation).

CZECH REPUBLIC¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

There was no special national institutional machinery responsible for promoting gender issues in the Czech Republic.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

None

1.2.2 CREATION OF NEW INSTITUTIONS

The Gender Equality Unit was established at the Ministry of Labour and social Affairs in 1998. In 2001, the Czech government established its own advisory body in the form of the Government Council for Equal Opportunities for Women and Men. In 2002, each ministry created a position for an officer who is by profession involved in the issues of equal opportunities for women and men, the so-called gender focal point.

In connection with the appointment of the new government by the President of the Czech Republic on 9 January 2007, there has been created a new post of the government minister who oversees the agenda of the human rights, minorities as well as gender issues. Consequently, the government charged the Minister for Human Rights and Minorities, by its resolution No. 762 dated 11 July 2007, with the coordination of the equal opportunities for women and men as of 1 January 2008 and the Gender Equality Unit was transferred from the competence of the Ministry of Labour and Social Affairs under the competence of Minister for Human Rights and Minorities. The Minister for Human Rights and Minorities was appointed, on 11 June 2007, to chair the Government Council for Equal Opportunities for Women and Men.

Simultaneously with this shift the Unit changed its name to Unit of the Secretariat of the Government Council for Equal Opportunities for Women and Men. The original name "Gender Equality Unit" was renewed 1st October 2009.

The Gender Equality Unit primarily fulfils the following tasks:

- Ensures the preparation of the proposals for the National Action Plan for Equal Opportunities for Women and Men "Priorities and procedures of the government in implementing the equality between the women and the men" and their evaluation,
- On the basis of the evaluation of implementation of the National Action Plan it updates the measures therein contained,
- Integrates the principles of equal opportunities for women and men into law, implements the gender directives of the EU and other international documents such as of the EU, Council of Europe, International Labour Organisation, etc

¹ Last update provided in October 2009.

- Develops cooperation among the officers of ministries who are charged with resolution of gender issues (gender focal points) and coordinates their activities,
- Cooperates with the trade union and employer associations and with the NGOs.
- Participates on the development of gender statistics and on the publication of statistics (as a part of the various information campaigns).

The government established, in 2001, its own advisory body entitled “Government Council for Equal Opportunities for Women and Men.” The Council prepares proposals aiming to promote achievement of equal opportunities for women and men. The members of the Council represent different ministries, NGOs, trade unions, employers as well as the professional and lay public. The number of Council members rose from 23 to 29 in 2008 due to creation of additional positions for the representatives of the public from various NGOs and for the experts who are involved in the field of equal opportunities for women and men. The permanent guests of the Council are the Governors of the Regions and the Mayor of Prague, representatives of the Association of Towns and Municipalities of the Czech Republic, the former chairwoman of the Government Council for Equal Opportunities for Women and Men, the chair of the Permanent Committee of the Chamber of Deputies for Equal Opportunities and the representatives of the Association of [Female] Managers and Entrepreneurs in the Czech Republic.

The Government Council established on 1 January 2008 two Committees: *Committee for Prevention of Domestic Violence* and *Committee for Equal Opportunities for Women and Men in Family and Working Life*. The primary goal of the Committee for Equal Opportunities for Women and Men in Family and Working Life is reconciliation of family and working life and removal of the professional disadvantages of those who desire to be more involved in the upbringing of the children and in the care for their family members. It is primarily the women who have a longer carrier ladders as they are forced to put together their professional life with the upbringing of the children or care for handicapped family members of the seniors. The Committee for Equal Opportunities for Women and Men in Family and Working Life follows onto the activities that were implemented in the sphere of reconciliation of working and family life by the Ministry of Labour and Social Affairs. Its activities focus on the extensions of the supply of services in childcare and on the implementation of measures which could contribute to shortening the duration of time for which one’s professional career is interrupted due to the reasons of childcare, on promotion of flexible working arrangements and other similarly directed changes. The Committee further promotes the active involvement of men into the family life, especially in connection with the upbringing of the children; besides that the Committee aims to establish a generally functioning society that is family-friendly.

The Committee for Equal Opportunities for Women and Men in the Family and Working Life recommended on 14 April 2008 to the Council to solve the legislative arrangement (including taxation issues) of a broad spectra of facilities offering childcare which would further the interests of harmonization of the family and working life (such as operation of company day-care centers, mother centers (clubs), mutual parental help, municipal nurseries and similar). At the same meeting the Committee recommended to the Council to consolidate the agenda related to childcare for pre-school children under one single Ministry. The Council deliberated on both these motions and adopted them at its meeting on 16 May 2008.

The Committee for Prevention of Domestic Violence aims to create a national strategy for combating domestic violence and coordinates the inter-departmental efforts which implement these strategies. The Committee monitors the statistical evidence of the various forms of domestic violence and advocates for the necessary legislative steps as well as promotes education of professionals who come into contact with the victims of domestic violence. In order to further its primary activities the Committee established Working Groups (Working Group for National Action Plan on combat violence against women and Working Group for

Stalking). The Committee is charged with preparation of standards of services to be provided to the victims of domestic violence and with creation of preventive and treatment programs for violent offenders.

On 15 September 2008 the Committee for Prevention of Domestic Violence charged its select members to conduct an enquiry into the issue of secret shelters and to recommend to the Council that this group prepares and tables, in the name of the Council, a motion to establish a special institution of secret shelters including the relevant standards and to discuss this motion with the expert inter-ministerial group that deals with the protection of the children and with the Ministry of Labour and Social Affairs, and potentially with other involved institutions. At this very same meeting the Committee created a working group focused on domestic violence and recommended to the Council that this group works, in the name of the Council, with the Ministry of Justice on the re-codification of the procedural penal regulations with the intent to strengthen the legal protection of the victims of domestic violence.

The members of the Committee also proposed an establishment of a new criminal offence of “a dangerous pursuit” (the so-called stalking) into the penal code. This motion was adopted by the Council on 16 May 2008 and it was recommended to the Minister of Justice to introduce this criminal offence by 31 December 2008 into reality; this recommendation was adopted on 19 June 2008 by the Constitutional Committee of the Chamber of Deputies of the Parliament of the Czech Republic. On 8th January 2009, the Czech Parliament approved a new Criminal Code (Act No. 40/2009 Coll.) which represents completely new legal regulation of Criminal Law in the Czech Republic. The new Criminal Code introduces approximately 60 new acts that are deemed as criminal acts. Among the most important ones is stalking incorporated into Section 354. The new criminal Code abrogates the present Criminal Code No. 140/1961 Coll. and comes into force on 1st January 2010.

The Government Council established on 22 April 2009 new Committees:

Committee for equal participation of women and men in politics. Its main goal is increasing number of women in politics. In this tasks should be very useful measure for Ministry of Interior “to draft and submit to the Government a proposal for legislative changes which would stipulate that the minimum proportion of both women and men on the candidate lists for elections to Parliament, the regional councils and Prague City Council be 30%” according to Government resolution No. 964 dated 20 July 2009;

Committee on institutional mechanism for gender equality, its main goal is increasing institutional support for gender equality.

On the basis of the Government resolution No. 456 dated 9 May 2001 there is at each ministry as of 1 January 2002 one officer (the so-called “gender focal point”), who is employed for at least half the normal working time, and who monitors, evaluates and promotes equal opportunities for women and men at each individual ministry. Each ministry is also obliged, since 2002, to prepare its ministerial priorities and procedures which implement the principles of equality between women and men and which take into account the specifics of each such ministry, and which delegates tasks which need to be in this field of equal opportunities achieved.

The individual gender focal points officers attend to the agenda of equal opportunities for women and men in the extent of their respective employment arrangements and follow the ministerial priorities of each individual ministry. At present, the authorized staff has already found their methods of promoting the gender issues and some of them have already begun to develop their independent initiatives in terms of implementation of the principles of equality between the women and the men.

Resolution no. 964 of 20th July 2009 imposes that Members of the Government have to establish working groups to ensure equal opportunities for women and men in the individual ministries and administrative offices, led by an employee whose job description also covers

equal opportunities for men and women and comprising members capable of tackling the issues involved in ensuring equal opportunities for men and women within the ministry.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The Gender Equality Unit has been involved in the agenda of equal opportunities and position of men and women for a long time. Following onto the adoption of the Beijing Platform for Action it prepared in 1997 for the Czech government the Information on the Position of the Women in Society which gave rise, effective as of 1 January 1998, to the establishment of the Gender Equality Unit at the Ministry of Labour and Social Affairs. Since 1998, this Unit had prepared, in its position of a coordinator of national agenda related to the equal position of women in society, the National Action Plan for Equal Opportunities for Women and Men, including its annual evaluation and updates (Priorities and procedures of the government in implementing the equality between the women and the men).

The said National Action Plan was since its very beginnings created in accordance with the conclusion reaches at the Fourth World Conference of the UN on Women which took place in Beijing in 1995. The conference resulted in the adoption of the Beijing Platform for Action, which focuses on the elimination of discrimination of women in 12 critical areas. The validity and topicality of the Beijing Platform for Action was again confirmed in March of 2005 at the 49th Session of the UN Commission on the Status of Women. The National Action Plan which implements the principles of equality between the women and the men in the Czech Republic focuses, from the total of twelve areas defined in the Beijing Platform for Action, on the following seven problematic areas that are topical for the Czech Republic:

- Advocacy of the principles of equality of men and women as a part of governmental policies;
- Legislative implementation of the pre-requisites bringing about equality of men and women and raising of the awareness of these principles in terms of legal thinking,
- Ensuring equal opportunities of men and women in their access to economic activities,
- Reconciliation of the social standing of the women and the men caring for children and the family members requiring care,
- Making provisions for women in terms of their reproductive function and physiological differences,
- Combating violence committed against women,
- Monitoring and evaluation of activities seeking to implement the principles of equal standing of women and men.

The program document entitled “Priorities and procedures of the government in implementing the equality between the women and the men” also accentuates the goals contained in the United Nations Millennium Declaration. The European Union member states intend to achieve progress by 2015 in eight key developmental missions – Millennium Development Goals which reflect the attention of the world community that is paid to the significant and measurable improvement of the quality of human life. A great emphasis is put especially on the section 3 of this document – Promotion of gender equality and empowering women.

The government resolution No. 456 dated 9 May 2001 imposed on all ministers an obligation, effective as of 1 January 2002, to complete specific ministerial program document which would address promotion of equality of women and men in areas which fall under their material competence.

Since January 2002, each ministry has a gender focal point with at least one staff member serving on a part-time basis.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The *Government Priorities and Procedures in Promotion of Equality for Men and Women* recognise that gender mainstreaming is one of the basic tools of the Czech Government's equal opportunities policy. According to 6th paragraph of this document, all members of the government have to subordinate all conceptual, decision-making and assessment processes at all stages of their preparation and implementation to the principle of equal opportunities for women and men.

According to 1st paragraph, of this document all members of the Government have to evaluate compliance with measures adopted under the Ministerial Priorities and Procedures in Promoting the Equality of Men and Women in 2009 and to submit this by 31st January 2010 to the Minister for Human Rights and Ethnic Minorities as the national coordinator of the agenda of equal opportunities for women and men. According to 2nd paragraph of this document, all members of the government of have to on the basis of the analysis and evaluation of compliance with Ministerial Priorities and Procedures in Promoting Equal Opportunities for Women and Men in 2009, to draw up Ministerial Priorities and Procedures in Promoting Equal Opportunities for Women and Men for 2010 in those areas that fall within the competence of the individual ministries and to submit them by 31st January 2010 to the Minister for Human Rights as the national coordinator of the equal opportunities for men and women agenda.

DENMARK¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Equal Status Council*: First established in 1975, set up by law in 1978 and amended in 1988, this advisory body was attached to the Prime Minister's Office. Its members were representatives of women's organisations and social partners. Its objective was to promote equality in employment, to combat stereotypes and to launch pilot projects. It informed the relevant authorities of defects in laws and administrative practices, suggested informal measures, helped complainants, carried out research and studies and gave advice at international level. It also co-ordinated the equal rights policy between the ministries.
- *The Committee on International Equality Affairs* follows the international equality work, with a view to proposing Danish initiatives in the United Nations, the European Union, the Council of Europe, the Nordic Council of Ministers and other relevant fora. From 1993 it acted as the Danish preparatory committee for the Beijing Conference until a specific governmental committee took over.
- There is a long tradition in Denmark that *Non-Governmental Organisations* take a very active part in the work of obtaining gender equality and combating discrimination and stereotypes. That is especially true for the National Council of Women in Denmark (umbrella organisation for about 50 organisations) and The Danish Women's Society. These NGOs are active participants in governmental delegations to international conferences and act as watchdogs of public initiatives and policies.

Gender research at the *Universities*: Gender research covers various specialised areas and is an umbrella for gender equality research, research on women, feminist research, research on men and masculinity and gay research. More than 300 researchers in Denmark are involved in gender research. The University of Copenhagen hosts the Coordination for Gender Studies in Denmark, which functions as the compilation centre vis-à-vis research environments, individual researchers and in relation to recruiting new researchers in this area.

- *The Danish Centre for Information on Women and Gender (KVINFO)*: KVINFO is a national information, documentation and cultural centre that communicates the results of women and gender research to a general public with broad interests. The Centre communicates knowledge on the impact of gender differences and strives to make women's knowledge, experience and expertise visible. The Centre is an independent institution under the Ministry of Cultural Affairs with its own bylaws and Board.

Apart from the above-mentioned institutions there are a number of gender equality consultants in the municipalities and the local labour authorities as well as gender equality committees in organisations and enterprises.

¹ Last update provided in September 2009.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

The Equal Status Council was closed down in 2000, when the Act on Gender Equality was passed by the Parliament, establishing *inter alia* a new framework for the national machinery.

A new institution *The Danish Research Centre on Gender Equality* was set up at Roskilde University in September 2002. The Centre performs research, development and communication focusing on gender equality and replaced *The National Centre for Research and Information on Gender Equality*, which was closed down by decision from the Parliament in 2002.

The Gender Equality Board – set up in 2000 – dealt with complaints about gender discrimination, counselling and guidance to citizens, organisations, authorities and enterprises about the possibilities of bringing complaints concerning gender discrimination before the Board or other legal bodies.

By decision from Parliament, the Board was replaced January 1st, 2009 by the *Board of Equal Treatment*, which takes on a broader scope of assignments.

The Board of Equal Treatment provides independent assistance to victims of discrimination in pursuing their complaints about discrimination within gender, race, colour, religion or beliefs, political views, sexual orientation, age, disability or national, social or ethnic origin.

The Board is an administrative authority with judicial powers. It is an independent body and is thus not constrained by instructions from authorities or other bodies with respect to individual case handling and decision-making.

The Board comprises a chairman, two deputy chairmen and nine other members. The chairman and the deputy chairmen must be professional judges and they are appointed by the president of the court. Both genders must be represented in the chairmanship of the Board. The Gender Equality Board was the model for the composition of the Board of Equal Treatment.

The main tasks of the Board are to make decisions regarding complaints in cases that fall under anti-discrimination legislation, and to safeguard citizens' legal protection by coordinating practice at the national level, i.e. to ensure that similar cases are decided similarly, irrespective of where in Denmark citizen lives.

Any citizen can – free of charge - file a complaint with the Board of Equal Treatment. Special conditions may apply to members of a trade union. Together with their trade unions they may take their case to labour market tribunals. Trade unions assist their members with complaints concerning gender discrimination on the labour market. Trade unions often take cases to court on behalf of their members. The Board may award compensation and invalidate dismissals to the extent provided for by the Acts and collective agreements.

Once the Board has ruled on a complaint, the Secretariat informs the parties of the possibility of bringing the matter before the courts. Where the decisions made by the Board and the settlements made with the assistance of the Board are not observed, the Board, at the request and on behalf of the complainant, must bring the matter before the courts via the legal adviser to the Danish Government.

The Gender Equality Board dealt with an average of 60 cases every year. The new Board of Equal Treatment has processed 10 cases up to now.

1.2.2 CREATION OF NEW INSTITUTIONS

- In July 1999, a *Minister for Gender Equality* was appointed with the responsibility to promote gender equality. The minister is responsible for the Government's overall activities in the field of gender equality and co-ordinates the equality work of other

ministries. The mainstreaming strategy is in principle considered in relation to the Government as meaning that there are now 18 Ministers for Gender Equality - each within their field of competence responsible for integrating the gender and equality perspective in all policies and activities. The Minister for Gender Equality is responsible for implementing the mainstreaming strategy, not only in relation to other ministries but also other parts of the public administration. Parallel to the mainstreaming strategy, the Minister lays down rules and guidelines for gender equality work and initiates special measures to promote gender equality and equal opportunities. It is thus a matter of a dual approach. Each year the Minister draws up *a report and a perspective and action plan for gender equality for the Danish Parliament*. The yearly report is based on reports from local authorities and ministries and defines the government's priorities in equality work in the following year.

- The *Department for Gender Equality* was set up under the Minister for Gender Equality and is secretariat to the Minister. The Department is responsible for Government initiatives in the field of gender equality through co-ordination, development and implementation of the Government's policies and councils and advises the Minister and Parliament in matters concerning gender equality. The tasks include preparation of legislation and administrative rules concerning gender equality, co-ordination of gender equality measures initiated by public authorities as an element of the mainstreaming strategy, preparation of the annual report on gender equality for the Parliament, implementation of the Minister's perspective and action plan, monitoring of the development of a gender-balanced composition of certain committees and boards included in the Act on Gender Equality, representation in a number of international fora. Further information can be found at the web-site www.lige.dk

In April 2009 the Minister for Employment was appointed minister for gender equality and the Department for Gender Equality became a part of the National Labour Market Authority.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

Governmental plans of action were introduced in Parliament in 1986 after the Nairobi Conference. Progress was checked by Parliament about every three years until the new Act on Gender Equality was adopted in 2000 requiring the Minister for Gender Equality to work out a status report to the Danish Parliament before the 1 of March *every year*. This report should contain a perspective plan and an action plan for the Equal Status Work. The Minister delivered her first report to the parliament on 2 March 2002

In 1996, the Ministry of Foreign Affairs submitted a statement on the follow-up of Beijing to the National Assembly. The following issues are addressed in the statement:

- Integration of gender aspects into policy, planning and legislation; prepare guides for local governments;
- Education: Revise curricula, teacher training; provide vocational guidance, achieve equitable distribution of teachers at all levels, steer girls into technical and science fields;
- Employment: Eliminate segregated markets, legislation, incentives, reconciling work and family, collect statistics, equal pay, promote equal remuneration;
- Decision-making: Achieve balanced composition on public boards, councils;
- Violence: Focus on legislation, foreign women in Denmark, preventive campaigns.

In May 2000, the Parliament adopted the *Act on Gender Equality*, which establishes new institutional mechanisms on gender equality with the intention to promote and strengthen equal opportunities between women and men.

Section 5 of chapter 3 of the *Act on Gender Equality* requires that all Ministries, governmental institutions and government agencies draft reports on equality every second year. Section 5 a of chapter 3 in the above mentioned Act also stipulates an obligation for local councils and the county councils to draft reports on equality every second year.

Annual Report 2008 / Perspective and Action Plan for 2009

The goals are:

- To reduce the difference between lifetime incomes of men and women
- More fathers must take parental leave
- Coherence between working and family life must be the responsibility of both men and women
- The gender-segregated choice of education and labour market is to be broken down
- There must be more women in top management in both the private and the public sectors
- Better gender balance on the boards of listed companies
- More boys with an immigrant background must complete youth education
- More women with an immigrant background must enter the labour market
- More women with an immigrant background must become active in associations and organisations
- Gender equality is to be an integrated element in Danish development policy
- No women and men should be trafficked to Denmark
- Women and men should be able to live safely in intimate relationships without violence
- Men's health is to be improved and the average lifespan of the population is to be prolonged
- More women must enter politics at municipal level
- Talented female researchers must be retained

Action plans on various themes within the field of gender equality has been set up:

- Action plan to remove barriers (due to gender) in relation to education, work and participation in civil society for women and men with other ethnic background than Danish.
- Action Plan to Combat Trafficking in Human Beings 2007–2010
- Action plan to stop men's domestic violence against women and children 2005-2008
- Charter for more Women in Management.
- Action plan for Gender Mainstreaming in Central Public Administration.2007-2011

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The Act on Gender Equality requires all public authorities to incorporate a gender and equality perspective in their portfolio and to promote gender equality in initiatives and regulation.

In 2000, the Minister for Gender Equality initiated a cross-ministerial development project on Gender Mainstreaming. Its aim is to integrate the gender and equality aspect in a professional and visible way into all activities, initiatives, in legislation and all work routines. A steering group was established in March 2001. In 2009 it consists of 21 members (9 women and 12 men) - all representatives from management from the 19 Danish ministries. The task of the group is to exchange experiences, disseminate results, test new ideas and monitor the mainstreaming process. In 2007 the Steering Group on Mainstreaming renewed the Plan of Action for Mainstreaming setting up the objectives for the work from 2007-2011. The action plan can be found at the website www.lige.dk in English under the publications menu.

A network of all the ministries' employees responsible for or co-ordinating the Gender Mainstreaming work of the individual ministries is working professionally to implement the decisions of the steering committee and to further gender equality and gender mainstreaming in their respective ministries.

In the beginning of 2009 an amendment to the Act of Gender Equality was adopted. The amendment will ensure that the responsibility for nominating both a woman and a man for public committees, commissions and similar bodies set up by a minister is placed at the relevant authorities and organisations. The authorities and organisations must make sure to explore their whole organisation before their nomination instead of choosing the first and obvious – usually a man. If the authority or the organisation cannot give a good and reasonable explanation for not nominating both a woman and a man the responsible minister must leave the seat open.

These other significant changes to the Equality Act have been made since 2002:

Gender Equality Act

No. 396 of 6 June 2002: With Act no. 396 of 6 June 2002 The Knowledge Centre for Gender is closed down.

Gender Equality Act

No. 286 of 25 May 2003

By this Act the Gender Equality Board was made permanent.

Gender Equality Act

No. 452 of 22 May 2006: By this Act the provisions on an equal gender composition on councils, boards and committees etc. set up by a minister are extended so that also municipalities and regions are required to ensure that equal numbers of woman and men are nominated for positions on councils, boards and committees etc.

Executive Order on Initiatives to promote equality was made permanent.

No. 340 of 10 April 2007.

The Executive Order makes it possible to target pilot and development initiatives at one of the genders for a period of up to two years in order to attract the underrepresented gender. The Executive Order is directed at state and local government authorities.

Gender Equality Act

No. 434 of 11 May 2007: The Act transposes the Directive 2004/113 of December 2004 implementing the principle of equal treatment between men and woman in the access to and supply of goods and services.

The Act implements clear definitions on direct and indirect discrimination, harassment and sexual harassment.

Gender Equality Act

No. 484 of 12 June 2009: The Act shall ensure that the responsibility for nominating both a woman and man for public committees, commissions and similar bodies set up by a minister is placed at relevant authorities and organisations. If the authority or the organisation cannot give a good and reasonable explanation for not nominating both a woman and man, the responsible minister shall leave the seat open.

ESTONIA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

At the time of the Beijing Conference, there was no national machinery in Estonia. Estonian society remained unaware or had limited knowledge about the global strategies and achievements gained for the advancement of women before the Fourth World Conference on Women in Beijing in 1995. In addition, there was a lack of data about the situation of women in Estonia as no gender research or special analysis had been carried out previously. The Beijing Conference and its preparatory process constituted an excellent opportunity to start work in this area.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

As there were no institutions of national machinery at the time of Beijing Conference in 1995 no changes can be reported.

1.2.2 CREATION OF NEW INSTITUTIONS

- *Gender Equality Department:* The Bureau of Gender Equality, established in the Ministry of Social Affairs in 1996, was rearranged into the Gender Equality Department in January 2004. The department operates under the authority of the Deputy Secretary General of Family and Social Policy. The department is responsible for promoting gender equality, coordinating these activities and preparing the relevant draft laws, from June 2007 also for co-ordinating family policy and from the end of 2008 additionally for promoting equal treatment on grounds other than gender, co-ordination of relevant activities and preparation of relevant legislation. The department also implements tasks in the field of prevention of trafficking in human beings and co-ordinates the activities of fight against violence in close relationships. The staff of the department consists of 10 civil servants.
- *Policy Information and Analysis Departments:* From 2003-2004 the work of the gender equality unit has been supported by analysts in the policy information and analysis departments in the Ministry of Social Affairs. The Social Policy Information and Analysis Department has been coordinating the research activities concerning gender issues and analysis of the disaggregated data. Also the Labour Policy Information and Analysis Department and Health Information and Analysis Department support the activities of the gender equality unit. Gender specific statistics is also being gathered and analyzed by the Statistics Estonia.
- *Chancellor of Justice:* From 2004 everyone has the right of recourse to the Chancellor of Justice in order to have his or her rights protected by filing a petition to request verification whether or not a state agency, local government agency or body, legal person in public law, natural person or legal persons in private law performing public

¹ Last update provided in September 2009.

duties adheres to the principles of observance of the fundamental rights and freedoms and to the principles of sound administration. In case a person finds that a natural person or legal person in private law has discriminated against him/her on the basis of sex, s/he has a right of recourse to Chancellor of Justice for the conduct of conciliation procedure. Until now no conciliation procedure has been conducted regarding discrimination based on sex of a person.

- *Gender Equality and Equal Treatment Commissioner*: The Gender Equality Act entered into force 1 May 2004. The purpose of this act is to ensure gender equality and to promote equal treatment of men and women as a fundamental human right and a public good in all areas of social life. The act provided basis for creating institutions of an independent gender equality expert - the Gender Equality Commissioner and an advisory body for the government – Gender Equality Council (has not been formed yet).

At the beginning of October 2005 the first Gender Equality Commissioner was appointed. From 1 January 2009, after entering into force of the Equal Treatment Act, the Gender Equality Commissioner became the Gender Equality and Equal Treatment Commissioner.

Until 1 January 2009 the Commissioner had a task pursuant to the Gender Equality Act to monitor compliance with the requirements of the GEA, accept applications from persons and provide expert opinions, analyze the effect of laws on the status of men and women in society, make proposals to Government of the Republic and to government agencies, as well as to local governments and their agencies, regarding alterations and amendments to legislations, advise and inform Government of the Republic, government agencies and local government agencies on issues related to implementation of the Gender Equality Act, and take measures to promote gender equality. From 1st of January 2009 the Commissioner additionally has a task to fulfil the before mentioned tasks regarding discrimination or equal treatment based on nationality (ethnic origin), race, colour, religion or belief, age, disability or sexual orientation. Also, the Gender Equality and Equal Treatment Commissioner should counsel and provide assistance to persons in submitting complaints about discrimination, publish reports about implementation of the principles of equal treatment and gender equality and co-operate with other persons and entities in promoting gender equality and equal treatment. The Equal Treatment Act also created a basis for establishing the Office of the Gender Equality and Equal Treatment Commissioner, consisting of public servants supporting and assisting the Commissioner in his/her work. Until now the Commissioner has one adviser to help her in her work.

In addition to directly state related institutions, also some non-governmental agents should be pointed out:

- *Research-related institutions*: Several research-related institutions, e.g. Gender studies group in the University of Tartu, Centre for Gender Studies in the Tallinn University's Institute of International and Social Studies, PRAXIS Center for Policy Studies, Estonian Open Society Institute etc are working on gender equality issues.
- *Estonian Women's Studies and Resource Centre (ENUT)*: This centre has become an active promoter of gender equality in Estonia since its establishment in 1997. At the beginning the aim of this centre was to become a research centre open to the public as a library and an information centre. Besides fulfilling this aim the centre has arranged numerous seminars and conferences, supported and participated in many projects at both domestic and international level and runs a public library in the field of gender-studies and feminist literature.
- *National umbrella women's` NGOs* (Estonian Women's Associations Roundtable and Estonian Women's Chain of Co-operation) were established in 2003 for representation

of Estonia in the co-operation with European Women's Lobby. Both of the organisations are active in promoting gender equality.

Some of the mechanisms created after the Beijing Conference no longer exist, e.g.:

- *Inter-ministerial Committee*: As part of the follow-up activity to Beijing, this body was established in 1996 in order to deal with the social problems discussed at the UN World Conferences.
- *Association of Parliamentary Women*: This association was founded in 1998 and brought together female deputies from different parties. The association functioned as an observer and supporter of gender-related legislation in parliament.
- The *Working Group for Promoting Gender Equality* (rearranged into the Inter-ministerial Committee for Promoting Gender Equality in 2003) was established in February 2002. This group was composed of the representatives from different ministries. Its task was to develop a strategic development plan for eliminating the inequality of men and women and integrating gender equality into the action plans, programmes and projects of state institutions in different areas and give recommendations for implementation. The committee became inactive before implementing its tasks.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

Before the Beijing Conference, the National Report of Estonia "Estonian Women in a Changing Society" was published as a preparatory document for the Fourth World Conference. It functioned as an action plan also during the period after the Beijing Conference.

In addition, after the Beijing Conference in 1995, the Inter-ministerial Committee specified four immediate priorities for the implementation of the Beijing Platform for Action: 1) the establishment and strengthening of the national machinery for equality at all levels of government; 2) the review of Estonian legislation from an equality standards perspective; 3) the availability of official gender-sensitive statistics and 4) the improvement of women's position in the labour market and decision-making.

Although no separate Gender Equality Action Plan has existed in Estonia during the period after the Beijing Conference, gender equality issues have been a part of different policy planning documents. Due to the number of these, only more recent ones will be mentioned here.

The Ministry of Social Affairs Action Plan is updated yearly with a 3-year perspective. Gender equality, violence in close relationships and trafficking in human beings are among the topics covered in the action plan at the moment. In promoting gender equality the main challenges during the period of 2004-2009 have been implementation of the Gender Equality Act, developing the national machinery, raising awareness of the general public and specific stakeholders, promoting gender equality in working life, supporting measures to reconcile work and family life and establishing the basis for gender mainstreaming.

In order to implement the EU Lisbon Strategy for Growth and Jobs, the Estonian Action Plan for Growth and Jobs 2008-2011 is being carried out. The new action plan consists of three parts (macroeconomic environment, competitive business environment, education and labour market) and has 9 objectives, one of which is increasing the flexibility of the labour market and improving the quality of working life. Under this objective also the question of helping employees to reconcile work and family life is being targeted.

Both the Estonian National Development Plan for the Implementation of the EU Structural Funds SPD 2004-2006 and the Estonian National Strategic Reference Framework 2007-2013 for the Implementation of the EU Structural Funds contain a gender aspect.

In the framework of implementation of priority axis 3 “Good-quality and long working life” of the Operational Programme for Human Resource Development governing the European Social Fund (ESF) in Estonia in 2007-2003, a Programme to Promote Gender Equality in 2008-2010 is being implemented by the Gender Equality Department in the Ministry of Social Affairs. The program aims to: 1) raise the awareness of employers and employees about gender equality, about their rights and responsibilities; 2) support the implementation of gender equality mainstreaming strategy in the labour market; 3) support the implementation of gender equality legislation; 4) reduce gender stereotypes. The main activities encompass a major study on the gender pay gap, the follow-up to the gender equality monitoring study, media and outdoor campaign, conferences and seminars, trainings e.g. for private and public sector employers and representatives of employees, publishing a commentary to the Gender Equality Act, supporting the activities of the network for gender equality in the working life etc. There are different measures aimed at employers and employees in both public and private sector.

The National Action Plan for Social Inclusion for 2004-2006 included specific actions for fighting violence against and trafficking in women. The National Social Protection and Inclusion Report for 2006-2008 and the National Social Protection and Inclusion Report for 2008-2010 also include topics important for decreasing gender inequality in a society.

The National HIV and AIDS Strategy for 2006-2015 was drawn up in 2005 together with an action plan for 2006-2009. In 2008 the National Health Development Plan 2009–2020 was adopted. Both strategic documents target health-related problems in Estonian society also from a gender perspective.

The Development Plan for Combating Trafficking in Human Beings for 2006-2009 sets out the strategic objectives for combating trafficking in human beings and determines the main measures and activities for achieving such goals. The activities pay special attention to the fact that very often it is women who are victims of trafficking. The Development Plan has 6 strategic sub-objectives: continuous mapping of the problems related to human trafficking in order to get a comprehensive and trustworthy overview of the actual extent and forms of human trafficking; prevention of human trafficking by informing the public of the nature of human trafficking and dangers related thereto; development of the skills of the specialists coming into contact with the problem of human trafficking in their work, and promoting cooperation between them; curbing human trafficking by means of more effective border controls and control over employment mediation; effective reaction to criminal offences related to human trafficking; and providing assistance and rehabilitation to victims of human trafficking. A national network was established in 2006, consisting of officials from all the relevant ministries and boards, and NGOs/service providers. The network meets at least twice a year and meanwhile the communication takes place through e-mail list.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

Estonia is elaborating a gender mainstreaming policy alongside the “traditional” gender equality policy.

The Gender Equality Act from 2004 stipulates that state and local government agencies are required to promote gender equality systematically and purposefully. The duties of public authorities are specified in § 9 subsections 1 and 2 of the Act, where the gender equality mainstreaming process is outlined. According to the § 9 of the Act public authorities are required to change the conditions and circumstances which hinder the achievement of gender equality. Upon planning, implementing and assessing national, regional and institutional strategies, policies and action plans, the agencies have to take into account different needs and social status of men and women and consider how the measures applied and to be applied will affect the situation of men and women in society.

In addition to the GEA, the ministerial regulations for project applications from European Social Fund (ESF) provide that the inclusion of gender impact is a mandatory criterion in project application for all measures. Also, the decree of the Minister of Social Affairs states with regard to open calls of ESF measure „Increasing the qualified labour supply” that involving a gender equality expert in projects’ activities is an eligible cost and the applicants can get additional points for that during the project appraisal procedure by the experts.

In order to support the implementation of gender mainstreaming strategy, several projects and other activities have been undertaken starting from 2003 by different actors (e.g. ministry, the Gender Equality Commissioner, NGOs etc), often with a financial help from the European Union. Examples of these activities are: developing guidelines for gender impact assessment, training civil servants, training the trainers, creating an Internet-based centre of expertise, publishing electronic gender mainstreaming handbook, publishing a gender mainstreaming manual for local governments, making available in Estonian the Council of Europe Committee of Ministers Recommendations (2007)13 (gender mainstreaming in education) and 2007(17) (gender equality standards and mechanisms), translating and publishing a Council of European Municipalities and Regions publication “*The Town for Equality. A methodology and good practices for equal opportunities between women and men*” and the European Charter for Equality of Women and Men in Local Life.

FINLAND¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Council for Gender Equality*: Established in 1972, the Council is an independent body administratively attached to the Ministry of Social Affairs and Health. Its members are representatives from political parties and its term is the same as that of the parliament. Representatives of national women's NGOs are permanent experts to the Council. The Council serves as an active societal discussion forum in the field of equality policy and promotes gender equality by taking initiatives and issuing opinions.

Its objective is to promote and monitor the achievement of gender equality, to eliminate gender discrimination, to improve the status of women in employment and to promote equal pay. It makes proposals to the authorities and labour market organisations on gender equality reforms, promotes gender equality in the administrative field, issues statements on legislative amendments with regard to gender equality, carries out research and combats gender-based violence and sexual harassment. It also follows international developments in the field of gender equality and introduces new topics and issues to public debate.

The Council for Gender Equality may appoint subcommittees to which experts in the relevant field are appointed.

- Since 1981, the Council has appointed a *Subcommittee for Women's and Gender Studies*, which aims to promote dialogue and exchange of information between research and policy-making on gender equality. It has been actively involved in improving the operational preconditions for women's studies and promoting work on gender equality in universities. It has also supported the development of men's studies. In addition, the subcommittee functions as the editorial council for publications.
- A *Subcommittee on Men and Gender Equality* exists since 1988. This Subcommittee has introduced debate, commissioned reports and organised seminars, in particular on paternity, men in working life and more recently on immigrant men and violent men. The Subcommittee has also been active in launching the reform on family leave.
- During its term from 1990 to 1998 the *Subcommittee on Violence* has made proposals for changes in legislation, new research topics and the improvement of statistics and service system within the field of gender-based violence. It was influential in initiating the two well known studies: *Faith, Hope, Battering* which mapped the prevalence of men's violence to women and *The Price of Violence*.

In 1987 the Act on Equality between Women and Men came into force. It aims to promote equality between women and men, prevent direct and indirect discrimination based on gender, improve the status of women particularly in working life, and facilitate the reconciliation of working life and family life for women and men. Furthermore, it prohibits discrimination in job advertisements and training vacancies, and gives those discriminated in working life a right to claim compensation. It also obliges the authorities to change such circumstances that prevent the achievement of equality, it requires that men and women shall be provided equal opportunities for education and occupational advancement and

¹ Last update provided in September 2009.

demands an even distribution of male and female members in state and municipal bodies. The Act does not apply to activities connected with religious practice nor does not authorise interfering in family matters or in people's private life.

The *Office of the Ombudsman for Equality* was established with the enforcement of the Act on Equality between Women and Men (609/1986) in 1987. The Ombudsman for Equality monitors the compliance with the Equality Act and in particular compliance with the provisions prohibiting discrimination. The Ombudsman provides advice and counseling free of charge. The cases handled are often related to recruitment, pregnancy, the use of family leave and wages. About 30% of the cases are brought by men and 70% by women. Trade organisation and other associations also consult the Ombudsman for Equality. The Ombudsman deals annually with more than 400 matters in writing. In addition, it receives more than 600 telephone requests for advice and information.

The tasks of the Ombudsman for Equality also include promoting equality in particular in the workplace. One of its tasks is to monitor the implementation of the obligation concerning gender equality planning in workplaces and educational institutions. In addition, the Ombudsman's tasks include providing information on the Equality Act and its application as well as monitoring the progress of equality in different areas of the society.

If the Ombudsman for Equality detects a failure to comply with the obligations in the Equality Act, he or she must try to prevent infringement of the rules by providing advice and counseling. The Ombudsman can, if necessary, place a matter involving illegal action before the Equality Board.

Equality Board: In addition to the Ombudsman for Equality, the Equality Act is monitored by the Equality Board. The Equality Board's Chairman and four of its members are appointed by the Government for three year periods. In addition to equality experts, its members include representatives from labour market organisations. On the initiative of the Ombudsperson or a central labour market organisation, the Board can prohibit illegal discriminatory action, and may impose a conditional fine in certain cases – this fine has been imposed only once. By virtue of the Equality Act, the Board can also, on request, issue opinions to courts of law in matters concerning the application of bans on discrimination as described in the Equality Act in matters that are important in terms of the Act's objectives (a couple of opinions per year). Opinions issued by the Equality Board or the Ombudsman for Equality are not binding for the courts.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

Within the state administration gender equality matters are dealt with in the Ministry of Social Affairs and Health. Those responsible for the practical implementation of gender equality are the Gender Equality Unit, the Ombudsman for Equality and the Council for Gender Equality. In Parliament the Employment and Equality Committee deals with equality issues.

A coordinator for women's studies was working in the Office of the Ombudsman for Equality until the organisational reform of the gender equality institutions in 2001.

Amendment to the Act on Equality: The Act on Equality between Women and Men (Equality Act) has been revised several times since its enforcement in 1987. An overall reform of the Equality Act entered into force on 1 June 2005.

The Directive on Equality in working life (2002/73/EC) was implemented by the reform. The regulations in the Constitution of Finland on equality in societal activities and working life that came into effect after the latest amendments to the Equality Act were also considered.

The most important revisions of the Act were the changes of provisions related to the duties of an employer and gender equality planning. Under the Act on Equality, every public-sector

and private-sector employer has a general obligation to promote gender equality in a purposeful and systematic fashion. If the number of personnel working for the employer on a regular basis is at least 30, the employer must draw up a gender equality plan in cooperation with the personnel and must implement the plan's measures. The gender equality plan must contain a gender equality assessment, measures for improving the situation, and a review of the results of the previous year's plan. Under the Act, a survey of women's and men's pay in the workplace must be conducted as part of the gender equality assessment. Upon finding that an employer is neglecting the obligation to draw up a gender equality plan as laid down in the Act, the Ombudsman for Equality may request that the plan be drawn up within a reasonable time or urge the Equality Board to request the employer to draw up the gender equality plan within a prescribed time. The Board may enforce its request with the threat of a penalty.

Provisions on the general duty of authorities to promote gender equality were specified. All public authorities must promote gender equality purposefully and systematically in all their activities. Under the Act on Equality authorities must create and consolidate administrative and operating practices that ensure the advancement of equality between women and men in the preparatory work undertaken on different matters and in decision-making.

The definitions on direct and indirect discrimination on the grounds of gender were added in the law and sexual harassment and harassment on the grounds of gender were defined as illicit discrimination.

The scope of application of the quota provision was extended to institutions for cooperation between municipalities and institutions exercising official authority.

Also the provision on the burden of proof in cases of discrimination based on sex was added in the law and the provisions on sanctions were modified.

The Act on Equality between women and men was amended again in 2009 when the provisions on discrimination based on sex in access to and supply of goods and services were added in the law. (Entered into force on 1 January 2009).

In an other amendment in 2009 the definitions of harassment and sexual harassment were added in the law and the provision on compensation was modified. (Entered into force on 29 May 2009).

1.2.2 CREATION OF NEW INSTITUTIONS

- *Inter-ministerial Working Party.* After the Beijing Conference, the first ever inter-ministerial body on equality issues was set up. It was created for the follow-up of the Beijing Conference. It includes representatives from all ministries. In 1999, its last report was submitted.
- *The Gender Equality Unit* started its work on 1 May 2001. It prepares the government's gender equality policy. The duties of the Unit include drafting laws, and preparing and developing the Government's equality policy in collaboration with the ministries. The Unit co-ordinates international gender equality issues associated with the European Union, the United Nations, the Council of Europe, and the Nordic Council of Ministers.

The Council for Gender Equality set up two subcommittees for 2003-2007. A *Subcommittee on Gender studies and Development* aimed to promote gender equality by, for example, encouraging municipalities to include a gender perspective in their budgets and to assess gender effects. A *Subcommittee on Men's Issues and the Media* focused on boys and young men.

A new subcommittee was set up for the term 2007-2011. The *Subcommittee on Gender and Power* aims to initiate discussion about and measures concerning gender and power, and to conduct relevant research in the field.

The *Subcommittee on Men and Gender Equality*, which has existed since 1988, will focus, during its new term, on promoting gender-sensitive education as an integral part of practices employed in education and working with youth. The Subcommittee will also continue its work on fatherhood.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The National Action Plans of Finnish Governments (1995-2008)

In 1995-2008 the governments continued to include gender equality issues in their government programs. During this period three out of the four governments committed themselves to formulating a specific Gender Equality Action Plan.

A Plan of Action for the Promotion of Gender Equality (1997-1999)

A *Plan of Action for the Promotion of Gender Equality* (1997) was drawn up to implement the Beijing Platform for Action. The objectives set out in this Plan took the form of projects (96 in total) and tasks. The most important outcome of the Plan was the five-year cross-sectoral project for the prevention of violence against women including revision of the legislation. Research, statistics, education and services were developed and improved in this field.

Other significant achievements were the increased support for women entrepreneurs, gender mainstreaming within the administration and strengthening the equality objectives in the National Action Plan for Employment (NAP). It was estimated that the Gender Equality Action Plan increased the visibility and impact of equality issues, especially in the state administration.

The Government's National Action Plan for Gender Equality (2003-2007)

All ministries participated in drafting and implementing the plan. The Gender Equality Unit coordinated this work. The Action Plan included many of the tasks of the Beijing Declaration. It also covered many tasks referred to in the Government Programme and the Government Strategy Document.

The Action Plan 2004-2007 comprised almost one hundred measures that were related to the following themes: gender mainstreaming in state administration; gender equality issues in work life, gender pay gap, segregation, women's entrepreneurship; promotion of gender equality in regional and local activities; women's position in economic and political decision-making; reduction of violence against women. Also issues like education, health policy; international cooperation, media and women's studies were touched.

The Action Plan included programmes and projects, legislative amendments and other measures to promote gender equality to be carried out during the parliamentary period. There was no specific budget for the Action Plan, but the measures were funded by each ministry. A joint working group covering all the ministries was in charge of coordination and follow-up of the Action Plan. Good achievements were made in some of the measures, e.g. the share of the women in the company boards did rise. However, it was evaluated that many of the issues were not completed and will have to be taken on the agenda of the gender equality policy of the future governments, too.

Government Action Plan for Gender Equality (2008-2011)

The current Government Action Plan for Gender Equality has been compiled and will be implemented in cooperation with various ministries. The Ministry of Social Affairs and Health coordinates the implementation of the Plan. The Action Plan is more focused and pragmatic

than the previous Action Plans. It includes seven priority areas, which include 27 measures to be taken by the Government:

- Gender mainstreaming: All Government decisions and measures will be evaluated so as to discover their impact on men and women. Especially the gender perspective will be introduced to the processes of law drafting, budgeting, management of the programmes and projects, strategic planning in the ministries and the management of the institutes. There has been training in the ministries and the implementation and follow-up of the mainstreaming process has been developed.
- Reducing gender pay differentials: The Government's goal is to clearly reduce the differences in pay between men and women during its term of office.
- Promoting women's careers: The Government aims at advancing women's careers and increasing the share of women in managerial positions both in the public and the private sectors.
- Increasing gender awareness in schools and reducing gender segregation: The Government aims to alleviate the strongly gender-segregated education fields and professions.
- Reconciling work and family life: The Government will explore the possibilities to reform the parental leave system and encourage fathers to use family leaves.
- Reducing violence against women: A cross-sectoral programme to reduce violence against women will be drawn up. The coordination of and the resources for reducing violence against women will be reinforced.
- Reinforcing gender equality work and a report on gender equality: The operational conditions and resources of equality authorities and women's organizations will be reviewed.

The Government will issue a report to Parliament on gender equality.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The basis for gender mainstreaming is provided by the fundamental rights in the Constitution Act as laid down by the Equality Act. Thus, the general obligation of the public authorities to promote gender equality has been integrated into legislation. Since 2004 the guidelines for making a government proposal for a new law have included a section mentioning that a gender impact assessment should be made while preparing the laws.

Gender equality and mainstreaming are well represented in the current Government programme. The Government will take steps to ensure that the gender perspective is mainstreamed across all law drafting, budget procedures and other major projects from the very beginning. Training will be provided in the various ministries to promote this development.

There is a Government's Action Plan for Gender Equality that sets the goals and the plans the implementation of gender mainstreaming. All Government decisions and measures will be evaluated so as to discover their impact on men and women. Gender perspectives will be included in the implementation of Government policy programmes. Each ministry will take the gender perspective into account when drafting legislation, drawing up the draft budget and implementing projects. An operational working group on gender equality will be established in the ministries to ensure gender mainstreaming. The ministries will provide training for their personnel on gender mainstreaming. An information service for gender equality will be launched in 2009. It will pull together equality information and support the gender mainstreaming efforts.

Gender equality unit has the expertise and does the strategic planning. There is an interministerial steering group at senior level that coordinates between the ministries.

Operational working groups have been set in the line ministries. They perform as coordination structure within the ministries. These working groups have expertise on every key area of the ministries: legislation, budget, statistics, training, policies and programmes etc.

Gender mainstreaming is a key objective in the government's gender equality policy. In all ministries, as in all municipalities and regions, decisions are made which may have different effects on men and women. The aim of mainstreaming is to develop administrative methods and ways of operation that take the gender perspective into account as part of everyday work.

The Finnish national budget has been prepared in accordance with new guidelines that take the gender perspective into account since 2007. The general directives for formulating the Budget (since 2006) state that Ministries' budget proposals must present the operations that have a significant gender impact. As of 2004, the guidelines for drawing up government bills require gender impact assessment when necessary. In law drafting, the question of whether gender has significance in the area being prepared should be considered from the very beginning. Taking the gender perspective into account may have a major impact on the final government bill. A good example of this is the reform of the Occupational Safety and Health Act. Because of the gender perspective the concept of occupational safety assumed a wider scope, complying better with today's world of work both for women and men.

There has been a project to restructure municipalities and services in Finland. The objective of the Project is to create a solid structural and financial basis for the services that municipalities are currently responsible for. And to secure the organisation and provision of the services with due regard to the required standard of quality, effectiveness, availability, efficiency, and technological advancement. Municipalities are facing major demographical and economical changes. These provide challenges for the municipalities' ability to provide services to the citizens. A gender perspective has been a part of the project. The Ministry of Interior has prepared a guidebook for the regional implementation of the reform. It is very important that the gender perspective is taken into account in the regional implementation.

The reform is about municipal structures and organising municipal services. Because of this the impacts of the changes must be looked at with a gender perspective. This must be done especially from three different aspects. 1) the impacts on working, career and financial status which is the aspect of the personnel, 2) the impacts from the perspective of the people using the municipal services, 3) the impacts from the point of view of democracy and societal involvement.

One of the mainstreaming experiences in our state administration is the working group under the Ministry of Education that was working on the theme: Promotion and assessment of the gender aspect in sports. The committee considered it important that the gender aspect is always taken into account in the preparation of sport matters and in relevant decision-making. The committee proposed for instance that:

- All sport statistics be systematically broken down according to gender;
- The gender aspect be included in all sport research, where applicable;
- The Ministry of Education take gender equality into account in the new criteria for performance-based resource allocation in line with the mainstreaming principle;
- Local authorities monitor and evaluate the supply of and access to sport services and their targeting from the gender perspective; publicly-funded sports facilities serve the sport activities of both genders.

Gender mainstreaming training is organised for the civil servants regularly. Twice a year there is training on gender impact assessment of legislation. Once a year there is training on statistical data disaggregated by sex. There has been training on gender budgeting. Ministers and senior management have been briefed about gender mainstreaming. Training is also provided by the line ministries (e.g. included in the induction training).

The Ministry of Social Affairs and Health has had mainstreaming guidelines since June 2002.

The guidelines are applied to:

- gender impact assessment in law drafting. The results of the assessment and how they are taken into account in law drafting are reported in the drafting documents and included in the commentary to the bill. If it is assessed that the bill does not have impact on the status of women and men, that is mentioned in the commentary;
- taking into account of the objectives of gender equality promotion in other projects;
- promotion of gender equality in personnel policy;
- the target agreements of the Ministry and the agencies and institutions under it.

In gender impact assessment or mainstreaming in general, attention is paid to the impact of a legislative project on women's and men's:

1. financial status;
2. opportunities to fulfil their parental responsibilities and to reconcile work and family life;
3. education and training, and professional development;
4. job opportunities, employment and unemployment, quality of work, professional and career development;
5. opportunities to have influence and participate in society;
6. health and ill-health and the need for related services;
7. security and threat of violence;
8. safeguarding their social inclusion;
9. time use, leisure interests and need for recreation and
10. other factors of relevance to the implementation of gender equality.

Gender Equality Unit has carried out a two-year gender mainstreaming project, Gender Glasses, with the support of Community Programme PROGRESS. The project has organized several training functions, published a website as well as material and tools for practical work. The objective has been to enhance awareness of the importance of gender mainstreaming in all government actions. The project will end in November 2009.

What has been done in Finland?

- Planning and pilot projects since late 90's
- Action plans since 1997
- Gender mainstreaming in the Government programmes since 1999
- Gender impact assessments of legislation since 2000
- Creating guidelines and providing training since 2000
- Developing statistical data since 2000
- Gender budgeting first time in the budget for 2007
- New focus: projects and programmes.

FRANCE¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Ministry of Social Affairs, Health and Urban Affairs:* As from 1993, the Ministry of Social Affairs, Health and Urban Affairs took over the duties previously assigned to the State Secretary for Women's Rights. It thus became responsible for promoting any measures aimed at improving women's rights, encouraging the access of women to various positions of responsibility in French society and eliminating any forms of discrimination against women.
- *Department for Women's Rights:* This administrative entity comprises a central unit and a network of regional delegates and department representatives. In 1995, the department was placed under the authority of the Ministry of Social Affairs, Health and Urban Affairs. Its aims were to ensure respect for women's rights and to guarantee equality in all fields. It introduced special measures for women and set up pilot projects relating to employment or the recognition of women's specific rights. The department was allocated public funding amounting to 22 242 312 € in 1990, 23 873 516 € in 1991 and 22 730 148 € in 1992. For the record, the first governmental body in France with responsibility for women's rights was set up in 1974.
- *Interministerial Committee for Women's Rights:* Set up in 1982, this committee includes all members of the government and is responsible for ensuring co-ordination between the different ministries in matters concerning equal opportunities for women and men.
- *National Council for Equality between Women and Men in the Workplace:* This council was set up under Act No. 83-635 of 13 July 1983 to encourage trade unions, employers' organisations, specialists in the field and public authorities to take part in a wide-ranging discussion on equality in the workplace. Its purpose is threefold: to monitor the application of provisions on equality in the workplace, to carry out studies and research and make proposals to improve equality in the workplace and to give its opinion on legislation concerning women's employment and on any changes in labour law that may have an impact on equality in the working environment.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *State Secretariat for Women's Rights and Vocational Training:* This secretariat was set up in November 1998, with Ms Nicole Pery being appointed State Secretary for Women's Rights and Vocational Training.
- *Ministry for Parity and Workplace equality:* This ministry was set up in 2004: Ms Nicole Ameline, Deputy Minister responsible for parity and workplace equality under the

¹ Last update provided in November 2009.

Minister of Social Affairs since 2002 was a full minister. This was a clear indication of the special importance which the French government intends to attach to equality policies.

- *Department for Women's Rights*: On 8 March 2000, the department for women's rights became the *Department for Women's Rights and Equality*. This change of name plays an important role in the acknowledgement of equality between women and men as a society project and in promoting a global approach for equality. Before this name change, other changes were already made to the old department for women's rights. It had been placed under the authority of the State Secretary for Women's Rights and Vocational Training, acting on behalf of the Minister for Employment and Solidarity. The department's activities have received funding amounting to 12 958 166 € in 1995, 12 775 228 € in 1996, 12 003 836 € in 1997, 10 987 000 € in 1998 and 12 267 572 € in 1999. 15 244 902 € in 2000, 16 342 535 € in 2001, 17 531 600 € in 2002. 18 000 000 € in 2003, 17 000 000 € in 2004.

1.2.2 CREATION OF NEW INSTITUTIONS

- *Parity Observatory*: The observatory was set up in 1995 and placed under the authority of the Prime Minister. It is chaired by the Prime Minister, who may delegate this duty to the Minister for Women's Rights. The observatory's members are selected on account of their competence and experience and a general rapporteur is appointed by decree of the President of the Republic on a proposal from the Prime Minister and the Minister for Women's Rights. It is responsible for identifying existing trends (its duties include "collecting data and commissioning and conducting analyses, studies and research on the situation of women at national and international level"), but also has an advisory function (assisting "public authorities and leading figures from the political, economic and social fields in their decisions" and making "any recommendations and proposals to amend laws or regulations").
- *Two parliamentary delegations on women's rights and equal opportunities for women and men*: These delegations were set up under Act No. 99-585 of 12 July 1999 in both chambers of the French parliament (one in the National Assembly and one in the Senate). Their tasks include informing the two chambers about the implications of government policy for women's rights and equal opportunities for women and men, monitoring the implementation of legislation and drawing up an annual activity report containing recommendations, etc.
- *National Council on Sex Information, Birth Control and Family Education (CSIS)*: The CSIS was attached to the Department for Women's Rights in 1996. This consultative body, now under the joint authority of the ministers responsible for women's rights, family affairs and health, is divided into two assemblies: one for associations and the other for government departments and specialists in the field. It suggests measures to be taken by the public authorities with a view to:
 - Providing more information for young people and adults on matters such as family and sex education, birth control, adoption and couples' responsibilities;
 - Promoting sex education for young people, with due regard to parents' rights and responsibilities;
 - Supporting and promoting basic and further training initiatives for educators specialising in these fields.
- *Delegation on women's rights and equal opportunities for women and men*. This delegation was set up at the Social and Economic Council on 29 February 2000.

- *The Women's Rights and Equality Department (SDFE)*

The SDFE is under the authority of the Minister for Employment, Social Relations, the Family, Solidarity and Cities and of the Secretary of State responsible for Solidarity and the Family.

It implements government policy to promote women's rights and equality between women and men around four main lines of action:

- Equality and women's access to positions of responsibility;
- Equality at work;
- Dignity and access to rights;
- Reconciliation of work and family responsibilities.

These lines of action are based on the two-pronged approach recommended by the Beijing Platform for Action:

- Fostering an integrated approach to equality by taking into account the respective situations and needs of women and men in the development, implementation, follow-up and evaluation of sectoral public policies,
- Putting in place specific measures for women, with objectives being set for reducing inequalities.

In order to achieve these aims, the SDFE:

- draws up draft legislation and regulations on women's rights and equality between women and men;
- produces separate statistics for women and men clarifying their respective situations;
- produces studies and analyses casting more light on inequalities and proposing remedies;
- publishes communications materials (leaflets, guides, etc) for professionals and the general public.

The SDFE comprises a central department and a decentralised network in regions, departments and overseas authorities.

In 2009 it had an activities budget of 16.66 million euros, a staff expenditure budget of 11.43 million euros and a network operation budget of 1.02 million euros.

It is soon to become part of a new general directorate for social cohesion centralising the support functions of several inter-ministerial public policies. It will remain the national institution in charge of public policy on women's rights and equality between women and men. It will be responsible for running, coordinating, steering and evaluating inter-ministerial public policy on equality between women and men.

Its work will be based on a cross-cutting policy document adopted by parliament in the framework of the 2009 Finance Act. This document will set objectives common to all ministries in terms of improving women's situation in all the spheres to which public equality policy applies. It will also evaluate all the activities of the partners of the national institutional system (ministries, local and regional authorities, enterprises, associations, etc) in order to give the government and national representatives an overview of the action taken in this field.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

In 1999, the State Secretary for Women's Rights submitted a national action programme to the Council of Ministers. The programme was drawn up in accordance with the recommendations of the Beijing Conference and focused on a number of themes: Employment, equality in the workplace and parity, social advancement and reconciliation of family and working life.

The action programme was issued to all the relevant ministers, who were asked to indicate their priorities for action in the equality field.

The new approach to equality issues, initiated by the Minister for parity and workplace equality and implemented by the Women's rights and equality department, is reflected in the implementation of a pluri-annual methodology, which is integrated and global as well as partner-based and inter-ministerial. It is applied in four main spheres of action:

- political and social parity: for the sharing of responsibility between women and men;
- workplace equality: for a greater contribution from women to the development of the economy and equal job opportunities;
- respect for human dignity: to reinforce equality in terms of rights, autonomy and citizenship;
- time management: for a new balance of social roles between women and men.

The success of these activities depends on the introduction of a comprehensive equal opportunities policy in which positive action is required of all policy-makers and society as a whole is involved.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

In line with the strategy initiated in Beijing in 1995, French policies are developing both specific measures aimed at certain categories of women to curb the situations of inequality observed and a cross-sectoral policy geared to taking the respective situations of women and men into account when devising, implementing, monitoring and evaluating initiatives (gender mainstreaming).

To gain a clearer picture of the respective situation of men and women, work has begun on adapting the statistics system used by the State.

Some 30 partnership agreements have been signed between the Ministry responsible for women's rights and other authorities and state-supervised bodies, focusing on quantified objectives for the advancement of women in the policies concerned: the "Inter-ministerial convention for the promotion of equal opportunities between girls and boys and women and men in the education system", a five-year framework agreement with the Agency for vocational training for adults (AFPA) aimed at doubling the number of women in job qualification training, setting up of a network of equality referral agents in the civil service etc.

A new explanatory appendix to the state budget has been introduced: the "Yellow paper on women's rights and equality" sets out the State's financial effort and an analysis of initiatives undertaken in these fields by different ministries (eight for the 2001 finance bill, fifteen for 2003).

Furthermore, the introduction of planning by objectives for equality policy in the coming years will help to consolidate the gender budgeting approach. From 2006 onwards, the structure of the French budget will be changed and the finance bills submitted to Parliament each year will be organised into budget programmes setting objectives and results to be attained for each of the public policies which the Government wishes to pursue.

In this context, the Ministry for Parity and Workplace equality has provided for a programme on equality between women and men that would make it possible to develop the four fundamental objectives of national policy:

- parity and access to responsibilities;
- workplace equality;
- access to rights and respect for human dignity;
- time management.

By convening the "Equality conference" in March 2003, Ms Nicole Ameline gave fresh impetus to the cross-sectoral approach promoting equality between women and men, hinging on three supports: the Charter for equality between women and men, a National council for equality, and a network of equality players.

- The *Charter for equality between women and men* was submitted to the French Prime Minister on 8 March 2004 on International Women's day. It is a contractual document, drawn up in collaboration with the different groups working to promote equality between women and men at national and local level and placing all the initiatives and commitments in this area on a formal footing. It will form something of an agenda and a road-map for all the players signing up to it: the State, which must set an example to follow, as well as local authorities, both sides of industry, chambers of commerce, the entire business community and the whole of civil society. Each of the players has carefully worked out proposals for initiatives that they will be committed to carrying out in the next three years to build a more equal society. Five main thrusts of progress are defined:
 - political parity and access to decision-making;
 - equality in the workplace;
 - respect for human dignity;
 - time management;
 - European and international solidarity.
- A *National council for equality between women and men* is proposed, with a view to monitoring and guiding the new partnership arrangement set in motion by the Charter for equality. To this end, the Council will keep itself informed of all equality issues. It will bring together, in two specific groups (one dealing with workplace equality and the other with women's rights), three advisory committees, namely the National Council for Equality between Women and Men in the Workplace, the National Council on Sex Information, Birth Control and Family Education, and the Commission against Violence;
- A *network of women under the banner "Contemporaines"* will be created as a first step towards the Parity network, with the ultimate aim of bringing together all players in the equality sphere.

GEORGIA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

At the time of the Beijing Conference, there was no national machinery in Georgia. Georgian society had little awareness of the global strategies and achievements gained for the advancement of women. No serious gender research and analysis had been carried out.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

Due to reorganisation that took place in the government of Georgia State Commission on the Elaboration of State Policy for the Advancement of Women ceased to exist.

1.2.2 CREATION OF NEW INSTITUTIONS

- *State Commission on the Elaboration of State Policy for the Advancement of Women:* This commission was created by presidential Decree from February 1998 and attached to the State Chancellery. It receives instructions from the President of Georgia. It is headed by the Deputy Secretary of the National Security Council on Human Rights Issues and its 27 members are representatives from Parliament, the State Chancellery, involved ministries, NGOs and the media. The activities of the commission are directed at the implementation of the recommendations of the Beijing Conference. The commission was given responsibility for elaborating State policy and strategy on the support and improvement of women's conditions in Georgia and for working out a plan of action. Financial difficulties do not allow the State to provide the commission with a budget. The commission received financial support through the UNDP project "Gender in Development" (budget: 200 000 USD). However, the financial crisis in Georgia unfortunately influences the current activities of the State Commission. In the light of the economic situation the State Commission lack financial means, this creates a difficulty in achieving its main goals. There are enough qualified personnel available.
- *Gender Groups:* Informal gender groups are operating within the ministries concerned.
- *Gender Equality Advisory Council* under the Chairperson of the Parliament of Georgia was established on October 24, 2004. Council is chaired by the Deputy Chairperson of the Parliament of Georgia. The Council is composed of parliamentarians, NGOs and representatives of the Executive Branch of the Government. The Council acts as a lobbying unit for gender issues and focuses its activities on the following aspects such as:

1. Discuss and issue recommendations on gender issues;

¹ Based on: Reply to 1999 questionnaire on national machinery, action plans and gender mainstreaming and update provided in 2009.

2. Elaborate proposals and recommendations on National Gender Policy setting out the actions to integrate gender equality in all spheres and sectors of the political, economic and social life of Georgia;
3. Ensure gender mainstreamed legislation and approximation of Georgian Legislation to the European Union Law pertaining gender equality;
4. Within its competence observe the implementation of the international agreements and conventions involving the rights of women and gender equality issues;
5. Co-operate closely with international and local organizations working on gender issues.

On June 28, 2005 the Government of Georgia established the State Commission on Gender Equality Issues. On September 26, 2007 by the Order (# 211) of the Government of Georgia Intergovernmental Commission for Developing the Gender Equality Policy of Georgia was set up. Due to reorganisation that took place in the government of Georgia these commissions ceased to exist.

As of today Gender Equality Advisory Council is the sole institutional mechanism in Georgia, which coordinates gender equality issues on national policy level.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The National Plan of Action was elaborated by the State Commission on the Elaboration of State Policy for the Advancement of Women and approved by the President of Georgia by Order №308 in June 1998. Out of the 12 priorities of the Beijing Platform for Action, 7 were chosen:

- Institutional mechanisms for the advancement of women;
- Women in power and decision-making;
- Women and the economy;
- Women and poverty;
- Women and armed conflict;
- Women and health
- Human rights of women.

In addition to the *National Action Plan*, *National Plans for Health protection and employment* were developed, which contain special measures for the protection of women's health and their employment.

Much work was carried out on issues relating to achieving gender equality from 1998 to 2000. In 1999, the UN Committee on the Elimination of Discrimination against Women considered the initial report of Georgia on the implementation of "the Convention on the Elimination of all Forms of Discrimination against Women". The Committee positively assessed the work carried out.

At the same time, the Committee gave many very useful recommendations to the Government of Georgia. Based on these recommendations, the *State Commission on the Elaboration of State Policy for the Advancement of Women* elaborated the draft Order of the President of Georgia *On Strengthening the Protection of Human Rights of Women in Georgia*, which was approved on 28 August 1999. By this Order, the Commission was instructed to work out the *Plan on Combating Violence against Women*. This plan was drafted and on 25 February 2000, the President of Georgia approved the *Order on approving the Plan on Combating Violence against Women (2000-2002)*. The two orders have created

important legislative bases for promoting and implementing the *Action Plan for Improving Women's Condition*.

On the proposal of the *Commission*, the President of Georgia (by Order No. 1406 of 29 December 2000) took the decision to prolong the term of implementation of the Action Plan until 2005. Combating violence against women can be considered as the eighth priority.

(Also see 3)

In 2006 the Gender Equality Advisory Council and State Commission on Gender Equality Issues elaborated National Strategy on Gender Equality which was composed of three interconnected documents: State Concept on Gender Equality, Plan of Action for Implementation of Gender Policy in Georgia (2007-2009) and Recommendations on establishing institutional mechanism for gender equality.

On September 26, 2007 the Government of Georgia by Order # 539 approved the National Plan of Action for Implementation of Gender Policy in Georgia (2007-2009). The Action Plan provides for objectives as follows:

- Creation of a legal framework for gender equality;
- Raising public awareness on gender equality by popularizing gender issues and spreading of information;
- Substitution of gender related stereotypes by new gender equality oriented views at various levels of education.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

Gender mainstreaming is put into practice by awareness-raising on gender issues as well as training of specialists in different fields and at different levels. Training courses on gender equality issues were held in different NGOs, the Ombudsperson's Office, and the respective ministries and in the Parliamentary Women's Club.

Training on gender equality issues has been carried out under the project "Mainstreaming Gender Equality into the Government Institutions in Georgia" financed by SIDA (Sweden). This Project was implemented in cooperation with the Service on Human Rights Issues of the National Security Council of Georgia and the Commission. Training on gender issues was held in the police headquarters of 24 districts of Georgia. Moreover, training on the work of the Commission has been disseminated throughout the country in 52 districts of Georgia. However, the number of people attending these sessions was limited.

The President of Georgia issued a Decree "About the Measures on Strengthening the Protection of Human Rights of Women in Georgia" (No. 511) in August 1999. The Decree contains important provisions aiming at the establishment of gender equality in Georgia.

The draft Law on Gender Equality is elaborated. The draft law will be submitted to the Parliament of Georgia for adoption before the end of 2009.

GERMANY¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Federal Ministry for Family Affairs, Senior Citizens, Women and Youth*²: The objective of the women's sector within the Ministry is to ensure respect for equal treatment by increasing equal opportunities for women, eliminating discrimination, developing a comprehensive and effective policy, influencing government decisions and ensuring protection of expectant and nursing mothers. The Ministry as a whole employs more than 500 people. Besides the Ministry for Family Affairs, Senior Citizens, Women and Youth, nearly all Federal Ministries have set up sections that are particularly concerned with women's issues.
- *Women's Policy Department*: The Women's Policy Department first appeared in 1986. Its objective is to ensure equal treatment by increasing equal opportunities for women, eliminating discrimination, setting up a framework to guarantee women's equal participation in politics and gainful work as well as the reconciliation of work and family life.
- *Central equality units at "Länder" level*: These units are either independent Ministries or attached to the department of the Minister President or incorporated into another ministry. Their objective is the promotion of equality at Länder level. They initiate and propose draft laws, define the measures to be taken by the specific government as regards women's policies and they co-ordinate co-operation between ministries in the area of women's issues, often with the support of an Inter-ministerial Committee dealing with women's policy.
- *The Conference of Ministers and Senators of the Länder for Equal Opportunities and Women (GFMK)* meets annually with a different chairing Land each time. The Federal Government is represented as a standing guest.
- *Equality units at local level*: Having been set up since 1982, these 1200 bodies vary considerably from one Land to another. Their objective is to promote equality at local level. The advantage of such local institutions is that they are close to everyday aspects of difficulties or discrimination encountered by women.

¹ Last update provided in September 2009.

² Between 1995 and 1998, the ministry had access to approx. 10 225 838 € for equal opportunities programmes. The budget was to be increased to 10 737 130€ in 1999.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

Federal Ministry for Family Affairs, Senior Citizens, Women and Youth

The objective of the Ministry's gender equality policy is

- to promote equal opportunities for women and men in all areas of life,
- to inform and support pregnant and nursing women
- to protect women from violence and
- to promote women with migrational backgrounds.

The Ministry promotes gender equality by

- the introduction and control of gender equality policy concerns within the Federal Government, in particular in legislative work,
- research projects and pilot projects,
- supporting nationwide networks and
- representing gender equality concerns in international bodies.

The Ministry employs more than 600 people, within the Directorate-General on Gender Equality about 60 people. The Ministry is headquartered in Berlin. Beside the Ministry for Family Affairs, Senior Citizens, Women and Youth, nearly all Federal Ministries have set up divisions that are particularly concerned with women's issues.

For decades, the Directorate-General Equality at the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has been working successfully with different methods, tools, and in various co-operations as well as in national and international bodies. This includes

- the institutional promotion of the German Women's Council (Deutscher Frauenrat), which is an important co-operation partner and counsellor in its capacity as central association of all women's organizations in Germany;
- the promotion of national co-ordinating agencies (e.g. in the field of violence against women) for the purpose of continuous technical co-operation;
- the implementation of conferences, expert meetings and workshops with different stakeholders on specific topics (e.g. on equality of payments, on the implementation of Resolution 1325 etc.);
- the collaboration at the management board of the European Institute for Gender Equality, EIGE, (current: chair);
- the continuous collaboration at the High Level Group Gender Mainstreaming of the European Union.

Over the last two years, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has redirected its gender equality policy by including men. In order to achieve full gender equality, both women and men have to be taken into account. A number of research projects are looking into role perceptions of men – both by themselves, society in general and by women. Changes in the labour market, the economic crisis as well as demographic change affect men, too, though differently. These challenges have to be addressed, e.g. by trying to recruit more men into care and teaching professions, by addressing certain (learning) difficulties affecting parts of the male pupil and student population, or by encouraging men to take up more parental leave and thereby contribute to an equal sharing of caring responsibilities.

Equality units at local level: In 2002, the number of local units exceeds 1,900.

The Federal Working Party of Women's Offices and Equal Opportunities Boards (German abbreviation: *BAG*) is a network of women involved in women's and equal rights policy at local government level. The goal of *BAG* is to represent women's interests at Federal level, to create a platform of discussions about women's policy for the entire Federal Republic of Germany, to ensure exchange of experiences and information between colleagues and to settle questions relating to their own professions. *BAG* is represented in public by spokeswomen at Federal level and it has its own head office. A conference at Federal level which is held every 18 months in accordance with the statutes, serves as a platform of discussions about women's policy for commissioners for women's affairs and equal opportunities commissioners at local government level. It adopts resolutions on the basis of applications and elects the spokeswomen. As a rule, those conferences at Federal level are sponsored by the Federal Government and the Laender.

1.2.2 CREATION OF NEW INSTITUTIONS

- *Commissioners for Women's Affairs:* Full-time commissioners for women's affairs of the supreme federal authorities and in all employment offices have been appointed.
- *Department of Family Affairs:* One main focus of the federal government in this legislative period is the reconciliation of work and family life. Therefore, the German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, in partnership with the Bertelsmann foundation, launched the "Alliance for the Family" in summer 2003, in which the government, social partners, NGOs and other important stakeholders work together on a sustainable policy in favour of the family in order to get women into work. This new co-operation between politicians, business and trade unions is based on the consensus that a higher birth rate and a higher labour market participation by women are needed to cope with the challenges of the demographic change and international competitiveness.

1.2.3 LEGAL AND OTHER MEASURES

- *Federal Gender Equality Act (Bundesgleichstellungsgesetz):* The Act on the Equality of Women in the Federal Administration and the Federal Courts of Justice of 2001 promotes gender equality in the federal administration by means of several effective regulations, such as the performance-based, open quota regulation and the requirement to apply gender mainstreaming in all areas. The Act has strengthened the rights of the equal opportunities commissioners, *inter alia* through binding discharge rules, earliest possible involvement, the right of veto and the right to sue. In December 2006, the Federal Government submitted its first progress report. The second progress report is currently under preparation and is due to be adopted in 2010.

The Federal Laender have their own Land Equality Acts.

- *Act on the Appointment and Secondment of Women and Men to Bodies within the Remit of the Federation (Bundesgremienbesetzungsgesetz):* This Act of 2001 aims to achieve the equal participation of women in bodies within the remit of the Federation. In each legislative period, a report on the development of women's share in these bodies is submitted to the German *Bundestag*.
- *Protection against Violence Act* came into force on 1 January 2002 to improve the protection against violence and stalking under civil law and to facilitate the allocation of a shared home to one of the partners in cases of separation

It includes a simplified allocation procedure for the shared home and rules concerning the prohibition of contact, harassment and attempts to approach the victimised party and also stipulates that the victimised party is entitled to retain the home in case of violence.

- The *General Equal Treatment Act (AGG)* has helped to develop additional protection against discrimination in Germany. It essentially incorporated much of the Law on Equal Treatment at the Place of Work and Maintenance of Rights in case of Transfer of an Establishment, which was anchored in the Basic Law in 1980. However, the 1980 law focused solely on preventing discrimination on grounds of gender (restitution claims and a shift in the burden of proof), while the AGG broadens the focus to include the other criteria, and has been adapted to the provisions of the EU Equal Treatment Directives. The protection against discrimination provided by the AGG is no longer – as was the case with the Law on Equal Treatment at the Place of Work – limited to labour law, but instead now pertains to other areas of law as well. The protection against discrimination on the grounds of gender was expanded in the wake of the AGG to include the area of civil law, thus unjustified discrimination, for example in conjunction with laws related to tenancy or private insurance, can result in claims for compensation. A differentiation in treatment on the grounds of gender is now only allowed in the case of premiums or coverage within the context of private insurance when their consideration is a determining factor in an assessment of risk based on relevant and precise actuarial and statistical data. Costs incurred in conjunction with pregnancy and motherhood can no longer lead to different premiums or coverage.
- *Data report on gender equality in Germany*: An annotated data report on the equality of women and men in Germany was published on 29th November 2005. This report had been drafted by the German Youth Institute (*Deutsches Jugendinstitut -DJI*) on behalf of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth.
- *'Public Corporate Governance Code' of the Federal Government*: In June 2009, the 'principles of good corporate and holdings management in the Federal sector' were decided. This set of rules centres on the Federal Government's 'Public Corporate Governance Code' that is addressed at companies with federal holdings and their company bodies are expected to subscribe to its recommendations. It includes the clear equality policy target for companies to work towards the 'equal participation of women' in their supervisory bodies (supervisory board and board of directors).

1.2.4 MONITORING

Within the framework of the 19th Conference of Ministers and Senators for Equal Opportunities and Women (GFMK) held in June 2009, equality indicators were adopted and specified using numerical targets that serve as the basis for a consistent indicator and monitoring system throughout Germany. The equality atlas based thereon comprises 28 indicators in the following four categories:

- Participation (in politics, administration, science and private industry)
- Education (school-leaving examinations, vocational choices, academic degrees etc)
- Gainful employment (part-time work, child-raising rate, unemployment, pay gap etc.)
- Setting (life expectancy etc)

The equality atlas was published by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth.

On behalf of the Federal Office for Building and Regional Planning (*Bundesamt für Bauwesen und Raumordnung*), the Hans Böckler Foundation has developed the 'Spatial GenderIndex' that offers information on the equality situation for use by equality actors in districts, Laender and municipalities (<http://www.gender-index.de/>).

In line with the 'Agreement between the Federal Government and the central associations of German business on the promotion of equal opportunities for women and men in private industry' – cf under 2. – stock is taken every two years of the measures implemented, progress achieved and future actions.

The proportion of women in the supervisory bodies is published within the framework of the annual corporate governance report. (see above 1.2.3)

The *Federal Working Group to combat domestic violence* to combat domestic violence has been established in 2000 to coordinate the efforts within the federal system of Germany against domestic violence. Its members are representatives of the responsible ministries on the federal level (Ministry for Family Affairs, Senior Citizens, Women and Youth – manager of the the working group -, Interior, Justice, Health, the office of federal ombudswoman for migration and integration, the technical conferences of the respective Laender ministries for gender equality, justice, interior, social affairs and youth, the representation of the cities, towns and counties in Germany, the federal female lawyers association, the umbrella organisations of the German women's shelters, emergency lines and counselling centers and the federal conference of the intervention projects against domestic violence.)The working group meets three to four times a year in Berlin and functions as a monitoring body for the Action Plan II of the Federal Government to Combat Violence against Women.

The *Federal Working Group „Trafficking in Women“* was set up by the Federal Government in 1997. The Working group is managed by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth and meets about four times per year. Its other members are: Federal Foreign Office; Federal Ministry of the Interior; Federal Ministry of Justice; Federal Ministry of Labour and Social Affairs; Federal Ministry for Economic Co-operation; Federal Government Commissioner for Migration, Refugees and Integration; Federal Criminal Police Office; representatives from each of the technical conferences of the Laender ministries of the Interior, Justice, Social Affairs and Equality; Counselling centre SOLWODI e.V.; German nationwide activist coordination group combating trafficking in women and violence against women in the process of migration (KOK e.V.); Co-ordination group of the German Welfare Organisations (BAGFW).

The tasks of the working group include:

- continuous exchange of information on the numerous activities going on in the Federal Laender and in the national and international bodies,
- analysis of the concrete problems in combating trafficking in women,
- elaboration of recommendations and, if appropriate, joint campaigns to combat trafficking in women.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

Finalised actions

The National Strategy for the implementation of the Platform for Action was set up in 1997 by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth. It focuses on the following objectives:

- Equal access of women to decision-making positions at all levels of society;
- Improvement of women's situation in the economy and on the labour market;
- Human rights and the elimination of violence against women and girls.

In June 1999, *the programme "Women and Work"* was launched, which aims at:

- Improving training opportunities for young women, particularly in the future-oriented occupations associated with the information age;
- Expanding the employment and advancement opportunities of women;

- Eliminating discrimination against women setting-up in business;
- Promoting the reconcilability of family and career and the integration of men into family work;
- Counteracting income and wage discrimination against women, and
- Increasing the percentage of women in research and teaching.

Current and new actions

- *Equality Report Commission:* In 2008 the Federal Minister for Family Affairs, Senior Citizens, Women and Youth called into a being an interdisciplinary commission to draft Germany's first equality report and draw up its long-term outlook for equality policy. The first of its kind, the report will serve in formulating more specific policy provisions for greater gender equality and encourage change. The thematic focus of life cycle-based equality policy is designed to identify areas where equality policy action is needed, particularly in the transitional periods of an individual's life. The first equality report will be presented to the German *Bundestag* at the end of 2010. It will then be debated and the Federal Government will work on its implementation.
- In 2008 the action programme '*Perspektive Wiedereinstieg*' (vocational reintegration as a perspective) was launched to support women who have taken several years out in re-entering the labour market. Through the action programme, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth together with the Federal Employment Agency, support information and counselling services in several areas:
 - A model employment policy programme (in conjunction with the Federal Employment Agency and using funds from the European Social Fund)
 - A web-based portal with a piloting function (leads users to the advisory and counselling services provided at national, Länder and municipal level)
 - The integration of local-level actors by addressing Local Alliances, Multigenerational Homes (Mehrgenerationenhäuser) and Information Exchanges for women (Infobörsen für Frauen), the latter offering a dedicated information day on returning to work (Infotag Wiedereinstieg).
- *TOTAL E-QUALITY Deutschland e.V.* has set itself the goal of establishing equal opportunities for women and men in the workplace and securing them for the longer term. A key point of focus involves the promotion of women in management positions. Apart from reconciling work and family life, other important aspects include equality in human resources recruitment and development, fostering partnership-based behaviour in the workplace and consideration of gender equality in company policy.

TOTAL E-QUALITY awards its label to exemplary practices of equality-based human resources management. It certifies that the recipient is successfully and lastingly committed to ensuring equality between women and men in the workplace. The label is awarded nationwide to organisations in industry, science and research and administration with more than 15 employees. These are organisations that have recognised the role of soft facts in their economic success. The label comprises a certificate and the TOTAL E-QUALITY logo, which recipients may use as a seal of quality in their marketing and public relations work. Since its introduction, the label has been awarded on 16 occasions to a total of 299 recipients. The Federal Government and the top industry associations began recommending TOTAL E-QUALITY in 2001.

Gender Pay Gap

In Germany, women's gross hourly pay is an average 23 percent lower than that of men. This places Germany in the lower middle field in European comparison: Germany ranks seventh to last, just ahead of Austria (25.5 percent) and the Netherlands (23.6 percent).

Up to 2007 there was no coordination of combating the gender pay gap by measures of the Federal Government. A first step towards this goal was the elaboration of a Guide on Fair P(l)ay – a targeted instrument with which to support the social partners and all those involved in pay negotiations. It was published in 2007 for use in applying the equal pay for equal work principle. This takes in the particular use of transparent, non-discriminatory (analytical) work evaluation processes in collective bargaining in order to halt the perpetuating stereotypical lower pay levels for women.

The Federal Government has identified three main causes for the existing gender pay gap:

1. The lack of women in certain jobs and sectors, and at the upper end of the career ladder. The horizontal and vertical segregation on the labour market is still a reality.
2. Women take career breaks or reduce their working hours more frequently and for longer periods than men.
3. Typical women's jobs are seen as less valuable than typical men's jobs, and individual and collective wage bargaining has done little to change this.

The Federal Government has developed strategic measures for each of these causes, inter alia:

1. The measures mentioned above to improve the reconciliation of work and family life.
2. Measures to improve the employment and career opportunities of women; e.g. the annual Girls' Day; the "National Pact for Women in MINT Professions"; the web portal "frauenmachenkarriere.de"; Total E-Quality.
3. On the occasion of the second Equal Pay Day in 2009, BMFSFJ launched the tool Logib-D which enables businesses to examine whether and why a gap exists in the pay paid to their male and female employees. Logib-D builds on a similar tool devised and used in Switzerland. Furthermore the Guide on Fair P(l)ay (see above).

Women Professors Programme

In 2007, the Federal Government and the *Länder* passed the Women Professors Programme, which they are jointly financing with a funding volume of €150 million, with the aim of sending out a signal to improve the gender structure in higher education. Over the next five years, the programme will enable at least 200 positions for highly-qualified women at W2 and W3 professorship level to be established and financed for a period of five years.

What is special about this programme is that funding is only provided if the applying university presents an equal opportunities concept and if this concept then receives a positive evaluation. The evaluations are carried out by an independent panel of experts made up of outstanding scientists, researchers and higher education managers.

Almost half of all state-run higher education institutions in Germany submitted their equal opportunities concepts in the two application rounds. So far, the equal opportunities concepts of more than 100 German higher education institutions have been given a positive evaluation.

Call for proposals “More Women at the Top“

Numerous research projects will be funded under this call for proposals (first published in 2006) in coming years. The aim is to gain knowledge-based insights that will enable us to generate new, action-oriented measures for improving equal opportunities at universities and enabling more women to reach leading positions in science, industry and politics.

Federal Initiative to achieve gender equality in business and industry

The Federal initiative to achieve gender equality in business and industry was developed jointly with the German Trade Union Confederation (DGB) and the Confederation of German Employers' Associations and launched in 2009. With this initiative, the Federal Ministry of Labour and Social Affairs continuously supports projects to improve the equality of women in business. Social partners and corporate actors are to be supported in developing projects to enhance the employment situation of women in the private sector.

Aims are:

- an independent livelihood
- equal career and promotion opportunities
- better participation in in-company continuing training
- narrowing the gender pay gap
- a better work-life-balance.

Eligible are projects with the following profiles:

- Innovative approaches to working hours organisation that accommodate both business needs and a good work-life balance to improve women's labour force participation.
- Corporate pilot projects that boost the elimination of stereotyped roles to attract more young women into MINT professions (mathematics, informatics, natural sciences and technology), a commercial-technical or craft training as well as other innovative jobs of the future.
- Strengthening the decision-making and responsibility of corporate actors when it comes to promoting gender equality in the company, also in terms of encouraging the career awareness of female staff.
- Corporate approaches that aim to reduce or prevent qualification losses during the family phase and to promote the fast return to work.
- Models and measures of corporate personnel policy that address demographic change, seek to raise the proportion of older female staff and secure employment opportunities for women.

National Pact for Women in MINT Careers

The National Pact for Women in MINT Careers was launched in 2008 as part of the Federal Government's qualification campaign “Getting Ahead through Education”. It includes numerous partners from industry, science, research, politics and the media and operates under the slogan “Come on, do MINT”. The aim is to encourage more girls and women to pursue training, university degrees and careers in the areas of mathematics, informatics, the natural sciences and technology – MINT, for short. By presenting positive role models, the partners in the Pact are contributing towards reducing the stereotypes associated with these areas of work. At the same time, they have agreed to intensify their efforts to make it easier to balance work and family commitments. Under the Pact, projects undertaken in cooperation with partners are receiving €3 million per year from the Federal Ministry of Education and Research for a period of 3 years.

« Power for Women Entrepreneurs » action plan

The "Power for Women Entrepreneurs" action plan is aimed at developing and trialing innovative approaches to increasing the motivation and qualifications that women need to start their own businesses. Within the framework of the "Power for Women Entrepreneurs" action plan, the Federal Ministry of Education and Research (BMBF) is funding around 20 projects in four different thematic fields:

- Technology- and knowledge-based start-ups
- Non-academic target groups
- Raising awareness
- Methods, advice, qualification

These are aimed at creating a climate that is favorable to women entrepreneurs. One important service provider in the field of business start-ups by women is the National Agency for Women Start-ups (bga):

National Agency for Women Start-ups Activities and Services (bga)

In order to mobilize the potential of women start-ups in industry and on the market and utilize the opportunities offered to women by structural change, Germany supports women entrepreneurs. The creation of the National Agency for Women Start-ups Activities and Services (bga), which is jointly sponsored by the German Federal Ministry of Education and Research, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, the Federal Ministry of Economics and Technology and the European Social Fund, represents a first step towards increasing the number of businesses started by women. The bga offers the political, business, academic and public sectors a platform for information and services related to women entrepreneurship in all areas and phases of company foundation, consolidation and succession.

Agreement to promote the equal opportunities of women and men in private industry

On 2 July 2001 the Federal Government and the central associations of German business reached an agreement on the promotion of equal opportunities for women and men in private industry. This agreement was an important step towards gender equality in business and industry. For the first time the central associations of German business have committed themselves to support active policy on equality. The agreement calls upon businesses to implement suitable measures to:

- Provide training and employment opportunities for women
- Improve reconciliation of work and family life for women and girls
- Increase the number of women in management and in future-focused occupations and professions
- Reduce the pay gap between women and men.

Published in 2008, the third report shows that in the past two years, targeted government and industry measures have promoted equal participation of women and men in the working world, and have made balancing work and family commitments somewhat easier. The report also highlights the areas where action is still needed. The fourth report is planned for 2010.

Further measures to promote the equal opportunities of women and men

Annual "Girls' Day" in April offering female pupils the opportunity to have a day's experience in workplaces usually dominated by men, thus opening up new job perspectives for girls.

“New paths for boys”, a network project offering boys a large variety of courses, activities, visits, media etc. to broaden their view on life as a man, reflect gender roles and find new job perspectives in a changing world.

Annual “Equal Pay Day” by the National Alliance for Equal Pay. The German Government has allocated funding for the project through to 2011 to assist the coordination of Equal Pay Day on the basis of a broad alliance and create the conditions to ensure the measures are implemented.

Within the framework of the National Integration Plan, a wide number of measures have been taken to improve the particularly difficult situation of a part of female immigrants.

A special programme was launched in 2008 aiming at raising the proportion of women on local councils, which – at 25 per cent – has so far been lagging behind female representation in both regional and federal parliaments (both at just over 32 per cent)

In 2007, a new form of parental allowance was introduced, payable for 14 months altogether, but not longer than 12 months for one parent. This has brought the proportion of fathers taking parental leave from 3.5 per cent up to 18 per cent.

Agency for Equality in the ESF (European Social Fund)

On 1st March 2009, the Federal Ministry of Labour and Social Affairs set up the Agency for Equality in the ESF (*Agentur für Gleichstellung im ESF*). It is expected to collate, process and share the know-how on the implementation and guidance of measures to promote the equal opportunity of women and men and network the actors on the Federal and Laender levels.

The Agency’s services reach all the way from counselling processes for the ESF administration at the Federal level, via the drafting of technical and target group-specific expert opinions, networking on the European and Federal levels, to the systematic sharing of information about relevant documents, practical developments and good practice of web-based information management.

The Agency’s concept is focused on two dimensions in the ESF implementation: first the process level of the entire operational programme (analysis, strategy development, implementation, monitoring and evaluation) and second, the sectoral policies of the ESF that are addressed in the 54 ESF programmes. Here, the labour market and employment policies are the reference framework on the one hand and, on the other, the framework for the exploration of equality policy aims.

‘Good jobs for single parents’

In 2009, the Federal Ministry of Labour and Social Affairs initiated the ESF contest of ideas ‘good jobs for single parents’. It aims to develop and disseminate concepts for action that improve the labour market integration of needy single parents and can be transferred to the Federal level.

It supports 79 projects that help to activate single parents who receive basic jobseekers allowance, integrate them into work and socially stabilise them.

Action Plan to combat Violence against Women

In autumn 1999, *the first action plan to combat violence against women* was launched. It focused on the following aims:

- prevention by projects and individual measures;
- protection of women against violence by legislative measures;
- co-operation between state institutions and non-governmental assistance services;
- nation-wide networking of assistance services;
- working with offenders, training for professionals and international co-operations.

All of the measures listed in the action plan to combat violence against women have been successfully completed and implemented.

In September 2007, the *Action Plan II to combat violence against women* was launched. Building on the results of the first action plan from 1999, which had been implemented by 2004, is dealing with the following chapters:

- Greater Protection for Migrant Women Affected by Violence
- Focussing More on Women with Disabilities
- Thinking of Children on Time – Prevention as Early as Possible
- Considering Special Risks - Women in the Process of Separation
- Activating the Health Care System to Protect Women Affected by Violence
- Addressing Additional Contacts for Women Affected by Violence: The Legal System and Persons from the Immediate Social Context
- Providing Victims with Easy, Low-Threshold Access to Systems of Support the Support System
- Calling Perpetrators to Task and Making Efforts to Change their Behaviour
- The Expansion of successful Forms of Cooperation between the Federal and Länder Governments and Non-Governmental Organisations.

Program of Action 2015

In the United Nations Millennium Declaration, the international community has made a commitment to halve the proportion of people in extreme poverty worldwide by 2015. With its Program of Action 2015, the German government contributes towards achieving that goal. The Program of Action underlines that one of the causes of poverty is, not least, a lack of gender equality. All activities are therefore designed in such a way that women's and men's differing needs are taken into account on an equal basis. The Program contains a separate chapter on the targeted empowerment of women: activities are intended to help achieve equal access to basic education for women and girls and to fight the trafficking in women and children. Support is to be given to women's networks with a view to improving women's influence on political processes, for instance the Poverty Reduction Strategy Paper (PRSP) process.

Further measures to promote the equal opportunities of women and men in the area of development policy

In 2001 the Federal Ministry for Economic Cooperation and Development (BMZ) launched a new version of the *Concept for promotion of equal participation by women and men in the development process* which has been published in 1997 for the first time; (the first concept at all "Förderung von Frauen in Entwicklungsländern" had been elaborated in 1988). It is a binding guideline for the designing of new projects and programmes within the German development cooperation. It reflects important issues discussed during the fourth World Conference on Women in Beijing in 1995 and the international progress concerning these issues. The principal objective of the concept consists in contributing to equal participation of women and men in the development process and in achieving a continuous empowerment of women. This concept stipulates that gender equality has to be treated as a crosscutting issue for all German development projects and programmes. The BMZ uses a dual-track-approach to foster the promotion of the equal participation of women and men: on the one hand, it uses gender-mainstreaming to anchor the principle of equal participation in all sectors of development cooperation and on the other hand it supports projects which specifically concentrate on the promotion of women's rights and their strengthening as leaders, following the objective to reduce gender-specific disadvantages and to strengthen the circumstances for an equal participation of women and men in economic, political and social spaces.

In 2009, the BMZ launched its first *Development Policy Gender-Action Plan 2009-2012*. This plan builds up on the principles which have been established by the *Concept for the*

promotion of equal participation by women and men in the development process. It takes into account recent international guidelines such as the *Accra Agenda for Action* and the *Doha Declaration on Financing for Development*. This plan reflects the contributions which should be conducted by German development cooperation in order to accomplish international obligations and standards regarding the promotion of gender equality. It is binding for all employees of the Ministry and of the implementing organisations. Furthermore, it serves as an orientation document for the partners, NGOs and academic institutions. The Action Plan points out four pillars which will be particularly focused on: economic empowerment, women in armed conflicts and their role in conflict management, gender-specific challenges and responses to climate change and sexual and reproductive health and rights - family planning.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

Gender mainstreaming

The realization of the *gender mainstreaming approach* has been underway since autumn 1998. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth promotes the implementation of the gender mainstreaming approach in all political sectors of the Federal Government.

With its cabinet decision of 23 June 1999 the Federal Government, based on the national objective enshrined in Article 3 para 2 sentence 2 of the Basic Law, recognized the equality of women and men as a consistent principle guiding its governance and decided to promote this endeavor by means of the gender mainstreaming strategy. Adopted on 26 July 2000 subsequent to this decision, section 2 of the Joint Rules of Procedure of the Federal Ministries requires all departments to observe this approach in all political, normative and administrative measures of the Federal Government. Section 2 of the Federal Equality Act also stipulates the gender mainstreaming principle.

Under the auspices of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth an interministerial working group at management level was established in May 2000 to develop a catalogue of criteria for giving greater consideration to gender-related issues in the regular work and programme planning of the Federal Government. In July 2000, Gender Mainstreaming was made part of the Government's Programme *Modern State - Modern Administration*.

According to the Joint Rules of Procedure (GGO) of the Federal Government, all departments are obliged to apply the gender mainstreaming approach. The GGO was reformed in 2009 and the gender mainstreaming principle enshrined therein reaffirmed in the process.

The introduction of gender mainstreaming was attended by an implementation concept. The pilot phase was concluded in 2003 with a "knowledge network" developed on its basis. This network includes support materials and check lists, *inter alia* on legislation and public relations.

In an effort to integrate gender mainstreaming into the further training courses for federal employees, support materials for planners and teachers involved in these courses were published in 2009.

In October 2003 the GenderCompetenceCenter at the Humboldt University was founded; it is sponsored by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth. It works as an independent research and consulting facility whose activities are expected to support, in particular, the implementation of gender mainstreaming in the Federal Government.

<http://www.gender-mainstreaming.net/>

Gender Budgeting

A feasibility study on *gender budgeting* in the Federal budget was commissioned in 2005. The results were published in October 2007 (www.bmfsfj.de).

In 2007, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) held a European expert symposium entitled 'Distribution is the Key - Equality and Social Justice through Gender-Sensitive Budgets' and, in September 2007, published the conclusions from this meeting.

([Schlussfolgerungen zur Europäischen Fachkonferenz](#)). They reaffirm the European significance of equality as a cross-sectional task and the opportunity for Germany to make the Federal budget more efficient and equitable through equality impact analyses.

The Federal Government has initiated a project for the modernisation of its budgeting and accounting system. It is currently planned to change its strictly cameral budget into an outcome-oriented budget management system.

According to the current project schedule, the transition is to be phased in by means of pilot projects at individual ministries from 2011. In this process it will be discussed how gender budgeting can be implemented in the new system.

Gender mainstreaming in development policy

Both the *Concept for promotion of equal participation by women and men in the development process* and the *Gender Action Plan* which objectives have been described above, are binding for the implementing organisations the Federal Ministry for Economic Cooperation and Development (BMZ) is working with. Another instrument to guarantee gender-mainstreaming in German Development Cooperation and monitor the guidelines consists in the specification of the DAC-gender-policy-markers for the context of German development cooperation. Before classifying a project under a specific marker, a gender-analysis has to be established. Three markers exist and every project appraisal which is presented to the Ministry has to be classified under one marker: GG-0 (the project or programme does not have the possibility to contribute to gender equality), GG-1 (The project or programme has positive impacts on gender equality although the promotion of gender equality is not its main objective) and GG-2 (the promotion of gender equality is a main objective of the project or programme). All projects classified under GG-0 have to be supervised by the responsible division for gender issues. In case no plausible explanation exists, it has to be classified under GG-1 and specific indicators to measure the impact on gender equality have to be established. When a project is classified under GG-1 or GG-2, specific indicators are designed to measure the impact of a project or programme on the promotion of gender equality. The BMZ monitors the compliance regarding the application of the gender markers.

GREECE¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Deputy Minister of Presidency*: Appointed in 1989 and cancelled in the same year, this function was reinstated in 1993. The Deputy Minister is responsible for gender equality matters.
- *General Secretariat for Equality between women and men*: This advisory body was set up in 1985 by Decree and replaced the Office of the Special Adviser to the Prime Minister (1982). It is an independent department attached to the Prime Minister's Office. Its objective is to promote and ensure equal rights. It prepares and makes recommendations, supervises the implementation of these measures, lists and analyses political, social, institutional and economic factors and collects and disseminates information. The General Secretariat is supervised by the Ministry of the Interior, Public Administration and Decentralisation. The Secretariat's budget is part of the national budget. In 1991, it was granted 1 130 848 €, in 1994 1 648 815 €, in 1999, 1 763 022 €, in 2000, 1 010 271 €, in 2001, 1 406 908 € and in 2002, 2 156 300 €.
- *Council for Equality*: This consultative body was established in 1989 by ministerial decision. It is composed of independent experts. Its objective is to ensure equality in the public service.
- *Equality Offices*: Since 1984, Equality Offices have been in operation at the Ministry of Labour and at every Labour Inspection of the country. Since 1990, efforts have been made to organise and operate Equality Offices at all ministries, state organisations and public services. Their objective is to carry out continuous studies on the legislation and case-law concerning equality and to have regular contact with other competent services to exchange gender related information. The Equality Offices have problems in operation, except those at the Ministries of Labour and Justice.
- *Research Centre on Gender Issues*: This centre was established in 1989 and began operating in 1994. It is supervised by the Ministry of the Interior, Public Administration and Decentralisation and has branches in Thessaloniki and Patras. Its aim is to promote equal opportunities in employment and in economic development as well as to disseminate and apply the policy on equal opportunities for women and men. It conducts scientific research and organises vocational training programmes for women, organises positive action plans, counsels women in search of employment, supports the integration of women into the labour market, provides information, co-operates with regional, national and international organisations etc., organises conferences and meetings and raises public awareness on gender issues. In co-operation with the General Secretariat on Equality, it has created the Women's Information Unit on Employment and Vocational Training (see below), the Documentation Unit on

¹ Last update provided in July 2009.

Employment and Vocational Training for Women (see below), a network of centres for the creative education of children and a network for the development of women's entrepreneurship. The creation of further bodies and networks is planned for. There are branches in Thessaloniki; Patras, Irakeion and Volos. It is financed from the budget of the General Secretariat for Equality.

- *Women's Information Unit on Employment and Vocational Training:* This body was set up in 1994 at the Research Centre on Gender Issues. Its main objectives are the promotion of equal opportunities as regards employment, the promotion of women's entrepreneurship and the enhancement of women's participation in decision-making in the country's economic life. It provides women with information and gives advice on employment issues.
- *Documentation Unit on Employment and Vocational Training for Women:* A comprehensive information system on employment and vocational training for women has been operating in the documentation unit at the Research Centre on Gender Issues since 1994. It includes the following sub-systems: Labour market, vocational training and bibliography.
- *Regional/Prefectural Organisations:* In 1983, Prefectural Equality Committees and Prefectural Equality Offices were established by virtue of a circular of the Ministry of the Interior. The Equality Offices were created to disseminate information to the citizens in the regions. By Presidential Decree in 1989, both institutions were set up by law and the Equality Offices renamed "Equality Departments". The Equality Committees were abolished in 1992. Due to the 1994 Law on the "establishment of prefectural administration", the Equality Departments were abolished, but they continued their work until the re-organisation of the Prefectural Administration was completed.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *Deputy Minister of Presidency:* The office of the Deputy Minister was abandoned in 1996.
- *The General Secretariat for Equality between women and men* that is supervised by the Ministry of Interior has completed a new organisational chart which provides a new structure, creates directorates and independent sections and includes the clear formulation of responsibilities for a more effective operation of its services. The Section are: Public Information Office, Legal Section, Social Programmes Section, Publications and Events Section, International Relations Section, Battered Women's Centre, Library for Equality and Gender Issues, Research Centre on Gender Issues with its branches at a national level.
- Furthermore, the administrative and operational modernisation and upgrade of the General Secretariat for Equality included the following: a) standardising its processes and setting out specifications for information systems and applications to support and better serve the citizen; b) development and maintenance of its website; c) supply of parameter-setting and installation of systems for the online management of documents and digital registration; d) supply and installation of information technology equipment to support the General Secretariat's projects ; e) supply of a call centre and equipment for citizens' service, f) establishment of librarian database within the Library's website for Historical Archive documents, g) creation of the Special Agency for the Implementation of European Programmes and Other Initiatives of NSRF 2007-2013.

- The Secretariat's budget is part of the national budget. In 1999 was granted 1 763 022 €, in 2000, 1 010 271 €, in 2001, 1 406 908 €, in 2002, 2 156 300 €, in 2006, 2 609 490 €, in 2007, 2 755 000 €, in 2008, 2 927 000 €, and in 2009 4 117 000 €.
- Four (4) major *new branches of Women's Information Unit on Employment and Vocational Training* at the Research Centre on Gender Issues were created in Kalamata, Amfissa, Preveza, and Komotini to strengthen the Social Support Services for women. These centres provide counselling services for women regarding employment, entrepreneurship, legal issues and address issues of abuse.
- *Council for Equality*: The Council was abolished in 1996.
- *Regional/Prefectural Organisations*: In 1998, Regional Equality Centres went into operation in each region, in order to promote and implement gender equality in the region. They are made up of one representative from the General Secretariat for Equality, one representative from the General Secretariat of the Region and one representative from every prefecture in the region. The establishment of Prefectural Equality Committees with representatives from state, local mass and women's organisations is now under the competence of each Prefect.
- *Thirteen (13) Regional Committees for Equality* operate in the capital cities of the Regions of the country since 2000. The Regional Committees are consisted of:
 - the Secretary General of the Region, as President;
 - two representatives of the General Secretariat for Equality of the Ministry of the Interior;
 - one representative of the Association of the Prefectural Local Authorities of Greece;
 - one representative of the Central Association of Municipalities and Communities of Greece.
- The representatives of the General Secretariat for Gender Equality and the members indicated by the Association of the Prefectural Local Authorities and by the Central Association of Municipalities and Communities are defined with their substitutes for two years.
- *Interministerial Committee for Gender Equality*, which was established in 2000, is responsible for the following:
 - The decision-making for the promotion of the national policy for gender equality, in the framework of the guidelines of the European Union and International Organisations, aiming at the inclusion of the gender dimension in all policies (gender mainstreaming)
 - The co-ordination of ministries and institutions of public sector for the process of policies and actions for women at central, regional, and local levels.
- *Permanent Parliamentary Committee for Equality and Human Rights* was established in 2002, which the task to study, conduct research and introduce proposals aiming at the promotion of the principle of gender equality in education, family, and other social institutions, as well as the implementation by the administration of the principle of gender equality, especially in issues of employment and respect and protection of human rights, in implementation of articles 4 par. 2 and 116 par.2 of the Constitution.

1.2.2 CREATION OF NEW INSTITUTIONS

The legislative framework that is in effect today in Greece with regard to gender equality and the elimination of all forms of discrimination against women, was established with the Constitution of 1975, which stated that Greek men and women are equal in front of the law and have equal rights and obligations.

Starting from this constitutional order, important laws concerning family, education, equality in work relations and social security were passed. As far as Greek courts and the majority of their decisions are concerned, it is proved that judicial protection is granted according to national legislation as well as the community and international law on gender equality.

ESTABLISHMENT OF NEW NATIONAL MECHANISMS FOR THE PROMOTION OF EQUALITY

- Through article 8 of the L. 3491/2006 for the first time a National Committee for the Equality between Men and Women was instituted as a permanent mechanism for social dialogue between the State, the social partners, NGOs, and the civil society. The National Committee is comprised of the Minister of the Interior, as President, who is replaced by the Secretary General for Gender Equality, who also participates as member, the Secretaries General of the associated Ministries, Local Government representatives, OKE (Economic and Social Council), social partners, non-government organizations that are active in the sector of gender equality, as well as independent persons. The role of the Committee is to contribute to the formation of a national strategy for equality between men and women and gender mainstreaming, the formation of necessary policies and measures and the monitoring of their enactment, as well as the evaluation of their results on a national and regional level.
- Law 3094/2003 has entrusted the Greek Ombudsman – an Independent Authority with the competence to monitor the implementation of equal treatment between men and women in employment, both in the public and, for the first time, in the private sector. Hence, a special Department for Gender Equality will be created with office of the Greek Ombudsman.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

NATIONAL EMPLOYMENT PLAN 2000-2006

The priorities of the General Secretariat for Equality for 1999-2000 were harmonised with the efforts of the Greek Government to develop the National Employment Plan and to schedule the third Community Support Framework for the period 2000-2006. The new provisions for equality in the Treaty of the European Union, the European texts on the promotion of women's participation in decision-making (Paris Declaration – April 1999) and on the progress of the European policy regarding gender equality had also been taken into consideration.

Thus, the political priorities for the period 2000-2006 can be summarised as follows:

- Mainstreaming equality issues in all policies;
- Strengthening of the national machinery to promote equality;
- Work – Employment;
- Balanced participation in decision making;
- Violence against women;
- Supporting social vulnerable groups of women (immigrants, refugees, Roma, women- single parents, etc.);
- Mass media – Publicity;

NATIONAL ACTION PLAN OF EQUALITY 2004-2008

On November 2, 2004 the Greek Government's Committee approved the General Secretariat for Equality four-year Action Plan with the title "NATIONAL POLICY PRIORITIES AND AXES FOR ACTION ON GENDER EQUALITY (2004 – 2008)", an integrated strategic intervention, which links issues of gender equality to the national priorities of the country (Development,

Employment, Education, Social Cohesion), and places emphasis on their economic, developmental and socio-political dimensions.

The basic tools of the above mentioned intervention were:

- The integration of equal opportunities between men and women in all instruments, policies and Government's actions (gender mainstreaming);
- Carrying out concrete specific actions in the following sectors, which will be affixed as priority sectors:
 - combating of lack of gender equality in job market and work relations with the basic goal the best possible use of human resources, independently of gender; eliminating of all forms of discrimination against women;
 - prevention and combating of domestic violence and trafficking in women;
 - combating of stereotypic perceptions on the role of the two sexes in educational procedure, with emphasis on elementary education.
- The reinforcement of social dialogue with social partners as well as dialogue with civil society (NGOs);
- The formation of a policy of motives for enterprises aiming at the promotion of equality between men and women in their job practices.

In brief, the Action Plan was focused on the following axes of special actions:

- Women Employment: Combating the Equality Deficit in the Labour Market ;
- Combating Stereotypes through Education; Combating Stereotypic Perceptions in the Educational Procedures;
- Preventing and Combating Violence against Women;
- Strengthening Women's Participation in Decision-making Centres;

The general national action policy on gender equality issues was also incorporated within the scope of these axes.

NATIONAL ACTION PLAN ON SOCIAL INTEGRATION (NAPSI, 2006-2008)

The General Secretariat for Equality filed a two-year schedule of actions to the Ministry of Employment and Social Protection to assist it in drafting the 2006-2008 National Action Plan on Social Integration (NAPSI).

Scheduled actions regarding social integration concern the following:

- boost participation in the job market, dealing with the disadvantaged position of women as regards education and training;
- support the family and combat domestic violence;
- improve access to quality services (lifelong learning, financial services, legal consulting services);
- deal with discrimination and integrate people with disabilities, national minorities and first and second-generation immigrants in society.

NATIONAL STRATEGIC REFERENCE FRAMEWORK (2007-2013)

- General Secretariat for Equality actively participated in the development of the National Strategic Reference Framework (NSRF) 2007-2013 with the aim to promote specific actions for gender equality with a horizontal dimension (gender mainstreaming, gender budgeting, etc.), most of which are being implemented, for the first time, through the Operational Program of the Ministry of Interior entitled «Administrative Reform».
- The equality policy of the NSRF 2007-2013 is based on the «double» approach: positive action for women and gender mainstreaming in both sectoral and regional policies (see also below paragraph 3.F).

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The principle of mainstreaming constitutes the basic concern of the General Secretariat for Equality. The implementation of gender mainstreaming focuses on those seven sectors: employment, women's entrepreneurship, education and training, individual rights, foreign relations, awareness-raising and policy regarding commission staff.

A. DEVELOPMENTS CONCERNING THE INTEGRATION OF GENDER DIMENSION IN PUBLIC POLICIES (GENDER MAINSTREAMING)

SOCIAL PROTECTION

- Health and Welfare (e.g. Program on "Protection, Promotion of Health and Psycho-social support of Greek Women Roma", Health Programs for women living in island and rural region of Greek, promotion of the actions on gender budgeting in the sector of health)
- Public order (promoting the implementation of actions on gender budgeting in the sector of public order)
- Social Security (support actions for the women living at the areas hit by fire who are particularly afflicted because of their multi-fold roles within local economy and the family)
- Social Care (e.g. Battered Women's Centres, Research Centre for Gender Issues, Self-Administration Agencies' social care structures for women)

PUBLIC ADMINISTRATION

- Training of directors and high-level public servants of Greek Ministries for an effective implementation of gender mainstreaming horizontal and vertical policies within the structure of the ministerial organizations at a regional level

EMPLOYMENT AND WORK RELATIONS

- Equal opportunities between men and women in the 3rd Community Support Framework (Operational Program "Employment and Vocational Training 2000-2006: "Support for the Provision of Integrated Interventions in favor of women" and "Positive Actions for the equality of opportunities between men and women in middle-sized and large enterprises", the Operational Program "Competitiveness": "Encouraging Entrepreneurship among Women")
- Measures to improve women's access and participation in job market (especially for vulnerable groups of women, such as women-single parent, etc.)
- Sectoral and Regional Entrepreneurial Programs

- Accompanying Supporting Services for the integration of vulnerable groups of women in the job market
- Measures for equal opportunities between men and women in other community programs and initiatives (1st and 2nd Circle EU EQUALI Initiative)
- Measures for the reconciliation of family and professional life (Program with the title “Equal Partners: Reconsidering the Role of Men in Work and Private Life”)
- Memoranda of Cooperation with the aim to support employment and equal opportunities for women in the workplace and to promote gender equality policy in the Corporate Social Responsibility of Business:
 - a. Memorandum of Cooperation signed between the General Secretariat for Gender Equality and the Hellenic Network for Corporate Social Responsibility;
 - b. Cooperation Protocol signed by the Labour Unions (the Hellenic Federation of Enterprises, the Vocational Training Centre of the Hellenic Confederation of SME's, and the National Confederation of Hellenic Trade) and the Athens Chamber of Commerce and Industry
- Partnerships with the civil society in order to promote equal opportunities between men and women (i.e. cooperation with Non-Governmental Organizations (NGOs) and financing).

EDUCATION

- Legal Framework
- Structure of Educational System
- Illiteracy
- E-learning
- Intercultural Education
- Teaching Personnel in Elementary and Secondary Education
- School Advisors
- Teaching Personnel in Tertiary Education
- Positive Actions of the General Secretariat for Equality (e.g. “Positive actions in favour of women in Initial Vocational Education and Training Schools (study/research/documentation/ support of libraries”)
- Activities and Programs in the framework of the 3rd Community Support Framework (e.g. Program on “Raising awareness of teachers and interventional programmes to promote gender equality”)
- Enriching libraries of more than 750 public Technical Schools and Vocational Training Institutes with books related to gender equality issues
- On-line connection of Technical Schools and Vocational Training Institutes’ libraries with the library for women’s issues of the General Secretariat for Gender Equality
- Establishing “Watch for monitoring and evaluating educational policy actions on equality (Watch on equality in education –WEE)”

ENVIRONMENT

- Housing Policy
- Integrated Local Programs of Viable Development
- Sensitization of public opinion on climate change and women

VIOLENCE AGAINST WOMEN

- Measures taken by the Special Inter-ministerial Committee of Secretaries General with the participation of the General Secretariat for Equality in order to confront the phenomenon in the framework of the Integrated National Action Plan against trafficking in persons
- Developmental Assistance and Cooperation Programs of implemented in the countries of origin of victims of trafficking in persons, financed by the General Directorate of International Development Cooperation (Y.D.A.S.) of the Ministry of Foreign Affairs (e.g. “Supporting regional policies against illegal trafficking in women”, “Education of Hellenic Agencies for dealing with trafficking in human beings”, “Actions for the prevention and support of victims of trafficking in human beings”, etc.)
- Training of public servants (judges, public prosecutors, police officers and health and social workers) for an effective handling of cases of domestic violence and trafficking
- Sensitization of the public opinion (awareness raising campaigns for combating domestic violence and trafficking)
- Consultative, psychological and legal services for victims of domestic violence
- Provision of assistance to the women victims of trafficking (social, psychological and legal support)

SOCIAL INTEGRATION OF VULNERABLE GROUPS OF WOMEN

- A Memorandum of Understanding between the General Secretariat for Equality and the Office of the UN High Commissioner on Refugees to promote the rights of women and underage girls given asylum or seeking asylum in our country according to the Geneva Convention.
- Actions and provision in the framework of the National Action Plan on Social Integration for groups of women (e.g. Greek ROMA, Greek Muslims, and immigrants)
- Action Plan (CAP) for the social integration of women of third-country nationals in the Greek society

B. CONSTITUTIONAL REFORMATION

In the framework of its competence for the revision of the Constitution, the Greek Parliament unanimously decided to revise Article 116 par. 2, according to a proposal of 58 members of Parliament.

So, in 2001 the Constitution's article 116, par. 2 was revised and declinations from the principle of gender equality were abolished and the obligation of the State to take special positive measures for the elimination of discriminations against, mainly, women was ensured, so as to actually implement the principle of gender equality in all fields.

C. RATIFICATION OF INTERNATIONAL CONVENTIONS

The Convention for the Elimination of All Forms of Discrimination Against Women was adopted by Greece in the United Nations Organization on 2nd March 1982, and was legislatively ratified by the Parliament on 30th March 1983 with Law No 1342/1983.

Greece was one of the first 22 member-states of the U.N. that signed, on 10th December 1999, the Optional Protocol of the International Convention of the U.N. on the fighting of all forms of discrimination against women, which was legislatively ratified with Law 2952/2001.

D. HARMONISATION OF NATIONAL TO COMMUNITY LEGISLATION

Presidential Decree 176/1997 harmonizes national legislation to the E.E.C. Directive 92/85/EEC on the implementation of measures that aim at the amelioration of health and security of pregnant and breast-feeding women employees. Presidential Decree 41/2003 completes the provisions of Presidential Decree 176/97.

Presidential Decree 105/2003 adjusts internal law to the provisions of Directive 97/80/EEC, concerning the significance of proof in cases of discriminatory gender-based treatment.

Law Drafting of Committee of the Ministry of Employment and Social Welfare for the reconciliation of our National Law with the provisions of the Directive 2006/54/EC “for the enactment of the principle of equal opportunities and equal treatment between men and women on issues of employment”

E. LEGISLATIVE DEVELOPMENTS PER THEMATIC FIELD

FAMILY LAW

Under Law No 1329/83, Family Law was modernised and adapted to the constitutional order of gender equality.

EMPLOYMENT

Under Law 1414/84 the Greek legislation was harmonised to E.E.C. Recommendations 75/117 and 76/207, monitoring their children’s schooling was increased to five days per year (from four) if there regarding the implementation of gender equality in work relations.

Under Law 1483/84 provisions were established to facilitate employees with family obligations, and laws 2639/98 and 2683/99 improving relative provisions in public and private sectors followed.

Under National Collective Labour Conventions of years 2000 to 2004 the legislation in force for private sector employees is improved as regards equality in work relations, parental leaves, paternity leaves, etc.

Under Law No 2913/2001 of the Ministry of National Defense, there is no more discrimination against women as regards their admission in military academies.

Under Law No 3103/2003, women’s quota for their admission in Police-officer academies is abolished. Moreover, Law No 3113/2003 abolishes a corresponding regulation that was in force for the employment of women as frontier guards.

Under Law No 3250/2004 for “Part-time employment in the Civil Sector, Local Government and the legal entities of public law” the categories of beneficiaries through which new employees are hired are redefined, by adding parents who have more than three children by a percentage of 10% and expanding the category of mothers with underage children without an age limit (beneficiaries before where those who had children up to 12 years of age), also by a percentage of 10%. Moreover Law No 3250/2004 provides that a percentage of up to 60% from the various unemployment categories (up to thirty years of age, over thirty, those who are five years away from retirement), who are benefited from the hiring, is covered by women, provided an interest is demonstrated through the submission of applications. Monitoring of the law’s enactment indicates that 73% of all part-time positions in the civil sector, within the scope of the above law, are occupied by women.

Under Law No 3488/2006 equal opportunities for men and women as regards the access to employment access, professional education and development, to the terms and employment conditions, is applied. Law No 3488/2006 defines, for the first time, sexual harassment as gender discrimination in the workplace creating a basis for victim compensation. Moreover,

with Law No 3488/2006 any discrimination between men and women is removed in the private and public sectors, as pertains to access to employment, to the establishment, development and termination of the employment relationship. The employer cannot refuse the hiring of women because of pregnancy or recent delivery, while the female employee who has received maternity leave after this leave has been completed, must return to her job in an equivalent position under the same professional terms and conditions and benefit from any improvement in working conditions. This protection also applies to working parents who make use of parental leave. With this Law the Ombudsman is recognised as the monitoring agency for the enactment of the principle of equal treatment between men and women in both the private and public sector.

Law No 3448/2006 (Article 30, paragraph 1) abolishes the provision on hiring a maximum of 15% women at the Municipal Police of paragraph 7, Article 27, Law 3013/2002, because of its contradiction with Article 4, paragraph 2 and Article 116, paragraph 2 of the Constitution, including Council Directive 76/207/EEC of February 9th, 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (as amended by European Parliament and Council Directive 73/2002/EC of September 23rd, 2002), integrated in Greek laws with Law 1414/1984

Under Law 3528/2007 a series of measures are taken in the new Code on Civil Servants in order to support women in their efforts to combine work and family. Special measures are taken for unmarried women as well as women with more than three children, as well as for cases of child adoption and surrogate motherhood. Furthermore, for the first time fathers employed in the civil sector are eligible for parental leave. The same right is also granted to the parent of single-parent families.

Decision of the Minister of the Interior (DIDAD/F.53/1222/oik.20561/9-8-2007- Government Gazette 1613 B'/17-08-2007), the leave granted to parents for are two children and over and to six days per year if the children are in different educational grades.

SOCIAL SECURITY

With a series of laws the retirement / pension arrangements were modernised and all existing gender-based discrimination in the retirement protection was abolished (Laws 1902/90, 2084/92, N. 2676/99).

VIOLENCE AGAINST WOMEN

Law No 3064/2002 provides for the abolition of trafficking in human beings, of crimes against sexual freedom, of minors' pornography and, in general, of economic exploitation of sexual life. More specifically, Presidential Decree 233/2003 was issued to assist victims of the above mentioned crimes.

Under Law No 3386/2005 "Entry, residence and social integration of citizens of third countries in the Greek territory" (article 46), residence and work permit to victims of trafficking in persons, for which no payment of a fee is required, is granted. Special care is taken for the under-age victims, aiming at the quickest possible locating of their families and their legal representation and support in judicial procedures. Moreover Law No 3386/2005 provides a recovery and reflection period, so as to enable victims of trafficking to recover and make a decision, free from any influence by the perpetrators of the relevant crimes. For the protection of women victims of trafficking, this Law renders critical the prohibition of deporting a pregnant woman during pregnancy and for six months after delivery.

Under Law No 3500/2006 domestic violence is addressed for the first time aiming at the protection of the fundamental rights of women and children.

Under Municipal and Community Code (Law No 3463/2006) the consultative support of victims of domestic violence and violence between persons living together is established as a new authority of the first level Local Government.

CORRECTIONAL TREATMENT OF WOMEN

Law No 2776/2000 establishes the new Correctional Code, which, exactly as the previous one (Law No 1851/1989), imposes full equality in the treatment of detainees men and women with no discrimination, and provides for special measures for mothers-detainees and their children.

PARTICIPATION OF WOMEN IN DECISION-MAKING CENTRES

Law No 2839/2000 provides for the participation of, at least, 1/3 from each sex in official councils and in collective instruments of public bodies and local authorities organisations. Nowadays there are positive results following the implementation of the quota of by at least 1/3 participation of both sexes in official councils (Law No 2839/12/9/00, article 6, par.1): out of a total of 21 official councils in Ministries, the women's participation rate ranges from 40% to 60%.

Law No 2910/2001 defines the participation of both sexes by 1/3 in ballot-papers of Prefectural and Municipal Elections.

Law No 3636/08 provides for quotas on the electoral candidate list by at least 1 / 3 of each gender in the national elections.

NATIONALITY AND CITIZENSHIP

Law No 1483/84 establishes full equality between women and men as regards obtaining, changing, and maintaining the Greek citizenship, while, at the same time, releases obtaining or loss of Greek citizenship from marriage.

Law No 2910/2001 abolishes deadlines that were in force under the above mentioned law and some of its provisions were improved as necessary.

Ongoing positive actions to promote gender mainstreaming comprise the:

- Establishment of an equality office at every ministry;
- Creation of an information network on a nationwide level to inform about the events taking place in the EU;
- Establishment of an equality office in the state television corporation;
- Development of training modules on gender equality for senior civil servants, lower and middle managers and other key personnel.

F. POLITICAL PRIORITIES FOR PERIOD 2007-2013

Since 2004, the General Secretariat for Equality actively participated in the development of the National Strategic Reference Framework (NSRF) 2007-2013 with the aim to promote specific actions for gender equality with a horizontal dimension (gender mainstreaming), most of which are being implemented, for the first time, through the Operational Program of the Ministry of Interior entitled «Administrative Reform».

1. Accordingly, in the NSRF the following general objectives are included:

- a. Emphasis on the economic, social and developmental nature of gender issues
- b. Effective integration of national equality policies across the field of public administration.

The equality policy of the NSRF 2007-2013 is based on the «double» approach: positive action for women and gender mainstreaming in both sectoral and regional policies.

2. As far as the implementation of the Operational Programs is concerned, a portion of the funds of each Program is allocated to promote gender equality:

2a. In Operational Program entitled «ADMINISTRATIVE REFORM» of the Ministry of Interior a special axon is created entitled: «Strengthening of equality policies within the fields of public life», that includes the following actions:

- Codifying the existing legislation related to gender equality
- Assessing the impact of the public policies on gender equality
- Creating an «Observatory for Monitoring Gender Equality»
- Strengthening and supporting the 13 Regional Gender Equality Committees
- Upgrading the Centres for Pubic Services across the country in order to create a Pan-Hellenic network for providing information services for women
- Strengthening women's participation in decision-making
- Supporting the participation of women in positions of responsibility in the areas of public administration and local government as well as in organizations and social partners
- Awareness-raising and training of Public Administration and Local Government official on gender issues
- Implementing integrated projects through the Local Authorities in order to prevent and combat violence against women and raise the awareness of the local communities
- Supporting women's NGO.

2b. The Sectoral and Regional Operational Programs include the following:

- Support and strengthening of women's employment and entrepreneurship
- Actions to increase the participation of women in the field of Research & Technology
- Actions to address gender stereotypes in the educational process
- Actions to reconcile work and family life
- Actions to improve or create social infrastructure

Furthermore, within the context of social and professional integration emphasis is given to measures that combat various discriminations, especially discrimination against women immigrants, people with disabilities, women who belong to cultural, religious or ethnic minorities, and women victims of human trafficking.

HUNGARY¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

In 1995, no government body existed to handle women's policies. Nevertheless, the government appointed the Minister of Labour as its representative at the Fourth World Conference on Women in Beijing. In March 1995, a Hungarian National Committee, which included representatives of ministries, parliament, and all sides involved in collective bargaining, NGOs, women's organisations as well as the church, was established.

The '*Hungarian national mechanism ensuring equality for women*' was created in 1995 by Government Resolution No. 2268/1995 (IX. 8.). The *Secretariat for Women Policies* was launched within the Ministry of Labour on the basis of the resolution, as the single governmental level organisation in charge of the improvement of the status of women. Till today the so called Houses of Opportunities can support the activities of the governmental level organisation in the whole country.

Till today the so called Houses of Opportunities can support the activities of the governmental level organisation in the whole country.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

As a gesture towards the 1995 Platform for Action developed in Beijing the Hungarian government set up a Secretariat for Women's Policy in the Ministry of Labour which was launched in late 1995. The unit continued its work in 1996 as Secretariat for Equal Opportunities. In 1997 the Government adopted a resolution concerning the implementation of the Beijing Platform for Action, providing for an action programme. This was the first effort aimed at introducing the principle of influencing functional political measures (gender mainstreaming) in practice, for it set up an inter-ministerial committee to coordinate governmental work aiming at securing equality of opportunities for women and men.

After the change of government in 1998 the Ministry of Social and Family Affairs became the governmental organ in charge of the improvement of the situation of women, as legal successor to the Ministry of Labour. The Secretariat for Equal Opportunities was reorganised and renamed Secretariat of Women's Representation and it continued the implementation of the tasks laid out in the action programme, with a rather modest budget.

Following the government change in 2002 the governmental unit facilitating the advancement of women was transferred to the Ministry of Employment Policy and Labour at the level of a department, and then in 2003 the head of the department was appointed minister without portfolio in charge of the equality of opportunities, by the Prime Minister. The new minister was working within the organisation of the Prime Minister's Office. In 2004 the office working

¹ Last update provided in September 2009.

alongside the minister without portfolio in charge of the equality of opportunities, called Government Office for the Equality of Opportunities, was also set up.

In 2004, the Ministry of Youth, Family, Social Affairs, and Equal Opportunities was established by combining several ministries. Government Decree No. 289/2004 (X. 28.) on the tasks and competence of the minister defines promotion of equal opportunities for men and women as one of the basic responsibilities of the minister. From this time on, the Department for Gender Equality handled government tasks related to gender equality.

The current status of the organizational unit concerned with equality of women and men was established after the 2006 elections. The Unit for Gender Equality is a division operating inside the Department of Equal Opportunity of the State Secretariat for Equal Opportunity within the Ministry of Social Affairs and Labour.

IN SUMMARY:

The eventful fourteen years of the history of the 'national mechanism' of women's and gender policy under four different governments, set up in several different ministries indicate that the promotion of the resolving of the issue is a highly complex area demanding political consensus and coordination of intents, where there is a need for a single approach overarching government terms at least in terms of the basic principles (which should also be reflected in each of the annual budgets as well).

1.2.2 CREATION OF NEW INSTITUTIONS

COUNCIL FOR WOMEN'S ISSUES AND THE COUNCIL FOR GENDER EQUALITY:

In Government Resolution No. 1059/1999 (V. 28.) on 28 May 1999 the Government decided on the establishment of the Women's Issues Council, in order to modernise the system of interest representation. The members of the Council included representatives of ministries, experts and of civil organisations.

The Women's Issues Council (a body of 30 members, half of them civil servants representing the ministries, the other half from the civil sector and experts), had no authorisation to develop a new action programme, it only had a mandate for consultation, commenting, making proposals and for coordinating activities. The Council received no budget funding, consequently, it could not initiate real action, research or assessments of the situation and it could perform no monitoring or evaluation. It was true, however, that themes and debates on the status of women and men were brought increasingly to the limelight for the first time and the Council of Women's Issues provided a framework for the commenting on a number of draft pieces of legislation and for the elaboration of proposals (to the Labour Code, with respect to domestic violence etc.). The Council's operating costs were covered by the Department of Women's Issues.

The establishment of the Council has contributed to the initial broad publicity of issues and debates concerning gender situation. On the basis of legal regulation pertaining to the Council it had the right to formulate opinions during the drafting of regulations, actions promoting and directly concerning equal opportunities for women and men. During its existence, the operations of the Council were continuously faltering, and then the body became completely inoperable.

For this reason, the Council was revived and its name changed in October 2006. Government Resolution 1089/2006 (IX.25.) established the Council for Gender Equality. At the same time, Government Resolution 1059/1999 (V. 28.) on the establishment of the Women's Representation Council was repealed. Then in 2009 (in base of Government Resolution 1008/2009 (Jan. 28)) the Government re-regulated the operation of the Council in the light of the experience having been earned throughout the years.

The Council is a consultative, expert and proposing body drafting regulations for the government. In this capacity, it

- a) formulates its opinion on regulation proposals and international reports and information materials concerning the social equality of women and men;
- b) participates in the preparation of programs aiming to promote social equality of women and men using national and international financial resources, as well as in the preparation of related reports;
- c) proposes amendments to regulations promoting social equality of women and men; initiates governmental decisions and programs.
- d) may make actual proposals towards the achievement of social equality of women and men, in association with the New Hungary Development Plan and the New Hungary Rural Development Strategic Plan.

Members of the Council:

- a) one senior representative – appointed by the Head of the organization – from each ministry and the Prime Minister's Office;
- b) 11 persons called upon by the minister in charge of the promotion of equal gender opportunities (hereinafter referred to as the minister) who have performed outstanding scientific, representative or practical activities in the field of the gender equality;
- c) 8 persons delegated by non-governmental organizations acting for the promotion of the gender equality.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

Following the 4th World Conference on Women in Beijing the Government of Hungary set up an inter-departmental committee for the implementation of the Action Programme tasked with the coordination of governmental work aimed at ensuring equality of opportunities for women. The action programme aimed at implementing in Hungary the tasks laid out in the so-called Beijing Declaration is laid out in Government Resolution No. 2174/1997 (VI. 26.).

After the Beijing World Conference on Women in 1997 the Ministry of Labour elaborated an action programme of 7 points aiming at improving the status of women in society. The implementation of this action programme approved in 1997 by a government resolution was the goal of the efforts of the institutional mechanism (department in the ministry) up to end-2001, which was set up to improve the situation of women and which has been operating ever since on a continuous basis.

The 1997 Action Programme was comprised of seven items:

The majority of the items consisted of the ordering of the preparation of surveys, impact studies, expert recommendations, commissioning of the performance of impact assessments and proposals as well as the development of an information and statistics system. (Beijing Platform for Action: area of concern H: institutional mechanisms for the advancement of women).

Another major area was that of education and training (area of concern B: education and training of women).

The third and fourth areas comprise practical assistance: provision of legal advice by phone for individuals, provision of advice for applications to civil organisations, writing of applications (areas of concern I and D: human rights of women, violence against women).

The remaining 8 areas of concern specified in Beijing were not included in the Hungarian Action Programme. For on the one hand, at the beginning it was really the above four areas where it was possible to start a systematic construction process, on the other hand, these areas are the ones that generate the smallest amount of conflicts in the course of implementation. This is particularly true if they are not accompanied by systematic benchmarking, evaluation and monitoring.

The main field to strengthen the use of the gender mainstreaming strategy is in the developing of the so called National Action Programme, i.e. "National Strategic Plan for the Promotion of Gender Equality 2009–2020"

Description

Elaborated with involvement of experts, the Strategic Plan is a long-term programme for 12 years that defines tasks in 6 priority areas alongside with the associated, long-term measures. The short-term plans tuned for the actual implementation of the objectives are described in the Action Plan elaborated in every second year.

The priority areas of the long-term strategy for 2009–2020 are:

1. Achievement of equal economic independence for women and men, elimination of gender pay and employment gap with respect to the criteria defined in relation to women and poverty, women and health,
2. Enhancement of reconciliation of work, private and family life, equal division of responsibilities in taking family obligations, household and care services,
3. Promotion of equal participation of women and men in political and economic decision-making, as well as in research,
4. Eradication of all forms of gender-based violence, urgent action against any violation of fundamental rights of women and men, girls and boys for physical and emotional integrity,
5. Elimination of gender stereotypes in society,
6. Gender mainstreaming as professional base of indispensable changes required for the accomplishment of the objectives of the Strategy.

A number of positive steps have been taken against discrimination against women and to repress violence against women and children, in particular the following two examples

Although in the Republic of Hungary the prohibition of negative discrimination is enshrined both in the Constitution and a number of other pieces of legislation, the adoption in 2003 of the Act on '*equal treatment and the advancement of the equality of opportunities*' is regarded as a major achievement. *Act CXXV of 2003 on the promotion of equal treatment and equal opportunities* defines the concept of various types of discrimination – among others that against either of the sexes –, and sets forth the prohibition of such practices. On the basis of this Act, the *Equal Treatment Authority* started to operate in 2005. The Equal Treatment Authority acts on the basis of the provisions of Ebtv. and Government Decree 362/2004 (Dec. 26). The Equal Treatment Authority is an administrative body of national scope of competence for the promotion of equal treatment.

In addition to the examination of individual cases in its actions against discrimination, the second priority objective of the Authority is to promote social awareness, as well as to disseminate information and knowledge in relation to the enforcement of rights.

If the Authority asserts any violation of the regulations pertaining to equal treatment, the following sanctions may be applied:

- a) act for the cessation of the unlawful state of affairs,
- b) prohibit the further continuation of the conduct constituting a violation of law,
- c) act for the public disclosure of its resolution ascertaining the violation of the legal regulation,

d) impose a (discrimination) fine.

The Equal Treatment Authority has several other fields of competence, such as: right to institute legal proceedings on the basis of its rights for the enforcement of demands of public interests, right to formulate a position in any draft legal regulation concerning equal treatment, information services, etc.

The Authority carries out its tasks in cooperation with the Advisory Body appointed by the Prime Minister. Independent experts with significant experience in the field of human rights protection and the enforcement of the equal treatment principal can be members of this body. Formed in the summer of 2005, the Advisory Board have accepted positions, such as the one in relation to the issues of evidencing in anti-discrimination proceedings.

In the field of the prevention of violence against women and children, there were a series of initiatives, while the country has been maintaining the achievements that she made before.

Domestic violence

The tasks of the government in this respect are prescribed and determined by Resolution 45/2003 (Apr. 16) by the Parliament on the establishment of the national strategy for the prevention and efficient management of domestic violence, as well as Resolution 115/2003 (Oct. 28) by the Parliament on the national strategy of the social prevention of crime.

Within the meaning of the above legislation, Hungary has framed a separate institutional system funded from governmental sources.

Its elements:

1. Regional Crisis Management Network – currently with 10 units and a national scope of competence
2. National Crisis Management and Information Telephone Services – toll-free, 7/24 telephone services that can be called across the country
3. Secret Shelter, which is also a hosting institution
4. For the shaping of public awareness, a change in the attitude, role of the media, organization of national road shows, conferences, regular roundtable discussions for professionals.
5. Start-up of a “half-way” exit system as a result of the cooperation of the Ministry, local governments, non-governmental organizations operating crisis centers for the provision of municipal homes where the insulted persons can live for up to five years with assistance supplied by professionals.
6. Operation of a methodological center appointed by the Minister (Secret Shelter)

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

So far the ‘gender mainstreaming’ strategy has been met by some resistances for its professional comprehension needs a very wide range of knowledge (in the fields of social policy, demography, statistics, sociology, social security, labour management etc.).

It is often impossible to have functional bureaucrats to accept, in the framework of various technical or professional decisions, why the situation of women be attached priority among the numerous socially disadvantaged groups. This counter-argument has been voiced many times already and quite a number of development policy decisions have been made by the public power under this argument.

The “gender mainstreaming” strategy has still not become properly wide-spread in governmental activities. However, one can see the fact with some optimism that 2008

witnessed the first (outstandingly successful) gender training for employees applying for participation from the ministries, and that in 2009 it will be followed by a training session of several days for the employees of the National Development Agency who have a key role in the allocation of development funds in Hungary.

In society, the thought of gender equality, the consideration of inequalities between the two sexes have taken their roots, but the legal knowledge of women, as well as the abilities and techniques of the enforcement of their rights tend to be on a rather low level, and therefore in this field governmental policies are still to be strengthened.

The fairly conservative attitudes – in spite of the efforts taken in order to shape proper attitudes – change quite slowly, and the elimination of several gender stereotypes causes difficulties. *Nevertheless, the change among the younger generations has already become apparent: they are more open to the issues of gender equality.*

Hungary submitted her consolidated No. 4 and No. 5 governmental report in year 2000 for the CEDAW Committee.

This was when the preparation of this report was first publicised in a wider circle (for up to that year it had been prepared by a small group of professionals in English, so it was not accessible for the general public). In 2000, however, the part report was written by 20 experts under cooperation of 12 ministries and nationwide institutions and the final version it was also commented on by civil organisations. It may be asserted accordingly, that this was the time when the fact became widely known, as a very result of this effort, that there is a governmental organ of nationwide competency in charge of the improvement of the status of women in order to implement goals that have been recognised by the government through UN agreements and have been ratified by Parliament.

Hungary submitted her sixth country report to the Committee in 2006, and it was evaluated in 2007. The report was compiled from a broad base of sources: it was in fact prepared with the involvement of experts and non-governmental activists in addition to the governmental actors. The CEDAW convention and the recommendations of the CEDAW Committee are also accessible in Hungarian both electronically and in hard copy as free of charges. The publication entitled “Rights of Women” has already disclosed the most recent recommendations. This book has been disseminated continuously, via several channels with the contribution of the non-governmental organizations and activists for women.

Parliament ratified the Supplementary Protocol to the CEDAW Convention as well in 2001.

Good examples:

Publication of statistical yearbook on the status of women and men (*Situation of women and men in Hungary, 2000; 2001; 2002, 2003, 2004, 2005, 2006, 2007*) (*Nők és férfiak helyzete Magyarországon 2000; 2001; 2002-2003, 2004, 2005, 2006, 2007*).

Publication (on-line and in hard copy) of many reports, essays, studies on women’s issues.

Establishing web pages in different gender issues.

Order 107/2007 (HK 18) by the Ministry of Defense was signed and published in 2007 to set forth the Equal Opportunity Guidelines of the Minister of Defense. The Ministry (in 2003) also set up the Women’s Committee of the Ministry of Defense.

The following facilities – among others – have been designed to promote the return of persons being inactive for childcare to the labour market:

- From the time when the child accomplishes the age of 1, there is an opportunity to enter fulltime job in addition to the childcare aid, child-raising or nursing allowance.

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- START Programme: The objective of the programme is to provide support to the re-entry to the labour market for the long-term unemployed, for parents raising small children, for family members taking care of close family members to have employment after childcare benefits and to enable them to work while receiving the benefits.
 - For the support of the harmonization of workplace and family obligations, in each year since 2000 the Family Friend Workplace Award has been announced as to be granted to the companies and institutions implementing outstanding family friendly measures
 - To promote the shaping of attitudes to the political quota, with the contribution of a work team consisting of governmental experts, non-governmental organizations and specialists the government published a collection of studies in 2008 under the title of "Women's Quota in Hungary: if yes, why not?" where in addition to the associated information material, expert evaluations were also included. All the writings collected in the volume examine the quota issue. At the present, there is a national road show under way to present the book, as well as manage the problems brought to the surface by the quota proposal, respond to the associated questions.
 - In the framework of cooperation by governmental, professional and non-governmental actors, a training DVD (and an accompanying booklet for the explanation of the underlying concepts) has been prepared to contain a short film focusing on gender roles alongside with a schoolbook entitled "A History of women and men in the long 20th century"; these materials will be subjected to experimental education in 2009.

ICELAND¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Equal Status Council:* The Equal Status Council was established in 1976 (1985/1991) and its members are appointed by the Minister of Social Affairs following each general election. Its objective is to shape policy on equal rights issues. The Council functions as an advisory body to the authorities, provides organisations and the public with necessary information and conducts research on equal rights issues. The national budget granted to it in 1990 was 10 140 000 ISK; in 1991, 13 260 000 ISK and in 1992, 19 700 000 ISK.
- *Equal Status Complaints Committee:* This committee was established in 1991. According to the Equal Status Act from 1991, the Minister of Social Affairs appoints a three-member complaints committee for a period of three years at a time. All committee members shall be qualified lawyers, one of them appointed by the minister, the other two are appointed by the Supreme Court, one of whom shall be the Chairperson of the committee. The committee is responsible for the registration of infringements of the provisions of the Act as well as for investigating cases in such instances and forwarding its conclusions to the parties concerned. If the person concerned does not accept the conclusion reached by the complaints committee, the committee has the power to initiate legal proceedings in order to establish the recognition of the rights of the plaintiff in consultation with him or her. As regards the budget, see Equal Status Council – these two bodies share an office.
- *Local Equal Status Committees:* In 1975, the first municipal equal status committees were established. During the next few years, their number rapidly increased even though no legal provisions had been adopted regarding their establishment. In 1991, the Equal Status Act was incorporated, providing that municipalities with more than 500 inhabitants establish equal status committees. At the end of 1994, 44 out of 55 municipalities with more than 500 inhabitants had communicated the appointment of an equal status committee. The functions of these committees are in many ways similar to those of the Equal Status Council: They keep abreast of the position of women and progress in equal rights issues in their own communities and they serve as advisory bodies for town councils and other local authorities.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

In 2000 Althingi (the Icelandic Parliament) approved a new Act on the Equal Status and Equal Rights of Women and Men No. 96/2000, the Gender Equality Act for short. The Act was revised for two main reasons: to take account of the changes that had occurred in the field of gender equality and changes of emphasis in projects and methodology, and to stimulate development towards equality in important areas of society. During revision,

¹ Last update provided in November 2004, no new information in 2009.

therefore, special attention was paid to gender equality in administration, and the definition of specific projects to work on. It was also emphasized that gender equality must be the responsibility of both sexes. The Act abolished the Equal Status Council in its previous form.

1.2.2 CREATION OF NEW INSTITUTIONS

Article 2 of the Act establishes a new institution dedicated exclusively to this area, The Centre for Gender Equality (Jafnréttisstofa), which is administered by the Ministry of Social Affairs and is entrusted with the monitoring of the application of the Act. The new institution has taken over most of the tasks of the former Equal Status Bureau, including to:

- Provide education and information;
- Provide counselling to authorities, institutions, businesses, individuals and non-governmental organisations;
- Provide suggestions and proposals on activities in the matters of equality to the Minister of Social Affairs, the Equal Status Council and other authorities;
- Increase activity in matters of equality, e.g. by increased participation of men in such activities;
- Monitor the developments of the society in matters of equality, e.g. through research and the gathering of information;
- Provide assistance to equal status committees, equal status counsellors, and the equal status representatives of local authorities, institutions and businesses;
- Undertake other tasks consistent with the aim and scope of the Act as further instructed by the minister.

Public institutions, employers, and non-governmental organisations shall be obliged to provide the Centre for Gender Equality general information which it may need for its operations. In special circumstances, the Centre for Gender Equality may initiate legal proceedings to obtain recognition of the rights of the plaintiff on the basis of the opinions rendered by the Complaints Committee on Equal Status.

According to Article 4 of the Gender Equality Act, No. 96/2000, the Minister of Social Affairs shall appoint a Complaints Committee on Equal Status. The role of the Complaints Committee shall be to consider and issue in writing a substantiated opinion on whether the provisions of the law have been violated. The Committee's opinion shall not be subject to appeals to higher authority.

An Equal Status Council is defined in Article 7 of the Gender Equality Act. In the wake of each parliamentary election, the Minister of Social Affairs shall appoint a nine member Equal Status Council. The Minister appoints the chairman without nomination, and representatives are nominated from national women's organisations, social partners and the University of Iceland. The nominating parties shall nominate one man and one woman for each seat on the Equal Status Council. There shall be appointed an approximately equal number of women and men. Article 8 of the Gender Equality Act states that the Equal Status Council shall make systematic efforts to equalize the status and the right of women and men in the labour market. The Council shall submit proposals to the Minister of Social Affairs on measures to be taken in this field.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

According to Article 9 of the Gender Equality Act, No. 96/2000, the Minister of Social Affairs shall, concurrently with the submission of the motion for a parliamentary resolution and its review two years later, present to the Althingi a report on the status and development in matters of equality. Such a report was submitted, according to the previous laws, to Althingi in 1998, 2001, and according to the new laws in April 2004. The most recent report recounts the status and result of the numerous goals, programs and projects set forth in the previous action plan. A new action plan was submitted to Althingi in April 2004 and approved at the end of May 2004. The action plan was developed by the Centre for Gender Equality in collaboration with gender equality coordinators in the ministries. The action plan includes provisions for external evaluation of the action plan after two and four years.

According to Article 10 of the Gender Equality Act, local governments must have gender equality committees, focusing (among other things) on informing civil servants and heads of institutions. These committees shall supervise, and participate in, the process of setting an action plan for the municipality.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The national action plan on gender equality approved by Althingi in May of 2004 states that gender mainstreaming is the method which shall be used to achieve gender equality. The responsibility for introducing gender mainstreaming into all aspects of decision making is placed with the Ministry for Social Affairs.

IRELAND¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Parliament:* Joint Oireachtas (Parliamentary) Committee on Women's Rights This all-party committee of the Parliament was first established in 1983 to report on the impact on national equality of policy and legislation on women and was re-established following each subsequent general election.
- *Minister for Equality and Law Reform:* The first Minister for Equality and Law Reform was appointed with the establishment of the new *Department of Equality and Law Reform* in 1993. His responsibility, *inter alia*, was to secure equality of treatment for groups in society that have suffered from discrimination, disadvantage and disability through institutional, administrative and legal reforms.
- *Employment Equality Agency:* The Employment Equality Agency, which operated under the aegis of the Department of Equality and Law Reform, was established under the Employment Equality Act of 1977.
- *Second Commission on the Status of Women:* This commission was established by the Government in 1990. Its terms of reference included a review of the implementation of the recommendations of the First Commission on the Status of Women and to consider and make recommendations on the means, administrative and legislative, by which women will be able to participate on equal terms and conditions with men in economic, social, political and cultural life and, to this end, to consider the efficacy and feasibility of positive action measures. The Commission reported to Government in 1993. Many of its recommendations have influenced policy developments since its publication.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1. CHANGES TO ESTABLISHED INSTITUTIONS

Parliament

The Joint (all-party) Oireachtas (Parliamentary) Committee on Justice, Equality, Defence and Women's Rights reports, *inter alia*, on the impact of national equality policy and legislation on women.

- In 1998, a Sub-Committee of the new Joint Committee on Justice, Equality and Women's Rights, to be known as the Sub-committee on Women's Rights was established. The Sub-Committee pursued an active work programme.
- On the occasion of formation of the new Committee, of the 29th Dáil {Parliament} in 2002, the decision was made not to form a Sub-Committee on Women's Rights, but to

¹ Last update provided in September 2009.

include matters relating to women's rights and equality issues in the work programme of the main Joint Committee Justice, Equality and Women's Rights. The Committee debates legislation on women's rights and provides a parliamentary focus for women's groups and others to discuss women's policy concerns. The committee has contributed significantly to research on women's issues.

- Two special sessions of the Sub-committee, held on 5 February 2002 and 19 November 2003, were devoted to reviewing progress on gender equality. The Committee has made recommendations on equality in educational and social welfare provisions, the portrayal of women in the media, sexual violence, equal opportunities in employment, childcare, women's presence in local administrative decision making, the barriers to women in business and the impact of European equality legislation on women's affairs in Ireland.
- Over the five years since Ireland's last report, the Committee has undertaken work related to gender issues which influenced the formulation of legislation and/or policy making. Among the discussions which took place were the following:
 - May 2004 - discussion on the Maternity Protection (Amendment) Bill, which was subsequently enacted.
 - December 2004- similar process was followed in relation to an Adoptive Leave Bill
 - December 2004 – discussion on the National Domestic Violence Intervention Agency
 - April 2005 - Childcare
 - May 2006 - Human Trafficking

Sub-Committee on Women and Politics

A new Sub-Committee of the Justice. Committee was established in May 2009 to deliberate on the topic of Women and Politics in Ireland. The Sub-Committee has heard evidence from a group of former women parliamentarians and from an academic expert in women and politics. It has also undertaken a body of research to inform its thinking. It is expected that the Sub-Committee will report later in 2009.

Government

Cabinet responsibility for gender equality rests with *the Minister for Justice, Equality and Law Reform* who has the support of a Minister of State.

Department of Justice, Equality and Law Reform

The Gender Equality Section of the Department of Justice, Equality and Law Reform, under the direction of the Minister, is responsible for implementing a number of Government commitments on gender equality, supporting policy development on gender issues, and monitoring national and international commitments on gender equality, including reporting on gender equality issues for which other Government Departments and state agencies are responsible.

Tasked with contributing to the Department's key goal to promote a caring and equitable society in Ireland, the Division is required to:

- Implement the National Women's Strategy 2007 - 2016
- Implement a programme of positive actions to support gender equality under the 2007 - 2013 National Development Plan
- Promote Gender mainstreaming across all Government Departments
- Address Ireland's international commitments on Gender Equality Issues

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- Foster awareness of Gender Equality at National policy-making levels and in all public policy documents

The Gender Equality Division has a staff of twelve working solely on policy matters and on programme delivery areas relating to gender equality.

Apart from its role in relation to Gender Equality, the Department of Justice, Equality and Law Reform also has a key role in relation to the crimes of violence against women and human trafficking.

Cosc, the National Office for the Prevention of Domestic, Sexual and Gender-based Violence

Cosc was established in June 2007 as an executive office of the Department of Justice, Equality and Law Reform. The work of Cosc covers issues relating to domestic, sexual and gender-based violence against both women and men, including older people.

Cosc's tasks include:

- Working with Government Departments, Agencies, and Non Governmental Organisations (NGOs) in the sector to ensure the delivery of a well co-ordinated service to support victims of domestic, sexual and gender-based violence.
- Developing and delivering awareness raising strategies to ensure that victims are aware of services in their locality and that society is aware of the extent and impact of behaviours and crimes of domestic, sexual and gender-based violence.
- Developing strategies, standards for service delivery and training programmes to in line with best international practice.
- Putting in place strategically based positive actions which work with perpetrators of domestic violence.
- Providing leadership and support to the National Steering Committee on Violence against Women (NSC) and its sub-committees.
- Continuing to implement the recommendations of the 1997 Task Force Report on Violence against Women.

Anti-Human Trafficking Unit

The Anti-Human Trafficking Unit was established in February 2008 in the Department of Justice, Equality and Law Reform to ensure that the Irish State's response to trafficking is co-ordinated, comprehensive and holistic. It works closely with both State and non-governmental organisations. The Unit is also responsible for the development and implementation of a national action plan to prevent and tackle human trafficking. The National Action Plan focuses on:

- Prevention and awareness raising
- Prosecution of traffickers
- Protection of victims
- Child trafficking

The Irish Government has adopted a multidisciplinary partnership approach to tackling human trafficking in Ireland.

1.2.2 CREATION OF NEW INSTITUTIONS

In the late 1990s, new legislation led to the creation of a new national machinery for gender equality, strengthening the mechanisms to foster equality across nine grounds² including gender and to provide a sound legal framework to address discrimination.

The Equality Authority was established in 1999 under the Employment Equality Act 1998. Although funded through the Vote of the Department of Justice, Equality and Law Reform, the Authority is an independent state body. Its functions and powers were amended under the Equal Status Act 2000, the Equality Act 2004 and the Civil Law (Miscellaneous Provisions) Act 2008.

This legislation establishes the general functions of the Equality Authority. These include:

- To work towards the elimination of discrimination in relation to the areas covered by the Employment Equality Acts 1998 to 2008 and the Equal Status Acts 2000 to 2008.
- To promote equality of opportunity in relation to employment and vocational training and in relation to the provision of goods and services, accommodation and education.
- To provide information to the public on the working of the Employment Equality Acts 1998 to 2008, the Equal Status Acts 2000 to 2008, the Maternity Protection Acts 1994 and 2004 and Adoptive Leave Acts 1995 to 2005. The Parental Leave Acts 1998 to 2006 also accords the Equality Authority an information role on the provisions of the legislation
- To keep under review the workings of the Employment Equality Acts 1998 to 2008, the Equal Status Acts 2000 to 2008, the Maternity Protection Acts 1994 and 2004 and the Adoptive Leave Acts 1995 to 2005 and to make recommendations for necessary change to the Minister for Justice, Equality and Law Reform.

The equality legislation provides the Equality Authority with a range of explicit powers to implement these functions. These powers enable the Authority to:

- to provide assistance at its discretion to those who consider that they have been discriminated against if there is an important point of principle involved or if it is unreasonable to expect the person to represent themselves;
- to prepare Codes of Practice for submission to the Minister for Justice, Equality and Law Reform which, if approved, can be relied on in relevant court proceedings;
- to undertake or sponsor research;
- to conduct an inquiry for any purpose connected with its functions and to recommend actions on foot of this inquiry;
- to undertake or sponsor activities related to the dissemination of information;
- to invite a business to carry out an equality review and prepare and implement an equality action plan or, where appropriate and where the business does not have less than fifty employees, to carry out such a review and prepare such an action plan on its own initiative;
- to take cases on its own initiative in certain defined circumstances.

The Annual Reports of the Equality Authority show that the Authority responds to about 10,500 queries each year. These can relate to any of the nine grounds for discrimination listed in the Irish legislation. Queries in relation to the Maternity Protection Acts, Parental Leave and Adoptive Leave form the majority (about 75 per cent) of these queries.

² gender; marital status; family status; age; disability; race; sexual orientation; religious belief; and membership of the Traveller Community

The Authority also has a body of legal case files on hand at any one time. The Authority's most recent Annual Report (2007) shows that, of the 737 cases on hand in 2007, the age ground was the highest area for case files under the Employment Equality legislation that year (24 per cent), with the disability ground the highest area if all three pieces of legislation were considered together. Race (63 files) and gender (65 files) were also a significant focus of cases under the Employment Equality Acts.

The Equality Tribunal

The Equality Tribunal is the accessible and impartial forum to remedy unlawful discrimination. It is an independent statutory office which investigates or mediates complaints of unlawful discrimination. It operates in accordance with the principles of natural justice and its core values are impartiality and professionalism, accessibility and timeliness.

The Tribunal has powers to investigate under three pieces of legislation: the Employment Equality Acts, the Equal Status Acts and the Pensions Acts.

The Equality Tribunal's principal role is the investigation and mediation of complaints of discrimination in relation to employment and in relation to access to goods and services, disposal of property and certain aspects of education. This protection against discrimination applies to all nine grounds on which discrimination is prohibited under the new equality legislation. Where a complaint of discrimination is upheld, redress can be awarded.

An investigation is a quasi-judicial process carried out by a Tribunal Equality Officer who will consider submissions from both parties before arranging a joint hearing or hearings of the case to enable him/her to reach a Decision in the matter. Investigations are conducted by trained Equality Officers who have extensive powers to enter premises and to obtain information to enable them to conduct an investigation. Decisions are binding and are published.

As people became more aware of their rights and how to seek redress, the number of cases of alleged discrimination referred annually has risen 900% from 102 in 2000 to 998 in 2008. Over those nine years, claims to the Tribunal have been brought by or on behalf of some 22,000. Overall the Tribunal's work has made a significant contribution to the development of equality law and its practical application.

In dealing with claims, the Tribunal has developed an effective and popular mediation service.

Department of Education and Science

The Department of Education and Science established a Gender Equality Unit in 2001 to advise and promote the incorporation of a gender equality perspective in all areas of education. The Unit works with all the stakeholders in the education system, including policy development staff, teachers and those concerned with human resources, to increase awareness of gender equality. The work of the Unit has now been mainstreamed

Department of Finance

The Department of Finance has an *Equality Unit* which supports the development of equality initiatives in the civil service, including on gender equality. The Unit drafted a new gender equality policy and monitors Government targets in this area. The Unit liaises directly with Personnel Managers in Government Departments who are required to report annually on gender equality issues.

Department of Foreign Affairs - overseas development aid

Irish Aid is the Government of Ireland's programme of assistance to developing countries. Irish Aid has recruited a Senior Development Specialist with specific responsibility for advising on gender issues and supporting the mainstreaming strategy within the development co-operation programme.

Key approaches include:

- Networking internationally and building strategic partnerships
- Budget allocations for gender equality and women's empowerment
- A specific focus on preventing and responding to gender based violence. Ireland co-sponsored UN Security Council Resolution 1820 on Sexual Violence in Conflict
- Mainstreaming Gender - at country programme level, Irish Aid has increased its actions towards supported effective gender mainstreaming

Department of Health and Children

Women's health issues are currently overseen by the Women's Health Council (WHC). Ireland was among six countries invited by the WHO to conduct a case study with the aim of performing a gender analysis of a national health policy.

The WHC identified the National Cardiovascular Health Strategy as the policy area to be examined and published its report in 2005. Following on from this research, the Council has since published two practical guidelines for service providers on women and cardiovascular health, one for general practitioners in collaboration with the Irish College of General Practitioners and one for emergency doctors in collaboration with the Irish Association of Emergency Medicine.

Building on their work on gender sensitive analysis, in 2007 the WHC published a manual for the gender mainstreaming of health services, specifically tailored to the needs of Irish service providers.

The Crisis Pregnancy Agency is a statutory planning and co-ordinating body established in 2001 to formulate and implement a strategy to address the issue of crisis pregnancy in Ireland through:

1. A reduction in the number of crisis pregnancies by the provision of education, advice and contraceptive services.
2. A reduction in the number of women with crisis pregnancies who opt for abortion by offering services and supports which make other options more attractive.
3. The provision of counselling services, medical services and such other health services for the purpose of providing support, after crisis pregnancy, as may be deemed appropriate by the Agency.

The Health Service Executive which delivers the health services in Ireland is currently undertaking a project on gender mainstreaming within the health services.

Other

Social Partnership in Ireland

The seven Social Partnership Agreements to date - which are focused principally on incomes, fiscal, social, economic and competitiveness policies - were negotiated between

the Government and the social partners. The social partners are organised into four pillars as follows:

- Trade Union Pillar;
- Employer and Business Pillar;
- Farming Pillar;
- Community and Voluntary Pillar (included for first time in negotiations on *Partnership 2000*).

Management of the implementation of the current agreement *Sustaining Progress* is overseen by a Steering Group comprised of the social partners and Government Departments. The Steering Group meets quarterly in plenary session.

Structures set up under the Social Partnership framework which impact on gender equality include the following:

- The Centre for Social Partnership (set up in 1997 to support change and innovation in the workplace including in relation to work/life balance policies);
- The National Framework for Work/Life Balance Policies;
- National Framework Committee for Equal Opportunities at the Level of the Enterprise.

In addition, ad hoc working groups are set up as required, for example, the Committee which reported in 2001 on Women's Access to the Labour Market. More recently the social partnership agreement included a commitment by Government to develop a National Women's Strategy.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

National Plan for Women 2002

The Report to the United Nations on the National Plan for Women 2002 on the Implementation of the Beijing Platform for Action is Ireland's response to the invitation to governments made in the Political Declaration by the United Nations General Assembly in New York in 2000 to develop and implement national action plans to work towards the advancement of women in all areas of society.

The Report to the United Nations submitted to the UN in October 2002, is Ireland's programme to advance the situation of women across the twelve Critical Areas of Concern of the Beijing Platform for Action.

A draft Plan was published in October 2001 to inform and guide a consultation process which was launched at the same time. The task of overseeing the consultation process was led by a representative Steering Committee chaired by the Department of Justice, Equality and Law Reform.

The consultation process was hugely successful in giving the women of Ireland the opportunity for their views to be recorded. A wide array of issues was raised by women and their representative groups. These are reproduced in a separate document entitled "*Aspirations of Women collected in the course of the Consultation Process on the National Plan for Women 2002: Towards a National Women's Strategy*" which gives a valuable and unique insight into the views and aspirations of the women of Ireland at the beginning of the new millennium. This will serve to guide and influence Government policy into the future.

Both documents are available on the website of the Department of Justice, Equality and Law Reform at www.justice.ie .

A key recommendation in Ireland's *Report to the United Nations on the National Plan for Women 2002*, was the development of a National Women's Strategy as the framework for Ireland's gender equality agenda for the coming years.

Arising from this the Government made a commitment in the latest social partnership agreement "Sustaining Progress" to develop a five-year National Women's Strategy. The Strategy builds on the progress made towards greater gender equality in Ireland.

Following the publication of the National Action Plan for Women in 2002, the Gender Equality Division of the Department of Justice, Equality and Law Reform was tasked by the Irish Government with the preparation of a National Women's Strategy. In this co-coordinating role, the Department worked with all other Government Departments to prepare a comprehensive Strategy. It also consulted with the social partners, the Equality Authority and the National Women's Council of Ireland.

The National Women's Strategy (NWS) is the Government's statement of policy and priorities in relation to the advancement of women in Irish society for the period 2007 to 2016. It was launched by the Taoiseach (Prime Minister) in April 2007 in the presence of three other Government Ministers. It was prepared by the Gender Equality Division of the Department of Justice, Equality and Law Reform and its preparation was overseen by an Inter-Departmental Committee.

This Strategy honours a commitment made to the social partners and to the United Nations at the Beijing+5 Review in 2000. Moreover it links closely with the twelve "areas of concern" in relation to the role of women in the world today which were identified at the UN World Summit for Women in Beijing in 1995.

The NWS is intended to have a resonance with all women in Ireland and has as its vision:

*An Ireland where all women enjoy equality with men and
can achieve their full potential, while enjoying a safe and fulfilling life.*

The NWS aims to be comprehensive and contains twenty Key Objectives and over two hundred planned actions. The objectives and actions have been clustered together under the three key themes of:

- Equalising socio-economic opportunity for women;
- Ensuring the wellbeing of women; and
- Engaging as equal and active citizens.

The objectives are arranged under these themes as follows:

THEME 1 - EQUALISING SOCIO-ECONOMIC OPPORTUNITY FOR WOMEN	
1-A	To increase the participation of women in the labour force
1-B	To decrease the gender pay gap
2.	To promote the advancement of women in the labour market
3.	To support more women as entrepreneurs
4.	To seek to ensure that women and girls achieve their full potential in the education system
5-A	To ensure that childcare services are optimised to meet the needs of parents and children alike
5-B	To ensure that the care infrastructure supports women's socio-economic engagement
6-A	To reduce the numbers of women experiencing poverty
6-B	To reduce the numbers of female lone parent who experience poverty
6-C	To reduce the numbers of women experiencing poverty by increasing pension cover

THEME 2 - ENSURING THE WELLBEING OF WOMEN	
7.	To enhance the work/life balance for women
8-A	To improve the health status of women in Ireland through gender focused policies
8-B	To improve the physical health status of women in Ireland
8-C	To improve the reproductive and sexual health status of women in Ireland
8-D	To improve the mental health status of women in Ireland
8-E	To promote healthy lifestyles for the women in Ireland
9.	To increase the number of women participating in sport and physical activity in Ireland
10.	To ensure the health and safety of pregnant and breast feeding women at work
11.	To protect women from bullying and harassment in the workplace
12.	To combat violence against women through improved services for victims together with effective prevention and prosecution
13.	To address the issue of trafficking of women and children

THEME 3 - ENGAGING AS EQUAL AND ACTIVE CITIZENS	
14.	To increase the number of women in decision-making positions in Ireland
15.	To increase the number of women involved in the arts in Ireland
16.	To use media proactively to support gender equality and the advancement of women
17-A	To foster the advancement of UN Millennium Development Goals through Irish Aid
17-B	To use multi-lateral aid and development policy to promote the role of women and gender equality in developing countries
17-C	To enhance the capacity of Irish Aid and Development Partners to respond effectively to Gender Based Violence in conflict, post-conflict and developing environments
17-D	To ensure the integration of gender perspectives into all parts of the United Nations System

IMPLEMENTATION OF THE NATIONAL WOMEN'S STRATEGY	
18.	To implement gender mainstreaming as the principal instrument for the achievement of gender equality in Ireland
19.	To provide financial support to implement the National Women's Strategy
20.	To ensure that the National Women's Strategy is fully implemented

Responsibility for overseeing the implementation of the Strategy rests with the Gender Equality Division of the Department of Justice, Equality and Law Reform. This is being achieved through committee structures including a Monitoring Committee which is being chaired by the Minister of State with responsibility for Equality. The Department also has responsibility for monitoring and reporting on the progress made in implementing the Strategy and prepares annual Progress Reports. A 2007/2008 report has being prepared, submitted to Government and published.

Because contexts can change significantly over a ten year period, the NWS also contains a commitment to undertake an Interim Review of the Strategy every three years. The first interim review is due to take place in 2010 with a second review in 2013.

In addition to the “practical” commitments contained in the NWS in relation to the three key themes, the Strategy also contains commitments in relation to gender mainstreaming and to review evidence in support of gender budgeting.

POSITIVE ACTIONS TO SUPPORT WOMEN

The Department of Justice, Equality and Law Reform has delivered a programme of positive actions to support gender equality since 2000. The first Equality for Women Measure covered the period 2000 – 2007 and formed part of the National Development Plan for the period. The Measure was part funded by the European Social Fund.

The Measure was delivered in a number of phases. Phase I of the Measure covered the period 2000 to 2004 and contained eight Strands, which were largely open to applications from State Agencies, NGOs and Community based not-for-profit groups

- A. Access to employment, education and training with a particular emphasis on retraining and up skilling of women.
- B. Career development for women.
- C. Entrepreneurship among women.
- D. Innovative projects for disadvantaged women and women over 50 years of age.
- E. Promoting gender balance in decision making. Gender proofing of personnel policies.
- F. Family friendly policies in employment.
- G. Programme of research.

Phases 2 and 3 (2005 – 2007) specifically focused on women living in areas of urban and rural disadvantage and were largely focused on the preparation of marginalised women for employment and the engagement of women in decision making.

Almost €30 million in funding was made available over the eight year period to 140 projects. It is estimated that over 30,000 women engaged with the various projects with over 8,000 receiving formal training programmes.

In May 2008, the Minister for Justice, Equality and Law Reform launched the successor programme of positive actions. It had been envisaged that some €60 million would be made available for that purpose, but the economic downturn has led to the postponement of some elements of the new programme for the present. It is intended that the new Equality for Women Measure will have four strands. These will address :

- labour market activation,
- entrepreneurship for women,
- initiatives to support the advancement of women already in the labour market and to increase the numbers of women in decision making.

Funding of €1 million is being made available in 2009 to 35 community based not for profit groups under the labour market activation strand and it is intended that this funding will enable the groups to offer developmental courses to marginalised women to enable them to prepare to enter into formal education, training or employment.

Additional funding will be made available in 2010 and thereafter.

NATIONAL CHILDCARE STRATEGY AND OTHER FAMILY SUPPORTS TO FOSTER FEMALE EMPLOYMENT

Childcare

The availability of childcare is central to the needs of women who wish to participate in the labour market.

Following a pilot programme in the late 1990s, the Irish Government committed to the development of childcare services to support women who were in the labour market or who were undergoing training or education with a view to entering or re-entering the labour market.

Funding was provided until the end of 2007 under the EU co-funded Equal Opportunities Childcare Programme 2000-2006 (EOCP). The EOCP had a total allocation over 8 years of €530 million, including a capital allocation of €230 million. The total number of new childcare places created by the end of 2007 under the EOCP amounted to 39,551 with a further 26,912 pre-existing places supported.

In the successor programme, €193m in capital grants had been approved to childcare providers under the National Childcare Investment Programme 2006-2010 (NCIP) by the end of January 2008. Under the NCIP, more than 25,500 new childcare places are expected to be created as a result of funding committed to date. One of the Guiding Principles of the NCIP is to support families to break the cycle of disadvantage. To ensure this, one of the criteria for assessing all project applications is the extent to which a service will provide affordable childcare places to disadvantaged families.

The new Community Childcare Subvention Scheme (introduced in January 2008) under the NCIP supports community based services with a focus on disadvantage to enable them to provide reduced childcare fees to qualifying parents. Services receive grant subvention for childcare places on the basis of the type of service provided and the economic profile of the parents of children accessing those places.

The State also provides support towards the cost of childcare for participants in training and apprenticeship programmes delivered by the State training agency FÁS. Total FÁS expenditure on childcare in 2008 amounted to €37.6 million. The largest single programme expenditure came from 1,760 ring-fenced childcare places on the Community Employment Scheme. Other programmes included Childcare Traineeships and local training initiatives with 487 participants completing programmes in 2008. Expenditure on the FÁS childcare allowance (a contribution towards the cost of childcare incurred by participants in FÁS training) amounted to €4.9 million.

Additional work is being undertaken to foster quality childcare, through a range of training and educational interventions and the preparation of new standards for childcare centres. An Inter-Departmental group drawn from the funding Departments/Agencies has been set up to develop a National Training Strategy for childcare.

Child benefit

The Irish State has put a generous child benefit package in place to make financial supports available to parents to enable them to make care arrangements for their children. The monthly payment has increased very significantly over the past ten years. The monthly amount payable for the first and second child aged 0 to 18 years has increased from €40 to €166 in the period 1998 to 2009, while the amount payable for third and subsequent children has increased from €53 per month to €203 per month.

An additional annual payment of €1200 was made available to parents of children aged 0 – 5 years towards the cost of childcare since early 2006. However a policy review in 2008 has led to a new policy which will come into force in 2010 and which will make available pre-school education for a year as a better option for the development of the young child.

Maternity leave

Maternity Benefit is a payment made to women who are on maternity leave from work and covered by the State's social insurance scheme. If a woman is already on certain social welfare payments then she will get half-rate Maternity Benefit. In 2006 as part of a package to foster female employment, maternity benefit was extended to 26 weeks and Maternity Benefit is now normally paid for 26 weeks. Women may also choose to take up to 16 weeks of additional, but unpaid, maternity leave and will receive social insurance credits for that period.

In some employments, including the public service, full salary is normally paid to the mother during the period of paid maternity leave.

The weekly rate of payment varies and is dependent upon the salary of the employee. However the minimum payment (2009) is €230.30 per week and the maximum is €280 per week.

There are no provisions for paid paternity leave in Ireland at present. Some employers (including the Civil Service) allow fathers to take a number of days leave to coincide with the birth of a child.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

Gender mainstreaming was a requirement for all policies and programmes funded under the National Development Plan, 2000 to 2006 (NDP) and remains a requirement under its 2007 – 2013 successor. The NDP is an investment plan for Irish infrastructure, education, industry, natural resources, social inclusion and regional development. It is funded through the Irish Exchequer and the European Union Structural Funds.

Specific gender mainstreaming requirements include:

- Incorporation of equal opportunities into project selection criteria;
- Requirement that indicators to monitor progress be broken down by gender where possible;
- Incorporation of equal opportunities as a criterion into all evaluations; and
- Promotion of a gender balance on monitoring committees.
- Gender impact assessment of most measures is also required.

The 2000 – 2006 Plan provided for a number of structural supports to assist in the gender mainstreaming process:

- The establishment of the NDP Gender Equality Unit within the Department of Justice, Equality and Law Reform to assist Government Departments and State Agencies to gender mainstream their policies and programmes;
- The identification of equal opportunities as an objective of human resources and regional policy;
- Acknowledgement of the impact of equal opportunities between women and men in spending on infrastructure and productive investment;
- Provision of project gender impact assessment across the whole Plan;
- Establishment of an equal opportunities and social inclusion co-ordinating committee;
- Childcare investment to help parents, particularly women, to balance their work and family commitments;

-
- An equal opportunities measure focused on the needs of women returning to the labour market, tackling vertical and horizontal segregation, promoting family friendly working arrangements and women in decision-making.

Although the NDP Gender Equality Unit has not continued in the new National Development Plan, gender mainstreaming is still at the heart of the various operational programmes (OPs). The Department of Justice, Equality and Law Reform continues to provide guidance on the implementation of gender mainstreaming as a horizontal principle across the Plan and its constituent OPs.

Gender mainstreaming in Government Policy

Since 1992 all Government Memoranda are required to indicate the impact of policy proposals on women.

All appointments to State Boards are also monitored with a view to achieving representation of 40 per cent by each sex.

ITALY¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *National Commission for Equal Opportunities for women and men.* The Commission was set up under the Prime Minister's Office in 1991 in application of Law no. 164 of 1990. It is a consultative body providing policy guidance aimed at promoting equal opportunities activities. It also acts as a coordinator and point of reference for all government initiatives on equal opportunities. The funding allocated to the Commission for 1994 totalled 1 032 914 €.
- *National Committee for Equality and Equal opportunities in the workplace.* The Committee was set up under Law no. 125 of 1991. A law of the same year placed it under the Ministry of Labour and Social Security. It is made up of representatives of trade unions, employers and women's associations. It is chaired by the Minister of Labour. In the sphere of employment policy, the Committee draws up proposals for legislative reform, provides information, promotes positive action and gives opinions on projects in progress. It proposes solutions to collective disputes and promotes adequate representation of women in the government bodies responsible for employment policy. The funding allocated to the Committee for 1994 totalled 516 457 €.
- *Equality advisers:* Established in 1984, these advisers work within regional employment commissions and provincial bodies competent in the field of employment policy. Their functions are established by Law no. 125 of 1991. Their objective is to put into practice the principle of equal treatment for women and men in the sphere of employment and vocational training. They report offences to the judicial authorities, institute legal proceedings and sit on all equality bodies established in local, regional and provincial administrations.
- *Inquiry Board:* Set up in 1991, this body is attached to the Ministry of Labour and Social Security. Its purpose is to investigate acts constituting discrimination and means of eliminating them, and it also prepares opinions for the National Committee and Equality Advisers. It is a collegial body, chaired by the Vice-Chair of the National Committee for Equality and made up of members of the judiciary, a works inspectorate manager, the national equality adviser and experts in legal, economic and sociological spheres competent in the employment field.
- *Committee for women's entrepreneurship:* The Committee was set up under Law 215/1992 and placed under the Ministry for Industry and Crafts. It is responsible for the steering and overall programming of the initiatives set out in Law n° 215 and also of positive action to promote women's entrepreneurship.

¹ Last update provided in September 2009.

- *Equal Opportunities Committees*: These committees have existed at the various levels of government (national, regional, provincial) since 1997. They are made up of representatives of the public administration and trade unions. The committees collect information and data, promote initiatives and advance proposals to promote parity and equal opportunities as regards work conditions and professional development. Set up in 1989 and attached to the Ministry of Education, these committees also organise seminars and study days in order to promote the inclusion of equal opportunities in school education.
- *Equal Opportunities Bodies in regional and local administrations*: Since 1976, all regional governments and many local governments have set up committees or consultative institutions for equal opportunities, known as "commissions for equal opportunities". The regional commissions vary in their membership and functions, but all of them promote positive action and fulfil a consultative and supervisory capacity for regional acts and laws.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *National Commission for Equal Opportunities for women and men*. This body was reformed by Legislative decree no. 226 of 2003. Its membership was changed and the Chair, previously appointed by decree of the Prime Minister, is now the Minister for Equal Opportunities. The Commission has been transformed into a body of consultation and proposal. It no longer coordinates government action in the area of equal opportunities but it continues to fulfil a consultative role and to promote studies and research on equality topics. The Commission provides the Minister for Equal Opportunities with advice and support for the framing and implementation of equal opportunity policies.

The National Commission, governed by article 3 of the legislative decree number 198/2006, is still a consultative body that gives assistance and technical-scientific support to the Minister for Equal Opportunities, who is the President of the Commission, in the drafting and elaboration of any policies for equal opportunities between men and women. In particular the Commission:

- formulates proposals to the Minister in order to modify the current legislation and remove any form of discrimination against women, both direct and indirect, and to introduce the principle of equal opportunity between men and women in the Italian legal order, also giving useful information, documentation, technical and statistical data which are necessary for the drafting of laws;
 - coordinates collection, analysis and elaboration of data, in order to control the implementation of policies for equal opportunities in different fields such as political, economical and social life and to suggest any necessary initiatives;
 - drafts a yearly report addressed to the Minister on the implementation of equal opportunities policies;
 - carries out studies and research on the issue of equal opportunities between women and men.
- *Equality Advisers*. Legislative decree no. 196 of 2000 broadened the function of equality advisers in regional and provincial administrations. In addition to the functions listed in paragraph 1.1, the advisers check that regional development policy planning fits in with community, national and regional guidelines on equal opportunities. They must promote positive action schemes promoting gender equality in the workplace through the identification of community, national and regional resources earmarked for that purpose.

The advisers pass on knowledge and exchanges of good practice as well as news of information activities and cultural insight training on equal opportunities issues and different forms of discrimination. The legislative decree also sets up an Equality advisers network, to make their work more effective through exchanges of information, experience and good practices. Article 9 of the decree creates a national fund for the activities of equality advisers, with an annual appropriation of 9 million €. Before that fund was set up, the advisers received no funding, so it is a crucial instrument for their work.

Equality Advisor

For the promotion of equal opportunity and gender equality in the workplace, the legislative decree n. 198 of 11 April 2006 (The Equal Opportunities Code) has instituted the figure of equality advisor, working at a national, regional and provincial level in the role of public official. The equality advisor undertakes every initiative to achieve respect for the non-discrimination principle and the promotion of equal opportunity in the work environment, and plays a double role: one of promotion and one of vigilance over gender discrimination. The equality advisor is also the head of the action for judgment of cases of discrimination based on sex, and performs the following roles:

- Determining situations with gender imbalances;
- Promotion of positive action projects, through the use of community, national and local funds allotted for such purposes;
- Promotion of programming coherency in the territorial development policies, by following community, national and regional equal opportunity guidelines;
- Support of active employment policies, including training, under the heading of promotion and creation of equal opportunities;
- Promotion of the implementation of equal opportunity policies on the part of public and private subjects operating in the labour market;
- Collaboration with regional and provincial Labour Managements for the purpose of determining effective procedures for the detection of violations of law on equality rights, equal opportunity and guarantee against discrimination, also through the planning of special training packets;
- Communication of knowledge and exchange of best practices and information and cultural training activities on problems of equal opportunity and the various forms of discrimination;
- Control of results from the positive action projects;
- Keeping relations and collaborating with the labour departments of local bodies and equality organisations of local bodies;
- Assistance to victims of discrimination in the working environment.

The offices of the national, regional and provincial equality women advisors are located respectively in the Ministry of Labour, Health and Social Policies' headquarters, in the regional and provincial governments. They are functionally autonomous, equipped with tools and personnel supplied by the reference administration. Furthermore, the equality women advisories have access to a national fund with the purpose, among other things, of financing actions of financing legal actions promoted or supported by the advisors themselves.

Each year, by December 31, the regional and provincial advisors must present – as one of the conditions of their appointment – a report on the activities carried out to all the bodies that nominated them, for the evaluation of the impact and effectiveness of the activities carried out.

Provincial and regional network of Equality Women Advisors

For the purposes of strengthening the positions of the equality advisors to allow for the exchange of information, data, experiences and best practices, and to improve the effectiveness of the action, the national Network of equality advisors was instituted,

coordinated by the national advisor. The organisation is a point of reference and a meeting point for the advisors appointed at the regional level, and they meet at least twice a year at the convocation of and under the presidency of the national advisor.

1.2.2 CREATION OF NEW INSTITUTIONS

Minister for Equal Opportunities: A Minister for Equal Opportunities was appointed in 1996. The Minister is delegated by the Prime Minister to plan, guide and coordinate all the initiatives, even of a regulatory nature, connected with promoting equal opportunities and also preventing and eliminating all forms and causes of discrimination. The Prime Ministerial decree of 14 February 2002 broadened the brief of the Minister for Equal Opportunities to the following functions:

- promoting and coordinating government initiatives aimed at implementing equal opportunities policies in the areas of health, schools, the environment, the family, work and elected offices;
- promoting and coordinating government initiatives aimed at preventing and eliminating discrimination based on race, ethnic or social origin, genetic traits, religion or personal beliefs, political or any other opinions, membership of a national minority, material situation, birth, illness, age or sexual orientation;
- taking the necessary initiatives for the planning, guidance, coordination and monitoring of European structural funds in the area of equal opportunities.

The Minister is assigned responsibilities for coordinating the activities of public administration in the area of prevention, assistance and supervision for minors and sexual abuse.

The Minister is also assigned policy steering functions for the adoption of foreign minors in agreement with the Commission for international adoptions set up in 1998. The Minister may interact with the other ministers and with public bodies with a view to attaining the goals set, and may also use a veto to propose that the Council of Ministers re-examine a disputed act. The Minister represents the Italian government in all international and community institutions competent in the equal opportunities field. The funding allocated to the Minister totalised 15,798,569 € for 2004.

The Minister for Equal opportunities (new definition)

The institutional figure of the Minister for Equal Opportunities was created in 1996. Since 1997, the Minister has been flanked by the Department for Equal Opportunities of the Presidency of the Council of Ministers. The department has the task of promoting and coordinating equal opportunity policies and government actions aimed at preventing and eliminating discrimination.

In the President of the Council's delegation to the Minister for Equal Opportunities, the following tasks are included. To promote the culture of equal rights and opportunity in the information and communication sector with special reference to some rights for women, including those of assisted procreation; to promote and coordinate government Actions aimed at ensuring the full implementation of policies for equal opportunity between men and women in enterprise and in employment; to verify the impact of gender in all the government initiatives; to highlight gender in data from the public administration budget and data pertinent to statistical surveys and research; to coordinate, also in international and community headquarters, government policies for the protection of human rights of women, with particular reference to the objectives indicated in the Beijing Platform of Actions , in agreement with the Minister of Foreign Affairs and the entire government.

Thanks to the tasks assigned to the present Minister of Equal Opportunities with the Decree of the President of the Council of Ministers of June 13, 2008, the area of responsibility in the

mandate of the Minister for Equal Opportunities was expanded in agreement with the instructions from the international community and the European Union adopted since 2002. Following this expansion of competence, the mandate of the Minister for Equal Opportunities is focused not only on gender equality and the fight against discrimination, but in the wider field, on the promotion of human rights in general.

In particular, the Minister for Equal Opportunities, in relation to the mentioned Decree of the President of the Council of Ministers, was delegated to promote and coordinate government actions aimed at ensuring the implementation of gender rights and equal opportunity with reference to health, research, school and education, environment, family, employment, elected positions and gender representation.

The Minister is also responsible for the prevention and elimination of every form of discrimination for all the factors provided for in the Founding Treaty of the European Community, also presiding over the Committee of Ministers for the strategic guidelines for the protection of human rights at the Presidency of the Council of Ministers, with the duties set out by the Decree of the President of the Council of Ministers (D.P.C.M) of 13/04/07, in which the Ministers or the delegated authorities take part as well, and equality organizations, in relation to their interconnection problems with the immigration phenomenon.

The duties that have always been part of the Ministry's institutional mission are those of promoting and coordinating government actions with the scope of guaranteeing full implementation of policies in the sector of equal opportunity between men and women, in enterprise and in jobs, to examine gender impact in every initiative undertaken by the government, to highlight gender perspectives in data related to the public administration budget and in that data that refers to statistical research, to promote the culture of rights, especially the rights of women, and equal opportunity in the fields of information and communication.

The Minister for Equal Opportunities also has the task of adopting specific initiatives necessary for programming, guiding, coordinating and monitoring the European Structural Funds, taking into consideration the integration of equal opportunity and the gender perspective in community policies.

The direct consequence of assigning tasks involving human rights also implies the promotion and coordination of government actions to fight the exploitation and trafficking of human beings, violence towards women as well as the violation of fundamental rights to physical integrity and health for women and female children.

Finally, it is important to emphasize that the Minister for Equal Opportunities coordinates the public administration activities for prevention, social assistance and legal assistance, protection of minors from exploitation and sexual abuse, pursuant to the law number 298/98, as well as those related to fight against paedophilia and child-pornography, as provided by the law 38/2006. She finally coordinates and promotes, in agreement with the Undersecretary of State responsible for family policies, government policies to support conciliation of working schedules and family care schedules.

- *Equal Opportunities Department*: the Equal Opportunities Department was established by Prime Ministerial Decree in 1997. It is an administrative body supporting the Minister for Equal Opportunities. It gives policy guidance and proposes and coordinates legislative and administrative initiatives for the framing and implementation of equal opportunities policies in line with the steps taken by the Minister. It manages relations with the General Secretary and the other offices and departments of the Prime Minister's Office as well as with the offices of the National Commission for Equal Opportunities for women and men. The Department coordinates initiatives linked to the planning and use of European structural funds in the area of equal opportunities. An office was set up within it in 2004 to promote equal treatment and combat discrimination. This office operates on a fully autonomous and impartial basis to guarantee the effectiveness of the

equal treatment principle. It also has the task of checking for and helping to eliminate discrimination based on race, ethnic origin, cultural differences and religious beliefs.

Department for Equal Opportunities - Presidency of the Council of Ministers (new definition)

The Department for Equal Opportunities, which was set up by the Prime Minister's Decree number 405/1997, is the institutional structure of the Presidency of the Council of Ministers responsible for the coordination of the policies of equal opportunities and the government's actions to prevent and remove any form of discrimination.

The Department for Equal Opportunities, which is chaired by the Chief of the Department, is structured in three main Offices:

- the Office for interventions in the economic and social field;
- the Office for intervention for equality and equal opportunities;
- the National Office against racial discrimination.

The Office for intervention in the economic and social field coordinates and monitors actions related to the community planning, the European structural funds for equal opportunities activities and the community thematic funds.

The Office contributes to developing national positions in the European legislative process and to adapting the Italian legal order according to the provisions set up by the European Union.

The Office coordinates international relations among all the Offices of the Department for Equal Opportunities and the United Nations, the Council of Europe, the Organisation for Economic Co-operation and Development (OECD), other European and international organizations and all the foreign competent bodies for equal opportunities issues. It also coordinates all the actions to fight trafficking of human beings and harmful practices such as female genital mutilation.

The Office for intervention for equality and equal opportunities coordinates the planning, management and monitoring of all the initiatives related to equal opportunities which are financed by national resources.

The Office coordinates the initiatives related to equal opportunities between men and women and directs the relationships between the Department for Equal Opportunities and all the national bodies and committees for gender equality and equal opportunities. It also coordinates all the initiatives regarding prevention, care and protection of minors from sexual and labour exploitation, the fight against paedophilia and paedo-pornography.

The Office also coordinates initiatives related to female entrepreneurship and the fight against discrimination based on disability. It also promotes and controls the implementation of the principle of equal treatment between men and women in the access to and supply of goods and services.

The National Office against racial discrimination (UNAR) has a singular structure, since it was established with the legislative decree number 215 of 2003, according to the community directive number 43/2000 whose aim is to create an institutional reference point to control the efficiency of instruments of protection against any form of discrimination based on race or ethnical origin.

The Office's objective is to guarantee, in complete autonomy and impartiality, the effectiveness of the principle of equal treatment, to control the functioning of the protection instruments against discrimination and to remove any form of discrimination based on race and ethnic origin, through the analysis of their different impact and interaction on gender issues and other form of discrimination based on religion and culture.

The Office receives claims from people who have been discriminated against, also through a call centre, and it assists them in bringing their cases to the Court of Justice, if necessary.

Another important purpose of the UNAR is the organization of awareness raising campaigns against discrimination and the promotion of studies, research and vocational training courses to create strategies to eliminate any form of discrimination

- *Observatory for Women's Entrepreneurship*: This observatory was set up in February 1997 under a Decree of the Minister for Equal Opportunities in order to analyse the problems of women's integration into an economic and social context and arrive at action strategies to overcome such problems. The Observatory carries out ongoing monitoring of European, national and local legislation aimed at promoting women's entrepreneurship and monitors its impact on the women's sector as well as compliance with equal opportunities requirements. The Observatory has set up an internet site (www.osservatoriodonna.it), featuring numerous services for women, especially those managing or wishing to start up a business. In particular, the site offers free information, guidance and support services for the different stages of business creation and development. Those services are available on the ground through a network of information desks made available by local public services, institutions, business-sector associations and trade unions with an internet connection and a public information desk.
- *Equal Opportunities Committees*: equal opportunities committees have been set up in recent years within each central state authority. Their task is to promote positive action and measures geared to creating conditions of substantial gender equality in the workplace. There are committees like this at the Ministry of the Economy and Finance, the Ministry of the Interior and the Ministry of Education, for example.
- After the Beijing Conference, the *National Statistics Institute (ISTAT)* began studies to produce gender-sensitive data. The Equal Opportunities Department established two contractual agreements with ISTAT: one on ill-treatment within the family and the other on time use. These two research projects each yield an annual report and will continue until 2006. In 2003 ISTAT published a very interesting report on the situation of women: "How women's lives are changing", providing gender-differentiated statistics on employment and data on the reconciling of family and working life.

In 2006, the National Statistics Institute (ISTAT) presented the results of a new survey, for the first time fully dedicated to physical and sexual violence against women.

The survey was conducted on a sample which includes 25,000 women aged between 16 and 70, living in the whole national territory, who were interviewed by telephone in the period from January to October 2006. The survey represents the result of a partnership between ISTAT, the Institute that conducted the survey, and the Minister and the Department for Equal Opportunities that provided financial support with funds from the National Operative Program "Safety" and 'system actions' of the European Social Fund.

Inter-ministerial Commission to support victims of trafficking, violence and severe exploitation

The Commission's main tasks are to manage, control and plan resources for any programs of social assistance, integration, first aid, which are implemented by local authorities or private subjects co-financed by the State, as established by article 18 of the legislative decree 286/1998 and article 13 of the law 228/2003 of the current legislation which protects victims of human trafficking and exploitation.

Observatory against children's sexual abuse and child pornography

The Observatory was established by the law number 38 of February 6, 2006. The main task of the Observatory is to gather and monitor data and information about the activities which have been carried on by public administrations to prevent and eliminate child abuse and sexual exploitation, both at the national and international level. The Observatory's objective is to create a database to collect, together with the data provided by other administrations, any information related to cases of abuse and sexual exploitation of children in Italy or

perpetrated by Italians abroad. The database aims not only to monitor the phenomenon of child abuse, sexual exploitation and paedo-pornography but also to remove the focus from the perpetrator to the victim, trying to determine in depth the systems of protection for children, during the process and how the victim is helped to overcome his/her trauma.

Commission for preventing and opposing female genital mutilation

The Department for Equal Opportunities has instituted a Commission which is specifically devoted to implementing the provisions of the law n° 7/2006 entitled “Provisions regarding prevention and prohibition of practices of female genital mutilation”, whose activities are also to provide any measures of prevention, as established by article 3, paragraph.2 of the above-mentioned law. The Commission for preventing and opposing female genital mutilation, which is chaired by the Minister for Equal Opportunities, has been recently re-established (ministerial decree of June 9, 2009).

Committee for female entrepreneurship

The Committee's task is to coordinate and plan any interventions on female entrepreneurship, according to the legislative decree number 198/2006 (article 52 and further articles). It also promotes studies, research and documentation on women entrepreneurs.

Study Commission for the right to health

The Ministry for Equal Opportunities has also instituted a Study Commission for the right to health, with the objective of monitoring the present situation and formulating proposals aimed at ensuring equal treatment conditions for citizens and access to Health Services, eliminating every type of discrimination. The Commission's task is to indicate positive actions to promote equal opportunity for immigrant women, to formulate proposals for activating protection programmes for infancy and the woman, to guarantee the right to health for weak subjects such as the elderly or individuals with cancer; the commission will also be studying and taking action in the area of organ transplants. It also deals with promoting a culture of health and prevention, using information and awareness actions and campaigns.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The national plan of action took the form of a Prime Minister's Directive, circulated in March 1997 to all members of the Government. The objectives set out in the Directive focus on the key concepts of the Beijing Platform for Action: empowerment of women and gender mainstreaming.

In 2001 the Minister for Equal Opportunities, in the Declaration on Equal Opportunities, added six new priorities to those laid down by the 1997 directive.

The target areas for political and institutional action include:

- promotion of women in decision-making and promotion of female representation in government organs;
- gender impact analysis;
- reform of institutional action and equal opportunities bodies.

The following priorities were identified in the economic and social sphere:

- training and education;
- promotion of female entrepreneurship and employment;
- health care, including action to combat the genital mutilation of women;
- combating violence against women and human trafficking;
- combating paedophilia.

Priorities based on an understanding of Italian society:

- women's sexuality and freedom;
- forging of a new culture and new practices in social relations and gender relations;
- national plan for nurseries;
- improving international relations and cooperation.

The activities of the Minister for Equal Opportunities have been focused on a wider concept of equal opportunities with the main aim of removing any form of discrimination and elaborating gender sensitive policies in many different sectors such as immigration, childcare policies, employment, gender based violence, education and the fight against stereotypes, health, equal sharing of responsibilities between women and men, women's participation at the political and economic decision-making level.

The priorities of the Minister for Equal Opportunities are the following:

- support the implementation of the principles established in the Beijing Declaration and Platform for action, elaborating and addressing important strategic interventions to be undertaken in the next few years with the main objective of improving women's status in the country
- elaborate concrete measures to increase women's employment and improving their reconciliation in working, private and family life.
- support women's advancement in the labour market and their participation in the political and social life of the country.
- eliminate any form of discrimination and violence against women and oppose the phenomena of female genital mutilation and trafficking of human beings.
- combat trafficking in human beings and smuggling of immigrants, since they mainly affect women and children.

The National Code of Equal Opportunities between women and men, which has been instituted by the law decree number 198 of 2006, is considered the Italian legislative framework on gender equality and women's empowerment.

The Code collects eleven laws on equal opportunities in a single text and is composed of 59 articles, with the purpose of rationalizing and harmonizing the current legislative provisions on gender equality and having a more effective knowledge and dissemination of these rules.

The Code regulates the promotion of equal opportunities between women and men, in ethical, social and economic relations and in civil and political rights. It aims to promote not only women's empowerment, but also to recognise and guarantee freedom of choice and a better quality of life for both women and men.

For the first time, the Code has introduced the principle of gender mainstreaming, having obliged the Government to take into account the gender perspective from a more binding point of view, in the drafting of laws, regulations and administrative acts, in all policies and activities.

The main goal of the Code has been to create legislative homogeneity on gender equality in order to better implement and achieve both a *de jure* and *de facto* equality between men and women.

The Code is divided into four books:

- The 1st Book is entitled "Rules for the promotion of equal opportunities between men and women";
- The 2nd Book is entitled "Equal opportunities between men and women in ethical and social relationships";

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- The IIIrd Book is entitled “Equal opportunities between men and women in economic relationships”;
 - The IVrth Book is entitled “Equal opportunities between men and women in civil and political relationships”.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The national plan of action mentions gender mainstreaming as a major objective. Also, the Minister for Equal Opportunities and her Department have adopted gender mainstreaming in their work. Despite strong resistance from certain politicians, gender mainstreaming has achieved significant results in many areas:

Female representation:

The Constitutional law of 2003 amending Article 51 of the Italian Constitution in respect of access to public positions was a major step forward. The new constitutional article stipulates that the Republic shall, through appropriate measures, promote equal opportunities for men and women as regards access to public positions and elected office.

Parliament approved new rules for the election of members of the European Parliament through Law no. 90 of 8 April 2004. Among other things, this measure, implementing the equal opportunities principle, introduces quotas. The new rules state that neither of the sexes may represent more than one third of candidates, meaning that female representation may not be lower than 33%.

The Department for Equal Opportunities has also promoted a training project entitled *“Women, politics and institutions - educational processes for a gender and equal opportunities culture”*, which started in the academic year 2005 and has been developed in further editions. The objective of the project was to process practical and theoretical information, in order to disseminate a gender sensitive culture and to allow women, of every age, workers or not, to approach politics and to promote their success and their participation in the national political and social life. The project was addressed to all women with a secondary-school diploma and to male and female university students.

The “Directive on measures to achieve equality and equal opportunity between men and women in Public Administration” signed on May 23, 2007 by the Minister for Equal Opportunities jointly with the erstwhile Minister for Reforms and Innovations in Public Administration.

This directive is aimed at central authorities and non economic public bodies, but also at Regions and local bodies.

The directive provides indications for areas where the authorities should intervene and determine critical points or possible direct and indirect discrimination, using surveys, studies and monitoring activities. There are 6 areas:

- elimination and prevention of discrimination;
- adoption of triennial positive action plans;
- work organisation;
- personnel recruitment and personnel management policies;
- equal opportunity committee (EOC);
- organisational training and culture.

In 2008 the Department for Equal Opportunities also promoted and coordinated the project “*PER.FOR.MA.GE - Training Courses on gender mainstreaming*”, whose aim was to promote the gender perspective in all central public administrations in Italy. The project involved 12 national Ministries in workshops and specific training courses which focused on the integration of the gender perspective in different sectors and policies at all levels.

In particular the project focused on:

- supporting the drafting of economic planning policies and administrative actions;
- supporting the Government choices of social and economic policies in favour of gender equality;
- supporting the development and harmonisation of professional competences for the integration of gender equality in the planning processes and in policy definition.

Combating trafficking:

Italy has been committed to combating trafficking in human beings for many years. Article 18 of the Single act on immigration regulations and standards for the status of foreigners (legislative decree no. 286 of 1998) provides for various measures aimed at protecting and assisting trafficking victims. One project, launched in 2000, aimed to create an anti-trafficking free-phone number, a vital support enabling trafficking victims to seek effective help. Law no. 228 on "Measures against human trafficking" was passed in 2003. The law amends certain articles of the Criminal code and establishes heavier penalties for individuals trafficking in human beings. The text of the law is not limited to the punitive aspects but also takes the preventive and social aspects into account.

According to article 18 of the legislative decree number 289/98, from 2000 to 2008, the Department for Equal Opportunities published nine public notices to finance projects of assistance and social integration of the victims of human trafficking and exploitation and has co-financed 533 projects in the whole national territory. Through these projects, special permits to stay, established by the legislative decree, will be given.

Moreover, the provisions of the law number 228/2003, article number 13, establish a special Fund to realize assistance programs that can guarantee, if only temporarily, food, accommodation and assistance for the victims of human trafficking and slavery. From August 2006 to August 2008, the Department for Equal Opportunities published three public notices to allocate funds for projects to realize the above-mentioned activities and it has co-financed another 49 programs.

The national anti-trafficking toll-free number 800 290 290 is one of the most important initiatives created by the Department for Equal Opportunities to give social protection to trafficking victims- Since January 2007 the toll-free number has also given assistance and information to all the victims of job trafficking, and not only to victims of sexual exploitation.

Furthermore it is important to underline two important initiatives financed by the Department for Equal Opportunities from 2000 to 2005 :

- a project coordinated by the Ministry of Justice for the national monitoring of the activities and results of reports against traffickers, with the support of the Research centre on the trans-national crimes (Transcrime) of the Department of Law at the University of Trento;
- a project coordinated by the Ministry of the Interior with the support of the International Organization for Migration (IOM) on assisted voluntary repatriation and re-integration of women, victims of trafficking, to their country of origin.

The Department for Equal Opportunities has instituted (ministerial Decree of June 20 2007) *the Observatory on the trafficking of human beings*. Its task is to develop tools for monitoring and analysing the phenomenon of trafficking and that which gravitates directly around it, both in terms of services and projects.

The Observatory will perform the following tasks:

- Development of tools for monitoring and analysing the phenomenon of the trafficking of human beings;
- Development of tools for monitoring measures implemented under the projects financed in compliance with article 18 legislative Decree 286/98 and article 13 of the law 228/2003;
- Development of tools for monitoring activities involving the national toll free number to report trafficking;
- Collection, processing and interpretation of data and formulation of estimates;
- Development and implementation of an information system that streamlines the gathering, interpretation and processing of data concerning the phenomenon, fully respecting the laws on the guarantee of privacy about sensitive information;
- Research and study projects on the phenomenon of human trafficking at a national and international level.

Violence against women and children:

Law no. 66 on sexual violence was passed in 1996. The law amends the previous norms and considers sexual violence as an offence against personal freedom and not as an outrage of public decency as before.

In 1998, as part of the Urban Community initiative, the Equal Opportunities Department implemented a project for a "national anti-violence network between towns in Italy". The purpose of the project is to survey perceptions and the impact of violence against women within the local community. It also serves as a springboard for introducing integrated schemes for combating violence. These schemes seek to actively involve local players, both public and private. The initiative was first implemented in 8 Italian towns and extended to 18 others in 2001, making a total of 26 towns involved.

Law no. 154 on "Measures against violence in family relations" was passed in 2001. The law introduces measures to combat violence in the family entailing the removal of the person responsible from the family home if supervisory action is necessary to safeguard the integrity of the victim and other family members.

The Italian Government has approved the law number 38 on 23rd April 2009 entitled "*Urgent measures in the field of public security and the fight against sexual violence and stalking*".

Thanks to this law, the phenomenon of stalking is now recognised as a crime also in Italy. The law introduces new measures such as sentencing to imprisonment for 6 months to 4 years and even harsher sentencing in cases where the perpetrator is the former partner or the husband and if the crime is perpetrated against weak subjects like minors. Furthermore the victim is allowed to ask to the police commissioner an oral warning order to convince the stalker to stop perpetrating the crime.

The law also prohibits the stalker from approaching the workplace, the house and all the places frequented by the victim. It proposes measures of pre-trial detention for the more serious crimes such as sexual violence, sexual tourism, group sexual assault, child prostitution, paedo-pornography and it introduces measures that prohibit parole or a reduction in the prison sentence of the perpetrator.

The efforts to fight the crime of stalking will be strengthened by the signature of an agreement protocol between the Minister for Equal Opportunities and the Minister of Defence in collaboration with the National Police Force "Carabinieri."

The project entitled "*ARIANNA - The creation of the National Network against Violence*" was launched in March 2006 with the aim of creating technical/scientific support for the development of the national network on violence against women.

The project aims to realize a specific action in order to fight the phenomenon of gender based violence in the whole national territory through:

- The institution of a National Public Utility Number – 1522 - for women victims of violence. This toll-free number was instituted to provide emergency psychological and legal aid to victims of violence and to direct them to the existing public and private facilities for assistance. This national number is an anonymous and multi-language service, available 24 hours, which gives emergency telephonic assistance to the victims, and it encourages identification of the phenomenon of violence. This fundamental service was created more than two years ago and has received 30.354 calls as of September 2008.
- The establishment of the National Network Against violence. It involves public administrations, the private sector and associations, to define a common strategy and objectives;
- The signing of agreement protocols between the Department for Equal Opportunities and local authorities such as municipalities and provinces (pilot territories) in order to create targeted actions for women victims of violence. The pilot territories involve centres against violence, shelters for victims of violence, women's associations, social services, health services, courts of justice and the educational services, in the local network;
- Monitoring of the activities of the pilot territories;
- The website www.antiviolenzadonna.it which represents the fundamental medium for the dissemination of good practices, experiences and models of intervention.

In order to reinforce the service offered by the 1522 number and the future adoption of the national action plan and also considering the new penal crime of stalking, the Minister for Equal Opportunities signed a Memorandum of Understanding with the Minister of the Interior on July 6, 2009, which aims to:

- create synergies between the toll-free 1522 number and the police forces which deal with victims of violence;
- create training courses for police forces in order to uniformly assist victims of violence;
- increase awareness of women and children on this issue through the school system and the organization of self-defence courses;
- develop a project to collect and share quantitative and qualitative data on this phenomenon,
- disseminate the available services of prevention and contrast of gender based violence, including sexual violence, through the creation of a web site.

Between 2008 and 2009, the Department for Equal Opportunities published two public notices for projects which aim to foster measures of prevention and contrast against violence in general, in order to create local networks between public and social- private players to define strategies, actions and integrated multi-disciplinary and inter-sector interventions.

An awareness raising campaign on violence against women was launched by the Department for Equal Opportunities on the occasion of the 2006 International Day of Violence against Women.

Another very important initiative was the establishment a *National Observatory on Violence against Women*, through the 2007 financial law, with the scope of not only creating a link among local administrations, centres against violence and field experts, but also monitoring all the activities implemented by the administrations to contrast gender based violence.

On 8th March 2009, on the occasion of International women's Day, the Minister for Equal Opportunities launched a new awareness raising campaign against violence entitled "1522, time to react".

The Council of Ministers has recently approved a draft bill which introduces the *National Ombudsman for Childhood and Adolescence*.

The draft bill provides, in particular, for the establishment of a figure that could specifically guarantee information, investigations and controls to protect minors' rights and needs, as established by the European Convention on the Exercise of Children's Rights at Strasbourg on the 25th of January 1996 and ratified with the national law number 77 on March 20, 2003.

The establishment of the Ombudsman for Childhood and Adolescence is not only an important step in the field of protection of childhood and adolescence for the Italian legislation, but it also meets European requirements

Genital mutilation of women

The Italian Parliament has passed the bill on genital mutilation of women. The proposed legislation punishes genital mutilation as a specific offence in the Criminal code. But above all the law also tackles the issue of such practices from the social point of view. In the wording of the bill submitted to the Chamber of Deputies, it was ensured that socio-cultural measures were placed before those relating to punishment. Substantial prevention measures were also introduced in the text. These measures are applicable not only in Italy but also, through international cooperation arrangements, in those countries where such practices are still tolerated.

A public information campaign geared to prevention and education has been launched in several Italian regions. It is aimed above all at the migrant communities living in Italy and stresses the grave consequences of infibulations for women's health.

In 2006 Italy adopted *law n°7 of 9 January 2006*, containing "Provisions concerning the prevention and prohibition of female genital mutilation practices," with the objective of preventing, assisting and rehabilitating women and girls subjected to the practice of genital mutilation.

The law n°7/2006 provides for various initiatives, including a series of information campaigns directed at residents of the immigrant communities in our country, the establishing of a toll-free number, the drafting of guidelines for health professionals as well as other professionals working in communities of immigrants from countries where such practices are carried out, to provide prevention, assistance, and rehabilitation for girls already subjected to such practices.

More particularly, article 583-bis was added to the penal code. This article delivers a prison sentence of four to twelve years for anyone practising, for non-medical purposes, the mutilation of female genital organs such as a clitoridectomy, excision and infibulation. Anyone inflicting lesions on the female genital organs other than those indicated, but from which may be derived diseases of the body and the mind, may be punishable with a prison sentence of three to seven years. The regulation provides more severe punishment when the mutilation practices are committed on a minor or committed with the scope of financial gain.

The provision for a specific criminal case fills a regulatory void with the provision governing *contra legem* behaviours, which previously fell under the criminal offence of personal injury sanctioned by article 582 of the penal code; today the new regulation makes it possible to differentiate a particular form of conduct and above all to make provision for a particularly severe edict. Article 583 –ter also provides for sentencing of a health professional who is responsible for such a crime, with the additional sentence that they will be banned from practising their profession from three to ten years.

The law involves three Administrations in actions to prevent the practice of genital mutilation:

- For the training of health personnel, the Ministry of Labour, Health and Social Policies, in coordination with the other Ministries involved was assigned the task of defining guidelines aimed at health professionals, as well as professionals working

in the communities of immigrants from those countries where there is risk of female genital mutilation to provide prevention, assistance and rehabilitation for women and girls subjected to those practices;

- At the Ministry of the Interior, a toll-free number will be activated to receive information from anyone with knowledge of genital mutilation being carried out in the national territorial, as well as to supply information on voluntary organizations and health structures working in communities of immigrants from those countries where these practices are carried out;
- The Ministry of Foreign Affairs, under the auspices of the programmes for cooperation in development, in the countries where female genital mutilation is still practised despite national legislation which prohibits it, runs training and information projects directed at discouraging such practices, as well as creating antiviolence centres to provide shelter for women who want to take refuge from it;
- The Ministry for Equal Opportunities has been assigned by the law a strategic role in prevention and the fight against female genital mutilation practices. His task, in accordance with the other administrations, is to arrange information campaigns on the basic rights of the person and particularly those of women and children (girls), aimed at foreigners coming to our country, emphasising the prohibition on such practices in Italy. In enforcing this provision (article 3, first paragraph letter a) the Ministry for Equal Opportunities prepared, in 2006, an information pamphlet and a poster aimed at discouraging the practice of female genital mutilation by appealing not only to the laws in force in Italy but also to the international laws that sanction the inviolability of the individual's right to physical integrity. To compose the text in the pamphlet, which was distributed to Prefectures, the Police offices of the Border Patrol, centres offering shelter and Immigration Offices in the Central Police Stations, the authors consulted immigrant associations and NGOs that deal with the human rights of women, and as well as doctors and anthropologists who supplied valuable suggestions for a concise and effective draft that would have immediate impact.

Furthermore, the law assigns the Ministry for Equal Opportunities the task of promoting awareness initiatives in collaboration with the health structures, the volunteer organizations and the non-profit organizations, and information courses for infibulated women who are pregnant. The refresher courses for teachers are particularly important, considering the role that the school can play in promoting and spreading the knowledge of female children's rights.

Reconciling family life and working life

Numerous resources and services have been created for reconciling the multiple roles of women at home and at work:

- The national plan for nurseries, which provides for the building of nurseries in the workplace and the increase of resources available for maintaining and operating these facilities. A special fund for building nurseries has been set up by the Government.
- Law no. 53 of 2000 stipulating the right of parents to be absent from work for a fixed period in order to care for and assist children up to eight years old. Legislative decree no. 151 of 2001 incorporated these provisions and introduced regulations on maternity and paternity leave, leave for child sickness and the possibility of desisting from night shifts. These measures extended leave entitlement for caring for and assisting children to fathers (the entitlement having previously been reserved for women). They also encouraged a new enterprise culture geared to ongoing dialogue between companies and employees.

Starting with the assumption that the lack of conciliation tools is one of the main causes of the low birth rate and employment for women in Italy, and that employment for women has a beneficial effect on the production of wealth of the nation, the Italian government is preparing a *“plan for the conciliation of living and working times for women”*. A framework law is also being presented on conciliation between work and family, ensuring women the possibility of saying yes to both, to a private and working life, and introducing measures to support the family, which ensure that working women will be able to take care of their own private lives without having to sacrifice their careers.

In particular, the framework for the objective “index of places for children/population 33%, suggested by the Lisbon strategy, will support the spread of a series of infancy services aimed at guaranteeing an increase in company day care centres and places in the classic day care centres, together with the introduction of new figures such as the *tagesmutter*, or the condominium based babysitter.”

From another point of view, with the Financial Law of 2007, a special plan for the development of social and educational services for early infancy has already been launched. It has the double aim of pursuing the objective of increasing territorial coverage by 2010 (from the present 9.9% to 33% by 2010, objective established by the European Council of Lisbon) and to even out the imbalances existing between the various areas of the country.

The national plan is differentiated by territory in terms of coverage and the supply of services for early infancy, and aims at creating an “integrated, extended, qualified and differentiated” network throughout the country of day care centres, innovative and integrative services in the workplace, aimed at promoting the well being and development of the child, supporting the parent’s role as educator, and promoting conciliation between working and care giving.

Therefore, up until today, in the 2007-2009 period, the resources that have been globally dedicated to the development of the social educational sector of services for early infancy amount to more than 747 million: 446.4 million in state resources to finance the special triennial plan, 281 million of local administrations’ resources to co-finance the plan and a further 20 million in state resources allotted to finance early infancy day care services.

The Department for Equal Opportunities, in the sphere of the European Social Fund, is responsible for the system actions aimed at supporting the Regions of the so-called “Convergence Objective” (Sicily, Puglia, Calabria, Campania) on the subjects of conciliation and employment for women through the use of European Resources, such as, for example, harmonization between professional and private life by promoting teleworking, part time, job sharing, the organization of city schedules, and supporting the company best practices on gender issues.

The Department for Equal Opportunities promoted, under the Community Strategy for equal opportunity action, *the project P.A.R.I* (Participation of Fathers in Family life and Responsibilities).

The project’s main objective was to promote and spread a non-stereotypical image of the roles of father and mother. It has been a useful tool for fighting the traditional gender stereotypes in the fair sharing of domestic and family responsibilities between men and women, promoting the active and fundamental role of fathers.

LATVIA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

At the time of the Beijing Conference, there was no *concrete* institution responsible for gender issues. The *Ministry of Welfare*, in charge of labour issues (including equal opportunities at work), social security and health matters, had informal responsibility for gender issues. Other public authorities were responsible for gender equality as far as it fell within their sphere of competence.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

In 1999, the *Ministry of Welfare* was designated responsible for the development of gender equality policy.

In February 2003 gender equality issues became the responsibility of the *Department of European and Legal Affairs* in the *Ministry of Welfare*, where Gender Equality Unit has been established in July 2003.

Since July 2007 the Gender Equality Unit was part of the Department for Social Inclusion Policy. The other two department's units were dealing with social inclusion policy and rights of persons with disabilities.

In 2009 due to major economic problems changes in state administration and optimisation of various governmental functions was inevitable. Since July 2009 gender equality and social inclusion policies are merged into one Social Inclusion Policy Coordination and Gender Equality Unit with 5 officials.

The Ministry has the main responsibility to develop gender equality policy and to coordinate and monitor the implementation of the gender equality policy. This includes also cooperation with line ministries to mainstream gender aspect into branch policies and legal acts, monitoring of the overall situation and the assessment of the political impact from gender equality perspective.

The Gender Equality Council was established and approved by the Cabinet of Ministers. The Gender Equality Council is an advisory body in gender issues for the government that comprises 12 representatives from public administration, non-governmental and research institutions. The aim of the Council is promote the development and implementation of gender equality policy at all levels of public administration and in the country in general. The Council was devised to have a strategic role to promote the implementation of the gender equality policy and to draft recommendations about the necessary change. Due to the consultative status and partly because of low capacity of the members in gender issues the Council was not able to take binding decisions. In order to facilitate the inter-sectoral

¹ Last update provided in September 2009.

cooperation and cooperation with civil society the Gender Equality Council is going to be reorganized in the nearest future.

National Human Rights Office monitors the compliance with norms in respect of gender equality and non-discrimination; provides consultations, recommendations on gender equality issues; reviews complaints on violations of gender equality; represents individuals in court. In 2004 Department of Discrimination Prevention was created. The department deals with discrimination on the ground of sex as well as other forms of discrimination. In January 2007, on the basis of the National Human Rights Office an *Ombudsman's office* was created. The activities of the Ombudsman are regulated by the Ombudsman Law. The Ombudsman of the Republic of Latvia is an official elected by the Parliament. The Ombudsman's main tasks are encouragement of the protection of human rights and promotion of a legal and expedient State authority, which observes the principle of good administration.

State Labour Inspectorate is a state administrative and supervisory institution that works under supervision of the Ministry of Welfare. The main task of the State Labour Inspectorate is to take measures to ensure effective implementation of state policy in the field of labor legal relations, labor protection and the technical supervision of dangerous equipment. Inspectorate enforces application and supervision of labour and health legislation, safety at work and Labour Law on equal treatment.

1.2.2 CREATION OF NEW INSTITUTIONS

The Inter-Ministerial Working Group: This Group, set up on 13 December 2001, is composed of representatives from ministries, NGOs, Latvian Free Trade Union and Latvian Employers Confederation. It co-ordinates the incorporation of gender equality principles in the sectoral policies, programmes and normative acts. The main task of the Group was to elaborate the National Gender Equality Programme. After the Programme was accepted by the Cabinet of Ministers the Group was closed down.

The Women's Interparliamentary Cooperation Group was set up at the beginning of 2003, by women parliamentarians from different political parties. There are almost all women parliamentarians involved in this group. The main aim of the group is to highlight gender equality issues and to pay specific attention to socio-economic situation of women and their role in society.

Recently *Human Rights and Public Affairs Committee of Saeima* (National Parliament) has expressed good intention and included gender equality into their agenda.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The first strategic document in the field of gender equality policy in Latvia was the *Concept Paper on Gender Equality Implementation (2001)*. The Concept Paper is used as a fundamental basis for the development of further plans of action and documents to implement the goals set in the Concept Paper. Since then gender mainstreaming has been the main method of facilitating the principle of gender equality in Latvia, and is constantly adjusted and improved due to economical, social and political changes and due to increasing awareness of how gender pervades all government policies.

Since then two operational documents have been accepted by the government to implement activities and achieve aims defined in different directions. Both *Programme for the Implementation of Gender Equality 2005-2006* and *Programme for the Implementation of Gender Equality 2007-2010* are in line with the EU Roadmap for Gender Equality and the national situation. Activities are carried out by public institutions, as well as nongovernmental organizations and the private sector. They are focused on the different target groups – employers, employees, women and man in different age group, family, and specialists working in the education. Financial allocations for specific measures included in the

programme have always been problematic and raised difficult discussions among line ministries. Mainly activities that are included within the strategies of the branch ministries have been implemented and very few specifically drafted activities.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The Concept Paper on Gender Equality (2001) defines the aim to promote an efficient, integrated and coordinated implementation of gender equality issues, which basically means that gender equality perspective has to be considered when any issues (particularly those with expected impact on society) within branch policies are addressed and new policy documents are drafted.

In line with international and European legal documents, gender equality is guaranteed in the legislation of Latvia in all spheres of life. The most important sectoral laws containing new norms promoting gender equality came into force in 2002, namely, *Law on Labour Protection* and the *Labour Law*. These more clearly than before establish the standards of equal treatment for men and women. More specifically, norms of equal pay, equal access to employment, vocational training and promotion, working conditions, parental leave, burden of proof in cases of discrimination based on sex, protection of pregnant workers, protection against harassment and sexual harassment, nondiscrimination based on gender are part of these documents. Likewise laws to regulate provision of goods and services, insurance provided by private insurance companies are amended in order to prevent gender based discrimination.

As regards the improvement of the legal framework, on 9 July 2002 the Cabinet of Ministers accepted amendments to the Instruction for preparation of legal acts that requires annotations of legal acts to contain an ex-ante impact assessment on gender equality situation. In order to facilitate the quality of legal acts submitted to the government and alleviate the appraisal and discussions on particular legal act new procedure and requirements as regards to ex-ante evaluation is expected to come into force in the nearest future. This will provide for a more detailed ex-ante evaluation of social impact.

The gender mainstreaming approach is used as the main method to implement gender equality into branch policies and included as a horizontal objective in the strategic documents of Latvia regarding the use of European Union structural funds. Knowledge about gender equality issues, equal treatment of men and women, gender mainstreaming methods are of very high importance in the policy making process. Main actors in this process who need to have the mentioned knowledge are civil servants and politicians. Training course for civil servants „Rights and possibilities of women and men: what has to be considered in the development of the branch policies” has been included in the course programme of the Latvian School of Public Administration for 2005, as well as for 2006 and 2007. The interest from line ministries and subordinate institutions fluctuates from year to year.

LIECHTENSTEIN¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Commission for Equality of Rights between Men and Women:* This commission was established in October 1986 as a standing advisory body to the government. It submits recommendations, requests and comments to the government in order to achieve equal rights for women in legislation and it seeks to raise public awareness as regards gender issues. There is no special budget for the commission and the annual budget for projects is 20 000 CHF.
- *Working Group for the Promotion of Equal Rights in the Administration:* This working group was set up in January 1993 and attached to the Ministry of Family and Equality. It draws up guidelines to improve women's situation in the administration. Since 1999 the Working Group has its own budget. The annual budget for projects is 10 000 CHF.
- *Commission for the Promotion of Equal Opportunities between Girls and Women in Education in Liechtenstein:* This commission was established in 1994. Its mandate finished in 1998. It was charged with the promotion of gender equality in schools. Its annual budget was 30 000 CHF.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *Commission for Equal Rights between Men and Women:* In 1999, the budget for projects amounts to 20 000 CHF.
- *Working Group for the Promotion of Equal Rights in the Administration:* Since 1999, the working group has its own budget. In 1999, the budget for projects granted to it amounted to 10 000 CHF.
- *Commission for the Promotion of Equal Opportunities between Girls and Women in Education:* The commission was abandoned in 1998.

1.2.2 CREATION OF NEW INSTITUTIONS

- *Office of Equal Opportunities (since 2005):* The office was first set up in May 1996 under the name *Equality Office* and attached to the Ministry of Family and Equality. Since then the office draws up strategies and projects, co-operates with the administration and NGOs, develops the basis for legislation, conducts publicity work and provides advice to private individuals and to the authorities. The Office is staffed to a level of 200 per cent. Its annual budget for projects amounts to 150 000 CHF.

¹ Based on: Reply to 1999 questionnaire on national machinery, action plans and gender mainstreaming and update provided in 2009; 1998 – Die Umsetzung der Aktionsplattform im Fürstentum Liechtenstein, Mai 1998.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

During the preparation for the Beijing Conference, Liechtenstein set itself seven goals which had been achieved by the end of 1996. They related to the establishment of legal equality in the area of nationality law and social security, accession to the CEDAW, the establishment of an Equality Office and the advancement of women within the administration, the promotion of compatibility between family work and employment and the ongoing promotion of the work of NGOs. By the end of 1996, equality had been achieved at the level of legislation.

Every year catalogues of measures are approved by government since May 1998 (implementation of the Beijing Platform for Action). The aim of these catalogues is to promote equal opportunities for all and to instruct the various branches of government to implement it. The catalogues consist of measures in the field of civil and political rights, education, equal opportunities in employment, compatibility of work and family life, model working hours and the division of responsibilities, divorce law, penal law, laws governing sex offences, the creation of child-friendly and adult-friendly public spaces as well as the creation of affordable housing and improved protection of tenants.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

In January 2002, the government set up a steering committee to work out an action plan to implement gender mainstreaming in Liechtenstein. The steering committee has to examine its possible implementation in the field of politics, education, social rights, economy and culture before December 2002.

LITHUANIA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *State Counsellor*: In 1994, the State Counsellor was first appointed. He/She is located in the Prime Minister's Office. He/She advises the government on equality and women's affairs. There is only one State Counsellor. Thus, there is not sufficient personnel.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *State Counsellor*: The State Counsellor was replaced by the State Counsellor on Foreign Relations, Equal Opportunities and NGOs in 1997 (see below).

1.2.2 CREATION OF NEW INSTITUTIONS

- *Equal Opportunities Ombudsperson*: The Ombudsperson was first appointed in May 1999. She investigates complaints relating to discrimination and sexual harassment, submits recommendations and sets priorities concerning the policy for the implementation of equal rights. She also refers the material to investigative bodies, hears cases of administrative offences and may impose administrative sanctions. In 1999, the Ombudsperson's Office employs 6 persons. The Office's budget for 1999 was approx. 30 000 € and for 2000 and 2001 was approx. 138 000 €.
- *Women's Parliamentary Group*: This parliamentary group was established in 1997 and renewed after elections on Autumn 2000. It is located within the parliament. It consists of 15 members. It initiates legislation and is involved in parliamentary procedures.
- *Commission of Family and Child Affairs of the Seimas of the Republic of Lithuania (Parliament)*: This Commission was renewed after the elections in November 2000. It initiates legislation concerning gender equality and women's rights and is involved in parliamentary supervision. It consists of 9 members (parliamentarians).
- *Minister of Social Security and Labour*: This minister is in charge of equal opportunities questions since 1997. On November 26, 2001, following the decision of the Government No. 1404, the Minister of Social Security and Labour has been appointed to take overall responsibility for coordination of implementation of gender equality issues in all spheres, actually acting as Gender Equality Minister and to be responsible for implementation of gender equality in the fields of the competence of the Ministry
- *Labour market and Equal Opportunities Division*: Located in the Ministry of Social Security and Labour, this Division began work on gender equality matters in 1999. It is

¹ Last update provided in September 2009.

located in the Ministry of Social Security, under the Labour Department of the Ministry. It implements the government policies on gender equality within the competence of the ministry and coordinates activities on gender equality in other fields. There are two qualified employees in this division and there is a need for more (qualified) personnel.

- *Inter-ministerial Commission for Equal Opportunities for Women and Men:* This commission was established under the authority of the government on 7 March 2000. Its tasks are the co-ordination of the activities of governmental institutions implementing equality policies as well as the submission of proposals and recommendations concerning the achievement of equality to the authorities. There are 18 members responsible for equality matters. The members of the Commission are representatives of all ministries.
- *Demographic Statistic Division of the Lithuanian Department of Statistics:* This division was set up in 1997 and placed under the government. It compiles, analyses and publishes data from gender statistics.
- *Vilnius city municipality:* Person responsible for gender equality issues was established in 2001 and has overall responsibility for gender equality policy, supervision of its implementation and coordination in the territory of Vilnius municipality.

NATIONAL MACHINERY IN 2009

PARLIAMENTARY LEVEL

Human Rights Committee of the Seimas (Parliament) of the Republic of Lithuania

Initiates and considers among others draft legislation on gender equality and non-discrimination on all grounds, ensures parliamentary supervision of the activities of Equal Opportunities ombudsmen.

Independent equality body

Equal Opportunities Ombudsman's office-independent institution, accountable to the Parliament

Investigates complaints regarding direct and indirect discrimination, harassment on the grounds of sex and sexual harassment, and provides independent and impartial consultations in pursuing the complaints. Conducts independent surveys concerning discrimination, publishes independent reports, makes recommendations and submits suggestions regarding priorities and implementation of equality policies.

GOVERNMENTAL LEVEL

Ministry of Social Security and Labour

Overall responsibility for gender equality issues and gender mainstreaming in all spheres, Equal opportunities for women and men in the areas of employment and social protection. Internal structure of the Ministry – Gender Equality Division is in charge of implementation of these tasks as well as EU and international cooperation on gender equality matters. The division also serves as a secretariat for the inter-institutional Commission on Equal Opportunities for women and men

Inter-institutional Commission on Equal Opportunities for Women and Men

Composed of the representatives of all the Ministries and representatives of women's and men's organizations, selected and nominated by the NGOs themselves. The Commission co-ordinates implementation of gender equality programmes and promotes integration of gender-related measures in other programmes and projects, submits proposals, recommendations regarding gender equality policies, discusses gender equality issues with

social partners, gender studies centres, and all other interested stakeholders. Equal opportunities ombudsmen as well as NGOs, social partners, participate in the meetings of the Commission as observers

Statistics Department under the Government of the Republic of Lithuania – responsible for gender statistics. Compiles, analyses and publishes data on gender statistics. The publication “Women and men in Lithuania” is published yearly starting from 1997.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The Government of Lithuania approved the “programme for the advancement of Women” in 1996 and the “Implementation plan for 1998-2000 of the Programme for the advancement of Women” at the beginning of 1998. The aim of the programme is to increase women progress whereas the responsibility to implement the programme lies within the different ministries and local authorities. 10 critical areas were identified as follows:

Protection of human rights of women;
Women's socio-economic status;
Women and environment protection;
Women's health, family planning;
Women and education;
Women in politics and public administration;
Violence and harassment against women and girls;
Women and the media;
System of statistics and gender differences.

The biggest achievement is that, following the “Implementation plan for 1998-2000 on the Programme for the advancement of women”, the Parliament adopted the *Law on equal opportunities for women and men* at the end of 1998, which entered into force at the beginning of 1999.

On the basis of the *Law on equal opportunities for women and men*, the Parliament introduced an *Ombudsperson for equal opportunities for women and men* on 20 April 1999 and the Ombudsperson's Office was established on 25 May 1999.

A new *National Programme on Equal Opportunities for Women and Men* (National Action Plan) was adopted by the Government in 2003 and implemented before the end of 2004.

SITUATION IN 2009:

The second National Programme on Equal Opportunities for Women and Men, 2005-2009 has been adopted in 2005 and is being implemented until the end of 2009. Objectives of the programme are to ensure gender equality in all areas in a consistent, integrated and systematic way; to promote gender mainstreaming and to solve specific problems of women and men. All ministries are in charge of planning and implementation of concrete measures financed by the state budget. The programme addresses broad range of gender equality aspects in a number of areas:

- Employment: increasing women's employment rate and decreasing women's unemployment rate, equal opportunities in vocational training, seeking the carrier, reconciliation of work and family duties, gender pay gap, promotion of women's businesses, combating gender stereotypes etc.

- Education and science
- Political and economic decision making
- Women's human rights
- Gender mainstreaming in health protection and environment protection
- Development of institutional mechanisms and methods, including capacity building

Every year the report on implementation of the Programme is submitted to the government. The report is based on concrete indicators. Number of measures is implemented in cooperation with women's organisations.

Overall impact assessment of the programme has been made in 2009. Extended comparative survey based on the analysis of public opinions collected using the method of individual interviews has been completed in September 2009. Overall result is positive. Compare with the data of previous research in 2001, positive changes are identified in all areas addressed by the National Programme on Equal Opportunities for women and men.

The third National Programme on Equal Opportunities for women and men 2010-2014 is already drafted and is to be adopted until the end of 2009.

National Strategy of Elimination of Violence against Women and its implementation plan has been adopted in 2006 and will be implemented until 2015.

The third Programme on prevention and control of trafficking in human beings, 2009-2012 has been adopted in September 2009.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

LEGAL INSTRUMENTS

Gender mainstreaming principle is incorporated in the *Law on Equal opportunities for women and men*. Article 3 of the Law establishes duties of state government and administration institutions to implement equal rights in all areas covered by their competence. Articles 4 and 5 establish duties of employers and institutions of education and science to implement equal opportunities.

INSTITUTIONALISATION

The creation of the *Inter-Ministerial Commission on Equal Opportunities for women and men* ensured an opportunity to have focal points in every Ministry to be responsible for gender equality issues in the spheres of competence of their Ministries.

The gender mainstreaming principle was laid down as a basic principle in drafting the new National programme on Equal opportunities for women and men.

The project "Gender mainstreaming" started in November 2001, aiming first of all at training in gender mainstreaming for state officials and other target groups.

TRAININGS

The project "Gender mainstreaming" started in November 2001, aiming first of all at training in gender mainstreaming for state officials and other target groups.

Number of projects has been implemented by the Equal Opportunities Ombudsman's Office in cooperation with women's organizations, social partners, and ministries. F.i., "Gender mainstreaming: from idea to action", Gender equality – precondition for regional development and others.

Gender equality trainings through the projects and programmes are continuously provided to the civil servants, social partners, labour market institutions, pedagogues, lawyers, journalists, police authorities and number of other target groups.

LUXEMBOURG¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Ministry for the Advancement of Women*: This Ministry was set up in February 1995 under a Grand-Ducal Decree listing ministries and setting out ministerial powers. The Ministry replaced the Department for the Advancement of Women. It is an independent ministry with official ministry status and its own budgetary appropriations. On its inception, it was assigned the following responsibilities: Ensuring the advancement of women, providing secretarial services for and monitoring the work of the Women's Labour Committee, and supervising Women's Hostels.
- *Women's Labour Committee*: This consultative committee was set up in 1984 under the responsibility of the Ministry of Labour and was then transferred in 1996 to the Ministry for the Advancement of Women. It is in charge of studying, either on its own initiative or following a request from the government, all questions related to the activity, training and professional advancement of women. The committee identifies and suggests to the government or to the Ministry for the Advancement of Women measures that could improve women's situation. The Committee has 21 members coming from women's associations, professional employers' organisations, major representative trade unions at national level and government representatives. Its goal is to improve women's condition in the workplace and in society. The Committee conducts studies and presents proposals to relevant authorities.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

In August 2004, after the parliamentary elections, the ministry was renamed *Ministry for Equal Opportunities*. In its programme the government confirmed its commitment to bringing about de facto and de jure equality between women and men. Implementation of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and follow-up to the Beijing Platform for Action and the five-year review (Beijing + 5) provide the framework within which all specific action for the advancement of women takes place with a view to establishing de facto equality in all the fields in which discrimination exists or to some extent continues.

In July 2009, the remit of the Ministry for Equal Opportunities was extended by the government programme. As a national institutional mechanism, the ministry responsible for equality between women and men is to coordinate national political action and will represent the government in international relations in the field of equality between women and men. Each ministry will implement the political activities of its respective department(s). Follow-up of their internal action plans will be supervised by ministries' gender units. Each ministry will be represented on the Inter-ministerial Committee on Equality between Women and Men by

¹ Last update provided in October 2009.

an official with decision-making power. The gender mainstreaming and positive action policy will be continued. The action plan will be followed up scientifically and evaluated by the end of 2013. Training on integrating the gender dimension in political activity will be stepped up at the National Institute of Public Administration (INAP). Gender training is compulsory for government and municipal staff.

Responsibilities of the Ministry for Equal Opportunities:

National and international policy to foster equality between women and men and non-discrimination between the sexes; coordination of the national action plan on equality between women and men; integration of the gender dimension in political activities in partnership with ministerial departments; impact studies of legislative measures on equality between women and men.

1. Coordination of policies that concern equality between women and men and non-discrimination between the sexes:

- Inter-ministerial Committee on Equality between Women and Men,
- Committee for positive action in private-sector enterprises,
- Committee on co-operation between violence prevention professionals;

2. Management of services for girls, women and mothers;

3. Drafting legislation and implementing actions to promote equality between women and men;

4. Women's Work Committee;

5. Relations with national, regional and international bodies working in the interests of women and equality between women and men.

Activities

The Ministry for Equal Opportunities is active mainly in the following areas:

- • education and training; raising awareness of stereotypes relating to the roles of girls and boys; career selection;
- • equal participation by women and men in decision-making;
- • work and employment: equal pay, equal decision-making by women and men, reconciling working and family life;
- • combating violence, particularly domestic violence.

The Ministry budget for 2009 was € 9,954,237.

Since the ministry was set up, its initial budget of € 3,421,178 has been increased by approximately 190%.

National Action Plan for Equality between women and men

In response to the CEDAW Committee's recommendations of April 2008, the government renewed for another five years (2009-2013) the National Action Plan for equality between women and men. The areas of political action cover the twelve "critical areas of concern" identified in the Beijing Platform for Action (UN) and encompass international commitments, particularly the implementation of European policies (European Union and Council of Europe) on equality between women and men, as well as that of the CEDAW (report for March 2014) and of states' human rights commitments (UPR, Universal Periodic Review in 2012), which requires detailed follow-up on equality between women and men.

Several partnerships have strengthened action and measures to foster equality between women and men: with various NGOs, particularly in relation to decision-making, education, culture and the changing of the male role, and with trade unions, employers' organisations and employers'/employees' federations where work and employment issues are concerned.

1.2.2 CREATION OF NEW INSTITUTIONS

The terms of reference of the Inter-ministerial Committee on Equality between Women and *Men* were amended by Article 4 of the Grand-Ducal Regulation of 31 March 1996 establishing an inter-ministerial committee on equality between women and men and gender units within ministries (see Luxembourg's "Mémorial" dated 8 December 2005):

1. The committee is the platform for interaction between the ministry responsible for equal opportunities and the gender units within ministries.
2. The committee centralises and coordinates targeted political actions on gender equality agreed and proposed by ministries through their gender units, with a view to effectively integrating equality and the gender dimension in all government policies, in accordance with the National Action Plan for equality between women and men, which it is responsible for following up.
3. The committee studies all issues relating to equality between women and men and addresses opinions, proposals and suggestions on this subject to the minister.
4. In the framework of its terms of reference, the committee is consulted about all draft laws that may have an impact on gender equality. It analyses their consequences for women and men respectively and the gender neutrality of the terminology.
5. The committee may seek the assistance of one or more experts.

The same regulation lays down the legal basis for the introduction of gender units in ministries, and Article 10 lays down their terms of reference:

1. Each unit ensures that the gender dimension is integrated from the outset in the action and policies of the ministry of which it is part.
2. Its task is to assess its ministry's situation, analyse the political action of the ministry from the gender point of view and draw up a work plan on equality between women and men spanning several years, in particular defining policy trends, objectives and expected outcomes.
3. The unit may seek the assistance of one or more external gender experts.

In order to strengthen the committee's actions, the government decided in July 2009 that ministries would be represented by officials with decision-making powers.

Gender units in the ministries

Each ministry has set up a gender unit with the following tasks:

- ensuring that the gender dimension is integrated from the outset in the action and policies of the ministry of which it is part.
- assessing its ministry's situation, analysing the political action of the ministry from the gender point of view, drawing up a work plan on equality between women and men spanning several years and defining, inter alia, policy guidelines, objectives and expected outcomes.

The unit may seek the assistance of one or more external gender experts.

The Positive Action Committee was set up by the Grand-Ducal Regulation of 25 October 1999 and is responsible for giving opinions on subsidies for positive action projects conducted in private-sector enterprises.

The committee includes:

1. Representatives at governmental level appointed by:

- The Minister for the Advancement of Women (now the Minister for Equal Opportunities)
- The Minister for Labour and Employment
- The Minister for the Economy
- The Minister for Education and Vocational Training
- The Minister for the Middle Classes
- The Minister for the Budget
- The Employment Department

2. Representatives appointed by employers'/employers' federations, namely:

- The Chamber of Trades
- The Chamber of Commerce
- The Chamber of Private Employees*
- The Chamber of Agriculture
- The Chamber of Labour*

*amalgamated to form the Chamber of Employees in 2008.

The Coordinating committee on professional activities against violence

- The Coordinating committee on professional activities against violence, referred to below as "the committee", for which Article IV of the Law of 8 September 2003 on domestic violence provides, has nine members, including a chair and a deputy chair.
- Seats on the committee are held by:
 1. four representatives of the government, two of whom represent the minister whose responsibilities include the advancement of women (at present the Minister for Equal Opportunities), one representative of the minister whose responsibilities include justice and one representative of the minister whose responsibilities include internal affairs;
 2. two representatives of the judicial authorities;
 3. one member of the police;
 4. two representatives of recognised assistance services for victims of violence.

A substitute is appointed for each committee member.

Committee members and their substitutes are appointed for a renewable period of five years by the minister whose responsibilities include the advancement of women (at present the Minister for Equal Opportunities), on a proposal from the minister responsible or from the recognised assistance services for victims of violence.

Terms of reference

The committee centralises and studies the statistics referred to in Article III of the Law of 8 September 2003 on domestic violence, which are communicated to it by 1 February each year by the minister whose responsibilities include justice, as well as by the police, the prosecuting authorities and the assistance services for victims of violence, in respect of their own specific fields.

On the basis of reports by its various members, the committee examines the implementation, and any problem with the practical application, of Articles I and II of the Law of 8 September

2003 on domestic violence, Articles 1017-1 to 1017-12 of the new Code of Civil Procedure and Article 3-1 of the Code of Criminal Procedure.

At least once a year, by the annual deadline of 1 March, the committee transmits to the government, through the minister whose responsibilities include the advancement of women (at present the Minister for Equal Opportunities), the statistics and the results of the examinations referred to in the previous two paragraphs in the form of a written report. It may attach thereto any proposal that it considers useful.

The committee also has power to examine, either on its own initiative or at the government's request, any issue connected with combating domestic violence, including prevention and treatment, and to address to the government any suggestions that it considers appropriate.

In the Chamber of Deputies subsequent to the parliamentary election of 2009, there is a *Family, Youth and Equality of Opportunity Committee* which deals with matters relating to equality between women and men.

The centre for equal treatment, an independent institution established in 2008, may in particular:

- publish reports, issue opinions and recommendations and conduct studies on all questions connected with discrimination;
- produce and supply any information and documentation within its remit;
- give assistance to people who consider themselves victims of discrimination, providing them with an advice and guidance service that aims to inform victims about their individual rights and legislation and case-law, and to explain to them how to assert their rights.

The task of *the National Council of Women of Luxembourg (CNFL)*, which was founded in 1975 and is composed of members from associations working for equality between women and men, is to promote a municipal policy of equality of opportunity between women and men, particularly in respect of: the defence and promotion of women's interests, action against any discrimination based on gender, action to promote the achievement of equality between women and men and action to promote integration of the gender dimension in every field.

The Federation of Women Entrepreneurs of Luxembourg (FFCEL), set up in 2004, defends the interests of female entrepreneurs so as to improve their profile and strengthen their role in the Luxembourg economy.

The *FFCEL* provides advice to women who wish to start up or take over a business.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

In order to achieve the goals concerning equality between women and men described in the government programme, the government will be renewing the National Action Plan for equality between women and men initially started during the 2004-2009 legislative period. The areas of political action cover the twelve "critical areas of concern" identified in the Beijing Platform for Action (UN) and encompass international commitments, particularly the implementation of European policies (European Union and Council of Europe) on equality between women and men, as well as that of the CEDAW (report for March 2014) and of states human rights commitments (UPR, Universal Periodic Review in 2012), which requires detailed follow-up on equality between women and men.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The integration of a gender perspective in all political and legislative actions is part of the gender equality national action plan. Through the interministerial committee, each ministerial department, permanently associated to the preparation and examination of the gender equality policy, will include the respect of the gender equality principle in its own actions. Before any decision, each ministerial department will analyse its impact on both women and men and will integrate a gender perspective at all levels of the elaboration of policies.

In 2006 an impact evaluation was introduced, a form to be used to assess the effects (inter alia on equality and equal opportunities between women and men) of legislative and regulatory initiatives, and this must now be attached to every preliminary draft law or regulation submitted to the Government Council.

The compulsory training of civil servants and public and municipal staff provided by the INAP on policies on equality between women and men will cover integration of the gender dimension, the development of legislation and the preparation of gender-sensitive budgets.

Compulsory initial training courses on gender will be introduced for trainee central and municipal government staff.

Gender training will also be given to equality delegates in the civil service, the members of gender units, personnel officers and managerial staff of ministries and government departments.

The government also intends to introduce compulsory training on equality between women and men for court staff, the police and prison staff.

Ministerial departments will be invited to conduct pilot projects in order to ascertain the financial impact of the investments made under their gender policies.

Gender equality policy will be included as a statutory municipal duty. Municipalities will receive assistance with using the data-collection tools developed to take stock of the situation of women and men in their municipal areas and within municipal authorities, and to evaluate political commitments.

The government will provide training courses for municipal political leaders on implementing a municipal policy on equality between women and men.

The government intends to introduce to teacher training curricula compulsory training on equality between women and men, which will make it possible to achieve the objectives relating to equality between women and men.

MALTA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Department for the Equal Status of Women:* In 1989, a Secretariat for the Equal Status of Women was established by Cabinet Decision. It was attached to the Ministry for Social Development. Its objective was to eliminate discrimination and inequalities in the law and in practice, to promote the principles of equality and co-responsibility in all spheres as well as to ensure that women have leadership positions in development. The functions of the Secretariat were very broad: It proposed amendments to discrimination laws, prepared legal and administrative measures aiming at equality, informed the public, worked closely with the media and started to work on the setting-up of a documentation centre etc. Its resources in 1990 were 5 000 MTL, in 1991 and 1992 10 000 MTL and in 1993 33 000 MTL. In 1994, the Secretariat was upgraded to the level of a government department within the portfolio of the Ministry of Social Development. It was thus renamed “Department for the Equal Status of Women”. Its objectives remain unchanged. In 1994, the budget was 28 000 MTL, in 1995 48 313 MTL and in 2004 70 000 MTL. There is a need for more qualified personnel.
- *Commission for the Advancement of Women:* This part-time advisory body to the Ministry for Social Development was established in 1989 by Cabinet Decision. It advises the government on the total removal of discrimination and the promotion of equal opportunities for women and men in every aspect of society, initiates new legislation or amendments to law and promotes the advancement of women as well as the improvement of the national machinery to improve the status of women. The commission does not have a separate budget. It utilised (and still utilises) the budget of the Department.
- *Focal Points on Gender Equality in Government Departments:* Established by Cabinet Decision in 1991, these focal points carry out the mainstreaming of activities on gender equality within government and para-statal organisations. Their objectives are to liaise with the Department for the Equal Status of Women and to act as catalysts in promoting gender equality in the work of their departments. The focal points are provided with regular training on gender issues.

¹ Last update provided in November 2004. No new information in 2009.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *Department for the Equal Status of Women:* Between October 1996 and September 1998, the Department was placed within the Prime Minister's Office. After a change in the administration resulting from the 1998 General Elections, it was placed within the portfolio of the Ministry of Social Policy.
- *Commission for the Advancement of Women:* Between October 1996 and August 1998, the Commission was placed within the portfolio of the Office of the Prime Minister. In September 1998, it was again placed within the portfolio of the Ministry of Social Policy.

1.2.2 CREATION OF NEW INSTITUTIONS

The Bill on Gender Equality was passed as the Act to Promote Equality for Men and Women which came into force on 9th December 2003. Subsequently in January 2004 the National Commission for the Promotion of Equality for Men and Women (NCPE) was set up as provided for in the said Act. The previous Commission for the Advancement of Women and the Department for Women in Society were amalgamated and transformed into this new Commission. The NCPE is responsible for monitoring compliance, at national level, with the provisions of the Act and to take action (legal if necessary) in cases of discrimination based on sex. The NCPE also promotes the implementation of measures to achieve *de facto* equality in spheres where this may be lacking.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The national action plan for the promotion of gender equality and the advancement of women of Malta covers the years 1997 and 2000. It was elaborated by the *Commission for the Advancement of Women* and adopted by the *Department for the Equal Status of Women*.

The national machinery had the following objectives *before the Beijing Conference*:

- the strengthening of national structures set up in favour of equality between women and men;
- changes in legislation;
- technical and technological teaching and training for women;
- education for life;
- equal opportunities in employment and equality in the workplace;
- health care for women;
- information for women;
- Malta's role in international action plans in favour of the advancement of women.

The following objectives developed as a *result of the Beijing Conference*:

- the integration of equality in every aspect of Maltese life through gender mainstreaming;
- awareness-raising on gender equality of policy-makers, senior civil servants and influential institutions;
- the equal participation of women and men at the decision-making level;
- the creation of a balance between the role of women in the family and at work;

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- the elimination of violence against women;
 - the alleviation of new forms of poverty resulting from social problems.

At present the National Machinery is implementing its national action plan for 2004 and is drafting its 2005 plans.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

A consultancy programme has been undertaken amongst senior Public Service officials and officials in middle management on the structural and administrative setup necessary to enable the execution of gender impact assessments within their ministries. Officers in middle management have also been trained on how to undertake gender impact assessments, with the organisation of workshops as part of this same initiative, during which these officers planned a number of trial gender impact assessment projects applicable within their specific ministries/sectors.

Partly as a result of this gender impact assessment training project, gender targets have been introduced in the Ministry for Education, Youth and Employment (MEYE) and the Ministry for the Family and Social Solidarity (MFSS).

The NCPE is coordinating two projects, funded under the ESF, with the aim of increasing the participation of women in the labour market. One project aims to identify the reasons behind the women's low labour market participation as well as the measures necessary to increase it. The other aims to increase awareness amongst women, particularly disadvantaged women², of available work-related training/educational opportunities in order that they may secure a means of financial independence. Both projects involve a series of seminars targeting the social partners (Government, employers and unions) and other stakeholders. The identification of barriers to women's labour market participation and the measures necessary to address this problem should lead to employment policies and working opportunities that are more gender mainstreamed and that, together with a greater awareness of available training/work opportunities, should lead to a greater number of women in employment/the labour market.

² Ex. Single mothers, separated women, women victims of domestic violence, women with no/low educational qualifications.

PRINCIPALITY OF MONACO¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- In 1995, the Principality of Monaco participated in the Fourth World Conference on Women and therefore subscribed to the Platform for Action which accompanies the Beijing Declaration.
- Monaco's policy on equality between women and men is based on the fact that the freedoms guaranteed by the Constitution do not include any discrimination on the basis of race, colour, sex, language, religion, political opinion or any other opinion. The Principality is governed by the rule of law and committed to respecting fundamental rights and freedoms (Article 2 of the Constitution). Therefore the social, economic and political rights and the right to education of Monegasque and foreign women are the same as those of men and are freely exercised.
- Women also have the same rights as men in the performance of their occupational activities. Law No. 978 of 19 April 1974 and its Implementing Decree No. 5392 of 4 July 1974 provide that all employees, male and female, must receive equal pay for equal work or work of equal value, while the civil service regulations expressly prohibit any discrimination based on gender.
- As a member of the United Nations and the Council of Europe, the Principality of Monaco, which has since 2005 been a party to the United Nations Convention on the Elimination of all Forms of Discrimination against Women, participates in the work of the United Nations Commission on the Status of Women, as well as the Council of Europe Steering Committee for Equality between Women and Men (CDEG).

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.2 CREATION OF NEW INSTITUTIONS

Because of its very small size and some of its particular characteristics, the Principality of Monaco does not have a ministry or body specifically responsible for promoting the status of women and does not conduct a specific policy in this area. Since 2003, nevertheless, the National Council (Parliament) has had a committee on women's and families' rights.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

- There is no general action plan to promote equality between women and men in the Principality, although the subject is a major concern of the Monegasque authorities.
- Wide-ranging national action has, however, been taken regarding violence against women. In order that such situations of violence should cease in the Principality of Monaco, and to contribute to action to combat this form of violence, notably at the

¹ Last update provided in August 2009.

initiative of the Council of Europe, the Government of the Principality has for several years been conducting an open-ended national campaign to combat violence against women, including domestic violence.

- The Principality of Monaco has not yet adopted specific legislation on domestic violence against women. Nevertheless, conjugal violence is already punished under the provisions on assault and battery (Articles 236 to 249 of the Criminal Code), the domestic nature of the violence being a factor taken into account for sentencing.
- However, a *private legislative initiative on combating domestic violence* was adopted at the public sitting of the National Council on 28 April 2008, and the authorities are currently considering this text with a view to the official tabling of a draft law.
- In addition, there have been a number of changes since 1995 taking legislation towards greater equality.
- Nationality Law:
 - Following the adoption of Law No. 1276 of 22 December 2003 amending Law No. 1155 of 18 December 1992 on nationality, there is no longer any restriction preventing women who have become Monegasque by naturalisation from transmitting that nationality to their children.
- Amendment of the Civil Code:
 - Law No. 1278 of 29 December 2003 amending certain provisions of the Civil Code, the Code of Civil Procedure and the Commercial Code established equality between women and men in the home, revising certain provisions of the Civil Code (joint maintenance of the family, consortium and cohabitation, jointly chosen place of residence). The concept of paternal authority has disappeared from the Civil Code and been superseded by that of parental authority (Article 301 of the Civil Code), which will in future enable mothers, and not just fathers as in the past, to acquire rights to certain benefits.
- It is also interesting to note the adoption of a new legislative provision on paternity leave.
- Indeed, paternity and adoption leave have been the subject of several laws passed in order to establish complete equality of rights between women and men in the Principality of Monaco.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

- The facts show that women in Monaco occupy an important place in the job market and in political life.
- The following figures show the part played by women in economic activities in the Principality of Monaco (particularly in information and communication technologies): they hold 1,417 posts of the total of 2,771 in financial activities, 2,458 posts of the total of 4,702 in commerce, 877 posts of the total of 1,274 in transport and communications and 161 posts of the total of 250 in education.
- There are no restrictions on grounds of sex for candidates standing for election to the National Council or the Municipal Council, and no legal obstacles to women's participation in national and municipal elections. It was Article 53 of the Constitution of 17 December 1962 which gave women the right to vote.
- The representation of Monegasque women in elected assemblies and government is not negligible.

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- . In the Municipal Council, women hold four of the 15 seats.
 - . In the National Council, women hold six of the 24 seats, which represents 25% and is equivalent to the world average.
 - . In the government, there is a total of five members, and one woman was appointed in 2009 to the post of Government Councillor (minister) responsible for the Economy and Finances. Furthermore, several women now hold posts of director-general in these institutions (these posts would be of ministerial rank in a larger state).
 - It should also be emphasised that the courts which deal with civil, commercial and criminal cases, in other words, the Justice de Paix, the court of first instance and the court of appeal, each have a woman president.

MONTENEGRO¹

1. NATIONAL MACHINERY

1.1. SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

At the time of the Beijing Conference there was no national institutional machinery to promote gender equality in Montenegro.

1.2. SITUATION SINCE THE BEIJING CONFERENCE

1.2.2. CREATION OF NEW INSTITUTIONS

The Committee for Gender Equality in the Parliament of the Republic of Montenegro was established on 11 July 2001 as a permanent working body of the Parliament with the following mandate: “Committee monitors and promotes human rights and freedoms related to gender equality guaranteed by the Constitution”.

The Gender Equality Office was established at the Government session held on 27 March 2003. After the adoption of the Law on Gender Equality, the Ministry for Human and Minority Rights is in charge for achievement of gender equality. As of May 2009, the Gender Equality Office has become the Department for Gender Equality within the Ministry for Human and Minority Rights.

According to the Law on Gender Equality, all ministries and state administration bodies appointed coordinators for gender equality who are in charge for the implementation of gender equality within their respective bodies.

At the local level, there are five councils for gender equality in the city assemblies and focal points in ten municipalities (out of 21 municipalities in Montenegro).

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The Constitution of Montenegro, which has been adopted in 2007, guarantees equal rights for all citizens without discrimination of any kind, and provides the strong base for the introduction of gender equality. The Article 18 of the Constitution assures the equality of women and men and develops the policy of equal opportunities. The Constitution prohibits direct and indirect discrimination of any kind, and provides positive measures not to be considered as discrimination as well.

The Law on Gender Equality has been adopted by the Parliament of Montenegro in July 2007, and represents the first anti-discriminatory law in Montenegro. For the first time in

¹ Last update provided in October 2009.

Montenegro the discrimination based on sex is prohibited. The law envisages the adoption of the Action Plan for Achievement of Gender Equality.

Action Plan for the Achievement of Gender Equality has been adopted by the Government of Montenegro in July 2008 (for the period 2008-2012), which represents the framework for the implementation of the gender equality policy in Montenegro. The document has been prepared in cooperation with non governmental organisations, and based on international and national legal documents. Action Plan selected the following areas of concern to deal with in the future: European integration; Education; Health; Violence against Women; Economy and Sustainable Development; Politics and Decision-making; Media and Culture, and Institutional Mechanisms for creation and implementation of gender equality policy. National, regional and global experiences were used in the creation of Action Plan.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The Action Plan for the Achievement of Gender Equality in Montenegro stipulates significant measures and activities aimed at introducing gender mainstreaming as a cross cutting issue in all areas of concern.

Aimed at elimination of discrimination based on sex and achievement of gender equality, the Law on Gender Equality obliges the state administration bodies, local self-governments, public institutions, public enterprises and other legal entities, in all phases of planning, adopting and implementing decisions, and carrying out the activities, to assess and evaluate the impact of those decisions and activities upon the position of women and men, with the aim of achieving gender equality.

Additional activities with regard to introduction of gender mainstreaming in Montenegro are related to the adoption and implementation of different strategies and actions plans by the Government of Montenegro. Thus, the National Program of Integration of Montenegro into EU, National Strategy for Sustainable Development, Poverty Reduction Strategy, and other strategies and action plans have gender component integrated. Beside this, many laws which are adopted were gender mainstreamed.

NETHERLANDS ¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- Minister of Social Affairs and Employment responsible for the co-ordination of emancipation policy.
- *Department for the Co-ordination of Emancipation Policy*: Established in 1979, this governmental body is attached to the Ministry of Social Affairs and Employment since 1981. The Department, which is the key component in the national machinery, works in collaboration with all other ministries and assists the Ministers with his work. Its objective is to ensure that equality aspects are taken into account in all decisions at all levels in the departments. It is responsible for the development of a cohesive equality policy and has also been given the task of initiating, reviewing and co-coordinating policy. It seeks to promote women's economic independence, to increase women's participation in decision-making and to break with traditional images. It also collects information and supervises research in its field.
- *Inter-ministerial Commission for the Co-ordination of Emancipation Policy*: Established in 1979, this governmental body is under the Presidency of the Department for the Co-ordination of Emancipation Policy. Constituted by representatives of all ministries, it acts as a direct adviser of the government. Its main objectives are the development of the main lines of the equality policy, to monitor the attention devoted to the aspects of equality regarding any form of governmental policy as well as to control the implementation of departmental equality plans.
- *Permanent Parliamentary Commission for Social Affairs and Employment*: The work of the Permanent Parliamentary Commission on Emancipation Policy was transferred in 1994 to the Permanent Commission for Social Affairs and Employment. Thus, parliament can now assess the equality goals of socio-economic policy more fully.
- *Emancipation Council*: This mixed, independent body was established in 1981 and disbanded in 1997. The Council operated as the official advisory body and a think-tank to the government with regard to equality policy. The Council has played an important role in the evolution of the equality process in general and in the direction and guidance of policy in particular. Its resources were part of the State's budget.
- *Equal Treatment Commission*: In 1994, this mixed, independent body replaced the Equal Treatment (Working Hours) Commission. It monitors the application of the Equal Treatment Act. The Act prohibits direct and indirect discrimination on the grounds of religion, belief, political opinion, race, sex, nationality, sexual orientation or marital status. The Commission can investigate - either on receipt of a written petition or of its own volition - whether a prohibited distinction has been made. The Commission investigates and decides whether an act is in breach of the Equal Treatment Act. The opinion of the Commission is not binding. The Commission has also acquired the

¹ Last update provided in October 2009.

power to make recommendations, together with its opinion, to the person responsible for the discrimination. Its budget is part of the state's budget.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *Coordinating Minister: In the Netherlands, political responsibility for co-coordinating emancipation policy resides either with a Co-coordinating Minister or a Co-coordinating State Secretary for emancipation policy. Under the present administration the Minister of Education, Culture and Science performs this role.*
- *Ministers of departments :* The responsibility for achieving general emancipation goals lies with each cabinet member bearing responsibility for the various policy areas. The interpretation and practical implementation of emancipation policy cannot therefore be separated from the specific policies of the relevant ministries.
- *Department of Emancipation policy (DE):* The Department for the Co-ordination of Emancipation Policy, which has been part of the Ministry of Social Affairs and Employment from 1981-2007 and is now part of the Ministry of Education, Culture and Science, is the key component in the national machinery of central government. This unit is responsible for the development of a cohesive emancipation policy and has also been given the task putting emancipation issues on the political agenda as well as supporting and monitoring.
- *Interdepartmental Committee for Emancipation policy (ICE):* Each department has a representative in the Interdepartmental Coordination commission Emancipation policy. A number of ministries have an internal co-coordinating body. These advise their own minister on emancipation issues relating to that ministry's area of competence.
- *Auditing Committee:* On request of the former Minister for Emancipation (minister of Social Affairs and Employment), an Auditing Committee has investigated the state of affairs of attention paid in the respective departments on the issue of the emancipation of women.

The Auditing Committee has investigated to what extent the anchoring of the man/ women perspective in the development and implementation of policies of all departments has been realized and possibilities to improve this. The Committee has advised the responsible ministers and state secretaries under the former Cabinet (2004-2007) about policy domains that deserve priority attention and brought good examples to their attention. It furthermore investigated the general progress of the implementation of gender mainstreaming and made proposals for improvement to the coordinating minister for emancipation.

The Auditing committee carried out its activities in two visitation rounds. The Auditing committee published interim reports about emancipation policy in all departments in 2006 and its final report in January 2007, entitled 'A bit better is not good enough!' The Auditing Committee Emancipation concluded that expertise in the area of emancipation and structural anchoring of the emancipation policy in the departments were lacking. Neither was there a central focus on the emancipation policy.

Under the current Cabinet the ministries responded to the conclusions of the Auditing Committee. They all sent their responses to Parliament. And the minister for Emancipation agreed on a better division of tasks between him and his colleagues and also sent a letter about this to Parliament.

1.2.2 CREATION OF NEW INSTITUTIONS

- *Temporary Expert Committee (TECENA)*: In 1998, the Temporary Expert Committee (TECENA) was appointed for a maximum period of three years, in order to monitor the incorporation of the gender perspective into the new consultation system, which was set up by the Advisory Bodies Framework Act in 1997. Its task was to ensure that within the new advisory structure, government advisory bodies devote sufficient attention in their recommendations to the equality aspects of the issues under consideration. TECENA's responsibilities were to:
 - Ensure that equality aspects are taken into consideration in all advice requested;
 - Suggest ways in which the advisory bodies can increase knowledge of equality issues among their members;
 - Ensure that efforts are made to find suitable female candidates for appointments of advisory bodies.

TECENA was disbanded in 2001.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

After the Beijing Conference, the government formulated its proposed policy in the policy documents of the various ministries and the action programme "Beijing, now and the future". This view was further elaborated in subsequent years through annual reports on the co-ordination of equality policy, which the government sent to parliament each September together with the general budget.

Several policy plans in a row were sent to Parliament by subsequent Cabinets. The current Cabinet sends an annual progress report to Parliament every year in November. The practical realisation of equality policy has now been taken up in every area of national government.

Since Beijing, the Dutch government has intensified its two-track policy on equality. The first line of approach is to renew equality policy. The second line of approach is to mainstream or integrate equality aspects and insights into regular policy.

Besides, the equality process has moved away from a policy designed to eliminate social disparities, towards a recognition of diversity as a valid characteristic of society. This places equality between women and men in a new light.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

Mainstreaming was already formulated as a policy objective in the Policy Plan for Emancipation of 1985. Since 1988, a multitude of instruments were introduced to put gender mainstreaming into practice. These instruments comprised the establishment of the Inter-ministerial Commission for the Co-ordination on Emancipation Policy, the Permanent Parliamentary Commission of Emancipation Policy and the Department for the Co-ordination of Emancipation Policy. The co-ordination of equality policy comprised two elements. In the first place, to promote the coherence of policy measures focused specifically on equality objectives that are taken within the sphere of the responsibility of the various Ministers. Secondly, it concerns the integration of the equality perspective in policies that primarily serve other objectives.

Already in 1997, the coalition agreement stated that the Cabinet would conduct a resolute equality policy as an integrated component of its general policy. Since Beijing, the Dutch government has intensified this two-track policy on equality.

The Gender Impact Assessment (GIA) method, which was developed in 1994, has been further applied and evaluated. In the 1998 coalition agreement, it was stated that each ministry must draft a departmental action plan containing at least three specific tasks relating to the implementation and application of equality policy to be carried out during the government's current term in office. The aim of these action plans is to encourage each ministry to exercise individual responsibility for promoting equality in its own area of competence, with a view to gender mainstreaming equality policy.

In September 1999, the Interdepartmental Plan of Action on Gender Mainstreaming was presented to the Lower House of Parliament. It contained a total of 45 tasks relating to different areas of policy. The departments in question have made every effort to ensure that their individual contribution to the plan of action has been elaborated as concretely as possible in terms of measurable objectives and project plans. A report covering the progress of the implementation of the tasks was to be presented annually to the Lower House and the final report was presented in 2001 and followed up by a National Strategy on Gender mainstreaming (2001-2006).

Process /activities

The government wants to improve this situation by making the departments' contribution to the emancipation policy as transparent and verifiable as possible, increasing emancipation expertise and giving substance to the role of Minister for Emancipation as a driving force and supporter of the emancipation policy.

In 2007, the departments each submitted their own reaction to the final report of the Auditing Committee Emancipation and their contribution to the emancipation policy to Parliament. In their contributions the departments interpret the conditions for the successful anchoring and realisation of the emancipation policy.

The departments draw up the way in which they plan to give shape to the emancipation policy within their own domains on the basis of 5 conditions for the successful anchoring of the emancipation policy. These 5 conditions were derived from the government Memorandum on Gender Mainstreaming (2001) and are in line with international documents. These conditions are: the commitment of administrative and political management, a clear allocation of responsibilities, the availability of expertise, the application of instruments and the existence of targets and resources.

This method emphasizes the responsibility and duty of accountability that each individual department has. The departmental contributions form an addition to the Emancipation Policy Memorandum 2008-2011 "More opportunities for women", which restricts itself to the priority themes. The departmental reports show that there is improved anchoring of the emancipation policy and of new initiatives throughout the government departments.

Depending on the phase of the emancipation policy and the nature of the policy domain each department gives this objective structure in its own way. The minister for Emancipation supports the departments in anchoring the emancipation process on the four priority themes in the Emancipation Policy Memorandum: labour force participation and the position of women at the labour market, the talents of women from ethnic minorities, (sexual) violence against girls and women and the position of girls and women in the world. Agreements are made about additional efforts and active collaboration in these fields.

The departments have indicated that they do not need structural support of the Ministry for Emancipation in the reinforcement of the emancipation policy in the departments. They do wish to collaborate once-only or temporarily regarding the integration of gender in training and diversity policies and information and exchange on emancipation instruments including good examples. The Interdepartmental Committee for Emancipation policy (ICE) plays a central role.

In 2010 the government will conduct a ‘midterm review’ on the emancipation policy in the departments. The review will be conducted by the individual departments themselves and will look at the results achieved during this term of government and include an exploration of new opportunities.

NORWAY¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

In the late 1970s, the national machinery for gender equality and the advancement of women was established and equality legislation entered into force.

- *Ministry of Children and Family Affairs:* In 1995 the Ministry of Children and Family Affairs was responsible for Gender Equality: The minister was responsible for the co-ordinating for Government action to promote gender equality, although all ministries are obliged by the Gender Equality Act of 1979 to promote gender equality in all areas of society. Within the Department of Family Affairs, Child Care and Gender Equality, the Unit for Gender Equality was staffed by 9-10 Senior Executives/Advisers in 1995.
- *The executive unit of the Ministry of Children and Family Affairs* is the Gender Equality Division, which was established in 1977. In 1994, the division was separated from the Equal Status and Family Division. The division's overall objective was to promote equality between the sexes. It was responsible for the application of the Equal Status Act, co-ordinates actions, formulates and co-ordinates gender policy at State level and monitors the representation of women in committees.
- *Equal Status Council:* The Council was established in 1972. It was an independent advisory body, administratively attached to the Ministry of Children and Family Affairs. It acted as a liaison body between public authorities, organisations and the public in general. Its major objective was to promote equality in all sectors of society. It suggested to the authorities measures to be taken for the development of society, monitors the implementation of equal status and collects and disseminates gender related information.
- *Ombud for Gender Equality:* The Ombud was established in 1979 by the Equal Status Act. It was an independent body, administratively attached to the Ministry of Children and Family Affairs. The Ombud's objective was to ensure the implementation of the Act in collaboration with the Gender Equality Boards of Appeals. The Ombud receives, examines and tries to resolve complaints of sex discrimination in all areas. If no friendly settlement can be achieved between the parties, the Ombud submits the case to the *Gender Equality Boards of Appeals*. The Board decides disputes, in which a friendly settlement has proved impossible. It also issues orders and injunctions and can impose sanctions in case of non-execution of its own, or the Ombud's, decisions.
- *Local Gender Equality Committees:* These bodies have been established at municipal level since 1975 in order to promote equality at the municipal level and to serve as a means of communication between individuals, organisations and the municipalities.

¹ Last update provided in October 2009.

Several evaluation studies of these local committees tend to confirm that, with a few exceptions, they tend to be rather marginalised and without much influence. The Municipalities (like other public authorities) are according to the law obliged to promote gender equality in all sectors of society and are (since 2003) obliged to give a corresponding account in their annual budget. But they are free to decide upon how to organise the work. Many municipalities have since 1995 closed down their gender equality committees, which are highly dependent upon the political will to work successfully.

- *The National Insurance Act* : The largest social reform ever; The National Insurance Scheme of 1967, covering almost all welfare issues like minimum pensions for all, sick insurance, parental benefits, reproductive rights and gender issues (The financing of this Scheme / Law was and still is tripartite: State, employers and employees, and the self-employed). In 1993 The Parental Leave Scheme (in The National Insurance Act) was enlarged to 42 weeks of which 4 weeks were obligatory leave for fathers, not transferable to the mother. Both have to qualify through work life before birth. Unless the fathers take his leave, the family will lose the refunding of his salary.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *The Ministry of children and equality*: The Ministry for Family Affairs, Child Care and Gender Equality was reorganised in 2003, with a view *inter alia*, to mainstream gender in all the Department's tasks. The responsibilities of the former Gender Equality Unit was tackled by three smaller teams; on gender based violence, the human rights perspective/equality legislation and gender equality (specific issues). All staff is involved in two different teams but resources allocated to gender-specific issues amount to 10-12 full time staff. In 2005 the Ministry renamed to Ministry for Children and Equality. Within The Anti-discrimination Act, from 2006 the Ministry is responsible to promote equality based on ethnicity, national origin, descent, skin colour, language, religion or belief. Within The Anti-Discrimination and Accessibility Act, from 2009 the Ministry is responsible to strengthen the protection against discrimination on the basis of disability. The Ministry also is responsible for politics and anti-discrimination related to the LGBT (lesbians, gays, bisexuals and transsexual)-persons. In 2009 there are about 50 employees in the Department of Family and Gender Equality.
- *Centre for Gender Equality*: In 1997, the Council was transformed into a resource centre for gender equality, called "Centre for Gender Equality". The reorganisation was made to improve and accentuate some of the core functions the Council used to fulfil, with a view to getting a more independent role and to giving advice, promoting public awareness and changing the attitudes of specific target groups such as the media or the municipal authorities. The resource centre was also a meeting place and as a source of information. It disseminates knowledge by organising seminars and conferences, publishing books and pamphlets, etc. The Centre for Gender Equality was located with the Equality Ombud.
- *The Gender Equality Act*: The Gender Equality Act of 1979 was amended in 2005. The reason for the amendments was to ensure the satisfactory implementation of Directive 2002/73/EC of the European Parliament and of the Council (on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions), the purpose of which was to strengthen gender equality. The legislative amendments were also made in order to ensure the harmonisation of the Gender Equality Act and the Working Environment Act and the Anti-Discrimination Act.

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- *The National Insurance Act* (The Parental Leave Scheme): The 4 weeks obligatory leave for fathers from 1993 was enlarged to 6 weeks in 2005 and 10 weeks in 2009. With 56 weeks in total, 9 weeks are obligatory for the mother, 10 for the father and the remaining can be shared between them. Both have to qualify through work life before birth.

1.2.2. CREATION OF NEW INSTITUTIONS

- *The Equality and Anti-discrimination Ombud*: The Equality and Anti-Discrimination Ombud was established on 1 January 2006, and is a merger between the two organisations Centre for Gender Equality and Ombud for Gender Equality. It is an independent administrative body, administratively linked to the Ministry of Children and Equality. The Ministry cannot instruct the Ombud with respect to the processing of individual cases or with respect to the Ombud's other professional activities. Nor can the Ministry amend the Ombud's decisions. The Ombud's task is to combat discrimination and promote equality regardless of the factors gender, ethnicity (language, religion, skin colour, and national origin), disability, sexual orientation and age. The Ombud enforces the Gender Equality Act, the Anti-Discrimination Act, The Act on Prohibition of Discrimination on the basis of disability (Discrimination and Accessibility Act from 2009), Chapter 13 of the Working Environment Act and the anti-discrimination provisions in the housing acts (the Tenancy Act, the House-Building Cooperatives Act and the Housing Cooperatives Act). The Ombud must also ensure that Norwegian law and administrative practices are in conformity with Norway's obligations pursuant to the UN Convention on the Elimination of All Forms of Discrimination against Women and the UN Convention on the Elimination of All Forms of Racial Discrimination.
- The law enforcement role of the Ombud entails issuing recommendations in the case of complaints about breaches of the laws and regulations within the Ombud's remit. Any person who believes that he or she has been discriminated against may submit the case to the Ombud, who carries out an objective assessment of the case and issues a recommendation. The Ombud's recommendations may be appealed to an independent tribunal – the Equality and Anti-Discrimination Tribunal. In his/her promotional role, the Ombud must help to promote equality and prevent discrimination in society as a whole. Among other things, this entails identifying and drawing attention to factors that hinder equality and equal treatment, helping to raise awareness and change attitudes and behaviour, providing general information and guidance, providing guidance to employers on ethnic diversity in working life, and monitoring the nature and extent of discrimination.
- *The Norwegian Equality Tribunal*: The Norwegian Equality Tribunal was by act of law established 1st January 2006. The tribunal enforces the various Norwegian equality and anti-discrimination acts:
 - The Gender Equality Act
 - The Act on Prohibition of Discrimination on the basis of ethnicity, national origin, ancestry, skin color, language, religious and ethical orientation (the Discrimination Act)
 - The Act on Prohibition of Discrimination on the basis of disability (Discrimination and Accessibility Act)
 - The anti-discrimination regulations in the Labour Environment Act (these regulations protect against labor market-related discrimination on the grounds of sexual orientation, age, political views and membership of a trade union)
 - The anti-discrimination regulations in the housing legislation

- *The Equality and Anti-discrimination Tribunal* deals with appeals against the Gender Equality Ombud's decisions. Only the Equality and Anti-discrimination Ombud has the competence to investigate alleged non-compliance with the law. The Ombud can make a recommendation which can be appealed before the tribunal. The Tribunal may decide that a particular action is in contravention of the Act. It may then order the action in question to be halted or corrected, or decide on some other action that is necessary to ensure that the discrimination, harassment, instruction or reprisal ceases and to prevent it from being repeated. The Tribunal may set a time limit for compliance with the order. The Tribunal may decide to impose a coercive fine in order to ensure compliance in cases where the time limit for complying with the order has been exceeded. The tribunal receives governmental funding, but carries out its functions in an independent manner, free from governmental instruction. The tribunal is accessible to the general public and its services are free of charge. The rulings of the tribunal are administratively binding. Such rulings, however, may be overruled by a court of law.
- *The Governments high-level equality group*: Pr. 2009 the Norwegian Government includes 18 Ministries. To promote and coordinate equality (all discrimination axes), all the ministries are joining the Governments Equality group, represented by senior civil servants. This is a part of the mainstreaming strategy, and the purpose is implementing equality in all sectors of society.
- *Duty of activity and reporting* : The Anti-Discrimination Act was amended in spring 2008 with the addition of a provision concerning the duty of activity and reporting. This provision entered into force on 1 January 2009. The duty of activity requires public authorities, public and private sector employers and the social partners to work actively, purposefully and methodically to promote the aims of the Act. The purpose of the Anti-Discrimination Act is to promote equality, ensure equal opportunities and rights and prevent discrimination regardless of ethnicity, religion, etc. The Gender Equality Act already includes similar duties. The same duty has been incorporated into the Anti-Discrimination and Accessibility Act (in force from 1 January 2009), which prohibits discrimination on the basis of disability. To ensure that small private enterprises are not required to comply with excessively stringent requirements, this duty is limited to enterprises that regularly employ more than fifty people. There is also a duty to report on implemented and planned measures in annual reports or annual budgets. Amendments to the Accounting Act and the Local Government Act entered into force on 1 January 2009.
- *Regional centres for equality*: Since 2007 the Ministry of Children and equality financially supports 3 regional resource centres, geographic positioned in the north/middle, east and south of Norway. Behalf of the Government, and addressed to the local and regional municipalities and companies, the centres promote equality. The centres provide guidelines and play a leading role in the work for gender equality. They also provide expertise on practical measures in their respective regions. The centres also support the local and regional authorities in their efforts to promote equality. The endeavour considering the future organisation of the regional equality machinery, experience considering will be taken. In 2010 the present approach to organise the regional equality will be evaluated.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE

No action plan as such was set up to implement the Beijing PfA. Before 1995, three different 4-year plans had been implemented. The last two planning periods covered the 12 critical areas of concern as all ministries were involved. After Beijing, the national strategy to follow up Beijing was discussed. All ministries were reminded of their responsibility for gender equality and instructed to use the Beijing PfA as a tool in their work.

Although follow-up to the Beijing Platform for Action is linked to the mainstreaming strategy, follow-up to Beijing has also been reviewed by the Committee of Junior Ministers on Gender Equality. Consultation with the women's movement is ensured and annual seminars on follow-up to Beijing are being organised in co-operation with the Ministry of Foreign Affairs, the Ministry of Children and Family Affairs and FOKUS, the women's movement umbrella organisation. Among the issues that have become more firmly established on the national agenda since Beijing are violence against women, forced marriages and Female Genital Mutilation. A Norwegian Campaign against Trafficking in Women and Children for sexual exploitation was launched in 2003. The basic strategy for the further promotion of gender equality is the mainstreaming of a gender perspective at ministerial and municipal level. All parts of the central administration are expected to follow up the Beijing Conference in their activities. The Ministry of Children and Family Affairs is responsible for co-ordination and accountability.

Gender mainstreaming attracts increasing interest at local and regional levels. Projects have focused on mainstreaming a gender perspective in local and regional planning as a tool for better targeting and user friendliness in service production and delivery. Some municipalities have been successful through networking and project co-operation with other municipalities. To use mainstreaming as a method for planning and implementation of a gender perspective in local and regional planning can be successful when it is followed by political will. "Mainstreaming" as a method for implementation of gender equality can also be an excuse for letting the work down when it lacks political priority. Efforts to promote gender equality are also an integral part of foreign policy as a whole, and in particular of development co-operation.

ACTION PLANS

Plan of Action to Promote Equality and Prevent Ethnic Discrimination (2009-2012)

The Government wishes to intensify efforts to combat ethnic discrimination and presented a new Plan of Action to Promote Equality and Prevent Ethnic Discrimination in April 2009. The Plan of Action is intended to combat and prevent both direct and indirect discrimination. The Plan of Action will mainly concern measures to combat discrimination of persons from minority backgrounds, including immigrants and their children, Sami people and national minorities. The plan will incorporate a gender perspective on implementation of the measures.

Gender equality and men

The Government has initiated and effectuate several actions to comply with a parliamentary report. An important part of is measures to reduce stereotype choices and gender divided cultures. Another main task is to encourage men as caretakers for their own children. The Government has financially supported Reform – resource centre for men and a professorship in research on men.

Plan of Action to Combat Human Trafficking (2006 – 2009)

The Government has presented a plan of action against trafficking in human beings. The plan contains stronger and updated measures that will be implemented from 2006 – 2009. The Government's overarching goal is to combat all forms of human trafficking, nationally and internationally. The plan contains 37 measures, several of which are aimed at continuing and strengthening the work that has already been initiated, while sixteen of the measures are new.

Action plan “A better quality of life for lesbians, gays, bisexuals and transgender persons (2009 – 2012)”

The plan aims to fight the discrimination many LGBT-persons experience in different periods of their lives and on different social arenas. The integration of LGBT-perspectives on all areas of society is the core strategy. The plan focuses specifically on groups that risk being discriminated on several grounds. The plan engages eight ministries and gives direction and pace to how the LGBT-populations interests will be met within sectors as foreign politics, education, health care, family and children affairs, in working life, immigration politics, in the police sector and within the governments human resource policy. A new marriage act was launched as of the 1. Of January 2009, that gives gay and straight couples the same legal right to enter marriage. Couples in civil partnerships can through a simple procedure apply for a change in status for their partnership into a legally accepted marriage. Gay and lesbian couples will, as heterosexual couples have the right to adopt. Lesbian couples will also have the right to receive assisted fertilization.

Action plans against Female Genital Mutilation (2008-2011) and Forced Marriage (2008-2011)

The Norwegian Governments first Action Plan against Forced Marriage was launched in 1998, and in 2000 we got the first national action plan against FGM. In 2003 we also launched an international action plan against FGM. Norway now has a third national action plan on both topics.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The principle of mainstreaming is incorporated in the Norwegian Act on Gender Equality of 1979. It states that public authorities shall promote gender equality in all sectors of society. Early in the 1980's, the Ministry of Children and Family Affairs started systematic and comprehensive work on mainstreaming a gender perspective into the ordinary work of all ministries. Between 1986 and 1994, all ministries implemented two Equality Plans for mainstreaming the gender perspective into their policies, decision-making and executive procedures at all levels and in all policies. This process is still ongoing. Awareness-raising, guidance and regular monitoring were important tools for the programme, as was involvement at political level.

In 1996, a conference on mainstreaming targeted at the State Secretaries from all ministries was held. In 1997, the first reports on how the implementation of gender equality measures was progressing in the individual ministries were produced and subsequently debated in Parliament.

Since 2000, efforts have aimed at establishing a Government gender budget initiative. A pilot project was conducted in the Ministry of Children and Family Affairs, with a view to developing methods and instruments for gender budgeting. The pilot was co-ordinated by the Department of Planning and Administration in co-operation with the Unit for Gender Equality. All departments were involved and certain policies/budget chapters were selected for gender assessment and reflection in the budget proposal. The Ministry of Municipal and Regional Affairs, the Ministry of Education and Research and the Ministry of Agriculture operated similar initiatives. For the first time in 2002, the Government's budget proposition for 2003-2004 contained an annex presenting gender based assessments in a number of budget areas. This process is coordinated by the Ministry of Children and Family Affairs, and as of 2003, this gender budget initiative included contributions from nearly all ministries. Norway participates in a joint Nordic project (2004-2006) on gender budgeting, which involves the Ministries of Finance / Budget as well as the authorities for gender equality in the five Nordic countries.

On 18 April 2002, the Parliament adopted a revision of the Gender Equality Act that involves, *inter alia*, a strengthening of the existing provision for public authorities to promote gender equality within their own areas of responsibility. Further, all enterprises are obliged to promote gender equality internally among their employees and to report annually on the development of the situation.

Gender mainstreaming attracts increasing interest at local and regional levels. Projects have focused on mainstreaming a gender perspective in local and regional planning, and gender based assessment as a tool for better targeting and user-friendliness in service production and delivery. Guidelines and brochures have been issued, and action plans have been adopted that include concrete goals and measures for action. Regional resource centres for gender equality provide expertise for gender based assessments.

It is also important to include men in the efforts to achieve equality, both as target group and as instrument for change. As some women, men evidently can be a brake block for gender equality. But the majority of the men both support and will benefit on the case to promote gender equality. Unless we invite men and boys onboard, almost half of the populations remains "outside" the common understanding of the challenges and put up resistance. The Government also includes the male perspective in strive for equality.

Quotas (affirmative action) for the composition of boards in some companies:

In 2003 4 laws amended in Parliament: The Public Limited Company law (the large enterprises noted at the stock exchange and with a wide spread of shares), the law governing the wholly State Owned Companies, the inter-municipally owned companies, the Companies ruled by specific laws. A very strong affirmative action, quotas of 40 % of the underrepresented gender in the boardrooms.

The Commission to propose a comprehensive anti-discrimination legislation

In Norwegian legislation protection against discrimination on the basis of personal characteristics or opinions is dispersed. Different acts prohibit discrimination on the basis of gender, ethnic origin, national origin, descent, colour, language, religion, ethical and cultural orientation, and political view, membership of a trade union, sexual orientation, disability or age, as well as discrimination of employees who work part-time or on a temporary basis. The protection against discrimination varies depending on the basis of the discrimination. The Commission to propose a comprehensive anti-discrimination legislation was appointed by the Norwegian Government 1 June 2007. The Commission submitted its recommendations 19 June 2009. The Commission has submitted a proposal for a compiled and more comprehensive anti-discrimination legislation. The Commission's proposal regarding a comprehensive Anti-Discrimination Act will give the Ombud, Tribunal and courts an opportunity to try cases where discrimination on more than one ground is alleged, provided at least one of the grounds pleaded is covered by the Act.

POLAND¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Government Plenipotentiary for Women's and Family Affairs:* This institution was set up in 1991. In 1992, the Plenipotentiary's activities were suspended, but the office and its director continued their work. The Plenipotentiary's activities were resumed in 1995. The Office of the Plenipotentiary supports the government in its efforts and initiatives to promote gender equality, especially with regard to labour law. The Plenipotentiary has the rank of under-secretary of state.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

In 1997 the Government Plenipotentiary for Women's and Family Affairs was replaced by the Government Plenipotentiary for Family affairs responsible for initiating and coordinating the state's family policies. On December 11, 2001, the Government Plenipotentiary for Equal Status of Women and Men was established for the first time by the new government which was set up after the parliamentary elections of September 2001. The Plenipotentiary, in the rank of the Secretary of State, has the following tasks:

- Analysing and evaluating the situation as far as equal status of women and men is concerned, initiating and co-ordinating measures aimed at ensuring an equal gender status in all spheres of social life;
- Drafting action programmes and legal regulations concerning gender equality;
- Inspiration and supporting activities of NGOs aiming at gender equality;
- Cooperation with relevant government and other institutions and NGOs in the field of their educational programmes influencing equal status of women and men.

In 2002 the Government also assigned the Plenipotentiary responsible for combating discrimination on the grounds of race, ethnic origin, religion and beliefs, age and sexual orientation.

The Plenipotentiary is responsible for monitoring and reporting on implementation of the conventions and international agreements to which Poland is bound as well as the recommendations of international organisations concerning women's rights and equal gender status. It can submit suggestions to relevant government institutions to elaborate or change legal acts concerning issues of gender equality. The Plenipotentiary also fulfils its task by spreading knowledge about gender equality issues, especially in the field of the labour market and the education of younger generations and taking measures for solving problems arising from the violation of the equal rights of women and men. The Plenipotentiary also

¹ Last update provided in June 2004. No new information in 2009.

established the Programming and Consulting Council comprising of scientists and representatives of NGOs.

The *Government Plenipotentiary for Equal Status of Women and Men* and her Secretary are located in the Prime Minister's Chancellery. Its budget is above 1.8 million PL (about 400 600\$) a year and employs 20 persons.

There is no special committee in the Polish Parliament dealing with the issues of equal status of women and men. The Parliamentary Women's Group founded in 1991 is meant to be the first step to build an institutionalized women's lobby functioning across the division of political nature. Currently, the Group gathers 58 female deputies (out of the total of 93 females) and 17 female senators (out of the total of 23 women in the Senate). For the third time the group has initiated the legislation process for the draft law on equal status, which has now passed on first reading and is being discussed by the parliamentary bodies.

1.2.2 CREATION OF NEW INSTITUTIONS

In the years 2003-2004, Voivod's Plenipotentiaries for Equal Status for Women and Men were appointed in 12 out of 16 Voivodship's Offices (the Government administration on the regional level) as well as in several counties (self-government administration units on the local level). At the same time 11 persons responsible for monitoring the implementation of the principle of gender equality in access to top positions took offices in the central administration (Ministry of Infrastructure, Ministry of Agriculture and the Development of Rural Areas, Ministry of Science and Information Technology, Ministry of Internal Affairs and Administration, Ministry of Culture, Ministry of Foreign Affairs, Ministry of State Treasury, Central Statistical Office and Office for European Integration). Thus for the very first time an institutional network for gender equality promotion and strengthening the position of women was created.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

Following the Beijing Conference, the National Action Plan for Women (1997-2000) was adopted by the Polish government on 29 April 1997..However, its implementation was practically suspended by the government that came to power at the end of 1997. It carried out its own programme entitled *State Pro-Family Policy* promoting the traditional family model.

The Government Plenipotentiary for Equal Status of Women and Men undertook work on the second stage of the implementation of the National Action Plan for Women 2003-2005 as one of her first tasks. The Plan was adopted by the Council of Ministers on August 19, 2003.

The second stage of the Plan concerns promoting women's rights in the way stipulated by the Beijing Platform, fulfilling the recommendations of the 23rd Special Session of the UN General Assembly. Its strategic assumption is a comprehensive approach to the solution of women's problems. It comprises many spheres of social life and women's activity and is addressed – first of all – to the authorities as well as to Government and local administration. At the same time, it is based on the pattern of an open social dialogue and cooperation with research institutions, NGOs, local governments, trade unions, and the media. In order to implement the gender mainstreaming principle and monitor the process, focal points were to be set up in government administration offices on the central and regional level.

The second stage of the National Action Plan for Women comprises nine chapters corresponding to different spheres of women's life in the Beijing Platform of Action and in the

report “Beijing+5”. These are (1) Women’s rights as human rights, (2) Economic activity of women, (3) Violence against women, (4) Women’s health, (5) Education, (6) Participation of women in public authorities and decision-making, (7) Women and the mass media, (8) Co-operation between state administration and NGOs, (9) Research and data collecting systems strategies.

In each the strategic goals are presented, which – if achieved – would speed up the improvement of women’s rights and opportunities in society. Each strategic objective is accompanied by the actions to be taken which determine the scope of proposed changes.

In December 2003, a permanent team of experts monitoring the National Action Plan was set up within the Secretariat of the Plenipotentiary. The team consists of 48 persons. It is composed of representatives of the public administration i.a. State Committee for Scientific Research, Government Centre for Strategic Studies and Central Statistical Office, and also of representatives of NGOs active in the equal status field. The team’s task is to establish indicators determining the stage of the National Action Plan implementation and finally to prepare a monitoring report by the end of 2004.

The National Action Plan embraces actions to be taken: acquisition of gender balance in the appointment to the decision-making positions in public administration, the Government and the judicial system. This task includes i.a. the preparation of biannual detailed reports on decision-making appointments with regard to women and men.

Since August 2003 the Plenipotentiary has implemented together with EU partner countries the project *Enhancement of Policies on Equal Treatment of Women and Men* (Denmark and Austria), which includes actions focused on analysing national needs of information, statistic and research on equal treatment of women and men, as well as on discovering the gaps in national statistics with regard to economic, social and political life. Training sessions are held for such professional groups as: specialists on equal treatment and opportunities employed in different political and social services areas; local administration, labour inspectorates, police, judicial system, employment offices, and educational sector. All these efforts will result in the establishment of the national system of monitoring the implementation of equal treatment policy.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

There are no provisions for gender mainstreaming in the legislation. However, the National Action Plan and other activities, like trainings, seminars, brochures, etc. are aimed at institutional preparation for gender mainstreaming.

PORTUGAL¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Commission on the Status of Women, set up under Legislative Decree no. 485/77* (although already in operation since 1973) and attached to the Prime Minister's Office.
- *Commission for Equality and Women's Rights*: This commission was set up under Legislative Decree no. 166/91 and took over from the Commission on the Status of Women. The instrument setting it up also attached it to the Prime Minister's Office, but from December 1991 to November 1995 it was placed under the Ministry of Social Security and Labour.

It operated in the same way as a Ministerial Directorate General. It had cross-sectoral prerogatives and worked in all fields relevant to equality between men and women.

It endeavoured to ensure that men and women have equal opportunities, rights and dignity, promoted effective joint responsibility in all fields of family, working, social, cultural, economic and political life, and encouraged society to regard motherhood and fatherhood as social functions and to shoulder the consequent responsibilities.

The Commission conducted and promoted studies on equal opportunities and women's issues, run a documentation centre and a specialised library, and alerted and trained specific target groups liable to have an impact in the equality field (central and local government staff, municipal staff and persons working in health, the social services, education, the security forces, etc). It also provided public information on a variety of subjects through the media, issued opinions on equal opportunity policies and legislation, evaluated the application of Community Directives and case-law, informed women directly about their rights, run a helpline for cases of violence, produced publications and co-operated with national and international institutions. It represented the country in the various international organisations.

It had, since its creation in 1977, a Consultative Council with two sections, namely a *Joint Ministerial Section* made up of representatives of governmental administrative departments relevant to the work of the Commission operating as equality consultants, and a *Non-Governmental Organisations Section*, comprising NGOs that have similar objectives to the Commission or endeavour to improve women's living conditions and status or to promote equality.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *Commission for Equality and Women's Rights*: From 1996 to October 1999, the Commission operated under the *Office of the High Commissioner for Equality and the Family* (Presidency of the Council of Ministers). Following the October 1999 elections and until October 2000, Portugal had a Minister for Equality, under the Presidency of the Council of Ministers. She was in charge of the Commission for Equality and

¹ Last update provided in September 2009.

Women's Rights, of the Commission for Equality in Labour and Employment and of the High Commissioner for Immigration and Ethnic Minorities. From October 2000 to June 2001, following a cabinet reshuffle, the Commission for Equality and Women's Rights was placed under the supervision of the Minister of the Presidency. A July 2001 cabinet reshuffle led to the creation of the post of State Secretary for Equality, placed under the control of the Vice Prime Minister. Its aim was to promote equality between women and men. The Commission for Equality and Women's Rights and the Commission for Equality in Labour and Employment were placed under its control. Following the elections in March 2002, the Commission for Equality and Women's Rights was integrated in the Presidency of the Council of Ministers (PCM) and it answered to the Secretary of State of the PCM.

- *Commission for Equality in Labour and Employment*: this commission was under the joint supervision of the Minister of the Presidency of the Council of Ministers of the Minister for Social Security and Labour. Given its tripartite nature, the Commission is an organ of dialogue and social consultation. Its most important activities include: employers must ask the legal opinion of this Commission before dismissing pregnant, puerperal or breast-feeding women (without which such dismissals are deemed null and void); providing information on rights as regards equality, protection of motherhood and fatherhood and reconciling working and family life to employees, employers and any interested organisation; analysing complaints; awareness – raising and training for strategic target audiences; promoting studies; participating in the preparation of laws; participating in the drawing up and implementation of the National Employment Plan (PNE), the National Action Plan on Inclusion (PNAI) and the National Plan for Equality (PNI); managing an Observatory tasked with identifying and preventing direct and indirect sex discrimination in collective agreements; promoting positive action and an equal opportunities culture in companies. The Commission forges contact with institutional bodies at national level, particularly with the Institute for Employment and Vocational Training, the Inspectorate General of Labour, the Directorate General on Working Conditions, the Department of Studies and Planning, the Institute for Innovation in Training and the Co-ordinating Commission of the European Social Fund and other institutions such as the Economic and Social Council, the Commission for Equality and Women's Rights, research centres and associations, particularly in the professional sphere, such as those responsible for human resources. The Commission is represented in European Union and other international bodies.

The two national mechanisms dedicated to the promotion of equality between women and men were restructured in 2006 in the framework of the broader National Reform of the Public Portuguese Administration, therefore acquiring new functions: The former Commission for Equality and Women's Rights became the *Commission for Citizenship and Gender Equality (CIG)* and the *Commission for Equality in Labour and Employment (CITE)* kept the same designation.

- *Commission for Citizenship and Gender Equality*: In order to improve the promotion and implementation of gender equality the Commission for Citizenship and Gender Equality replaced the Commission for Equality and Women's Rights (CIDM) and the Mission against Domestic Violence.

The remit of the CIG² is to ensure the implementation of government policies in the fields of citizenship and of the promotion and defence of gender equality. It answers to the Secretary of State of the Presidency of the Council of Ministers. Its duties include promoting citizenship, making general recommendations on good practices in fostering gender equality and receiving and referring complaints about gender-based discrimination or violence. The functions of the new body reinforced:

² The setting up of the CIG was approved by Decree-Law 164/2007 of 3 May.

- the fight against domestic violence as its permanent mission;
- the commitment to promote citizenship;
- a stronger intervention in society by promoting good practices;
- the competence to certify public and private entities as well as civil society organisations that are an added value to the promotion of gender equality and therefore are enabled to access several types of support and financial incentives;
- the competence to receive complaints regarding gender based violence or other gender related discrimination, providing the CIG with a dimension of “Ombudsperson” to ensure the protection of Human Rights related to gender equality;
- the reinforcement of support to NGOs whose main statutory purpose is to promote citizenship, Human Rights, and women’s rights and gender equality.

The Commission for Citizenship and Gender Equality has one President, assisted by a Vice-President. The CIG retained in its new organic law a Consultative Council chaired by the member of the Government in charge of the CIG. This Council comprises a section of Non Governmental Organisations made up of 40 NGOs, 25 of them working in the area of gender equality. This Consultative Council was also enlarged to 15 NGOs of the areas of citizenship and human rights. The CIG involves the civil society and the NGOs in several of its activities, including by inviting them to take part in working groups for the design and implementation of policies, action plans and activities; by consulting them on different topics and policies; by establishing partnerships and by involving them in and inviting them to seminars, conferences and other events.

This Consultative Council also includes:

- *An Inter-ministerial section* comprising representatives of each line Ministry and Services that work as gender focal points in their respective areas with the aim of mainstreaming gender equality into all policies. The recently approved “Equality Adviser Statute” assigns a clear mandate and functions to those within each Ministry who have the responsibility to promote the gender equality. This statute encompasses the creation of intra ministerial working teams to ensure the integration of a gender equality dimension in all sectors of Central Public Administration.
- *A Technical and Scientific Advisory Group.* Besides the President and the Vice-president of the CIG it is composed by 10 personalities with reknown scientific skills in the fields of citizenship, Human Rights, women’s rights and gender equality.

The political will for the promotion of gender equality has been expressed by financial support, the enlargement of human resources, legal diplomas and the adoption of specific action plans.

Following the new organic law, the CIG has been proceeding to the necessary changes. In order to be able to respond to the new competences the personnel has been renewed and increased. CIG now has 63 permanent full-time employees (49 in 2005) and 25 non-permanent employees, also full-time (7 in 2005).

Representatives of the CIG and of the government member in charge of gender equality have been sitting on different councils so that the gender factor is included in all fields. The CIG can therefore participate in the National Vocational Training Council and there is a representative of the government member in charge of gender equality on the National Occupational Health and Safety Council, the Family Policy Council and the Family Advisory Council.

The civil society, through a representative of the NGO Section of the CIG Consultative Council, is also represented on the National Social Security Council.

Since 2005, the Portuguese Government has been making an overall effort to increase the national gender equality mechanism’s budget.

In addition to the budget of this gender equality mechanism, an NGO technical and financial support system (SATF-ONG) was set up for 2003 – 2006 under the Employment, Training and Social Development programme, to “promote equal opportunities for men and women by increasing positive action and mainstreaming in all fields of activity by developing integrated strategies to promote the balanced participation of men and women in work, family life and decision-making and to create the right conditions for a change in the paradigm of social roles existing in our culture”. The Commission for Equality and Women’s Rights (now CIG) was in charge of its management.

The SATF-ONG sponsored a number of measures aimed at consolidating the role of NGOs in the pursuit of their goals in accordance with the Second National Plan for Equality, the Second National Plan against Domestic Violence and the Annual Plan of Activities of the CIDM, through 95 projects in Work, Employment and Vocational Training (58 projects); Domestic Violence or Violence in the Workplace (55 projects); Reconciling Family and Working Life (68 projects); Decision-Making (49 projects); Human Rights and Migration (29 projects) and Culture, Health and Sports (35 projects). There were around 400,000 direct and indirect beneficiaries of these three strategies.

In 2007 the budget for promoting gender equality policies has been considerably reinforced.

An autonomous area of the Structural Funds was specially created to finance the promotion of gender equality under the Operational Programme for the Promotion of the Human Potential (POPH) This Programme, one of the 3 Programmes developed under the National Strategic Reference Framework, 2007-2013 (QREN), includes several typologies aimed at developing the capacity of national public institutions and civil society organisations, including women’s organisations.

Gender Equality is also present in the Agenda for Competitiveness, in particular in the Operational Programme for Competitiveness (POFC).

Therefore, Portugal has for the first time a specific funding line, with a total funding of 83 million Euros distributed among 7 different typologies (to be applied in the course of 5 years): Entrepreneurship, Associations and Business Networks ran by women; Implementation of Equality Plans in Local and Central Administration as well as Public and Private sectors; Technical and financial support to NGOs and Training projects for strategic audiences; Conception, development and evaluation of databases, diagnosis and good practices guides; Campaigns to raise awareness and promote gender equality as well as to combat gender based violence; Integrated intervention to combat domestic violence and trafficking in human beings. Within the POFC it is foreseen: 10% increase in the incentive to projects that promote female entrepreneurship; financial support to the implementation of Equality Plans with effective contributions and good practices concerning reconciliation.

4 of these typologies are directly managed by the Commission for Citizenship and Gender Equality.

CIG is managing a typology aimed at providing financial and technical support to NGOs in the area of gender equality with a view to support NGOs and other civil society organizations operating in the field of gender equality in order to develop their skills and organization capacity, providing means for them to act for the promotion of gender equality in complement to the public initiatives. It aims at reinforcing the intervention of NGOs and to deepen women’s capacity to participate in the economic and social activity and men’s capacity to participate in the private sphere. After the first open call, from 15th of February 2008 to 15th of April 2009, 80 projects were selected and are being implemented. The majority of these projects develop initiatives simultaneously in various areas of gender equality. 29 of these projects focus in only one dimension of gender equality (women’s entrepreneurship, sexual and reproductive health, psychological violence at work, gender based violence, reconciliation, sports, health, power and decision making, trafficking in human beings).

Under the same fund, CIG is also managing the technical and financial support to training addressed to strategic groups in the fields of gender equality and prevention of gender based violence, including the training of trainers and of qualified agents who operate in the area of gender based violence. After the first open call, from 15th of February 2008 to 15th of April 2009, 86 training projects were selected and are being implemented. A second open call was opened between the 26th of May 2009 and the 25th of June 2009.

A typology aimed at providing financial support for the promotion of Plans for Gender Equality in institutions: central and local Public Administration and in enterprises (Drafting and implementation of Plans). 30 projects were selected and are being implemented: 14 in the Public sector (11 in the local administration, 1 in the central administration and 2 in public enterprises). 16 projects are being implemented in the private sector and in associations.

Guidelines for drafting and implementing these Plans were promoted by the Commission for Citizenship and Gender Equality (CIG) and produced by university researchers. They are used since May 2009 as referential for the institutions who want to apply to this financial support line. This is a tool for putting into practice gender equality mainstreaming in Central and Local Public Administration and in enterprises. It is also a management tool aimed at simplifying and providing a frame for organizing the process of implementing Plans for Gender Equality in these institutions.

The Portuguese Government has been focused on the *promotion of female entrepreneurship* in particular when associated with factors of innovation. In this regard 2 calls for proposals with a specific funding line to promote female entrepreneurship already took place under the Operational Programme for Competitiveness. As a result 9 million Euros were distributed among projects that foster female entrepreneurship. Currently another application phase dedicated exclusively to these projects is underway. In POPH, the support of Entrepreneurship, Association and Business Networks ran by women approved in the first call (April 2008) 54 projects, involving about 740 women, implying a commitment of 10.000.000 Euros. This POPH fund is also managed by CIG.

A research on Portuguese Women and entrepreneurship, together with a research on the entrepreneurship of migrant women in Portugal was initiated in 2009 with the purpose of producing a diagnosis and recommendations that will enable the drafting of policies that will foster women's entrepreneurship.

CIG is managing the NGO Fund of the European Economic Area Financial Mechanism, in the component of "Social Intervention". Its main goal is to promote the empowerment of civil society organisations in the fields of Human Rights, Citizenship and Gender Equality. 108 projects applied and 14 projects were selected in three main areas: 1) Promotion of Human Rights and reinforcement of citizenship (enforcement of Human Rights and cultural diversity; increase of NGOs skills in the area of citizenship, including gender equality); 2) Social and civic participation of young people in the community (sexual and reproductive education and parental responsibility of young people; non discrimination on the grounds of social stereotypes and promotion of gender equality in all scopes of life); 3) Development of skills for the employability of women, migrants and people with disabilities.

Commission for Equality in Labour and Employment (CITE)

After the extensive restructuring of the Public Administration, CITE kept its former structure. Its tasks were adapted to the new labour regime and it is currently working under the direction of the Ministry for Labour and Social Solidarity, in articulation with the member of Government in charge of gender equality (Decree-Law nº 79/2005, of 15 April (modified by Decree-Law 201/2006, of 27 October).

CITE is a tri-partite body composed by governmental representatives, social partners representing the employees and social partners representing the employers. Its main tasks are:

- to promote equality and non-discrimination between women and man in work, employment and professional training;
- the protection of maternity and paternity as well as reconciliation between professional, family and personal life, especially by issuing Opinions or Recommendations regarding complaints on grounds of gender based discrimination.

The Commission evaluates the complaints of discrimination and draws up reports on these matters, which are sent to interested parties. Employers must ask the legal opinion of this Commission before dismissing pregnant, puerperal or breast-feeding women. The legal opinion is given in 30 days. If the CITE's opinion is negative, only a court of law may authorize the dismissal.

Employers are also required to seek the opinion of this Commission if they do not agree with the requests of reduced timetables or flexible time arrangements for women and men with small children. The opinion must be given within 30 days and if the opinion is negative only a court of law may authorise the employer to deny the employee's request.

The Commission for Equality in Labour and Employment website has been working since 8 March 2002. From 2005 to 2008 it has had 2,708,431 users.

The formative and informative activities developed by the Commission for Equality in Labour and Employment target the general public and some strategic groups, in order to achieve gender mainstreaming. Among these groups are social negotiators, entrepreneurs, trade-unionists, jurists working for associations of employers or trade unions, human resource managers, civil servants, magistrates, lawyers, trainers and local elected officers.

The budget of the Commission for Equality in Labour and Employment has grown 6.95 % from 2005 to 2008.

1.2.2 CREATION OF NEW INSTITUTIONS

Parliamentary Committee on Parity, Equal Opportunities and the Family: This committee was set up by the Parliament elected on 5 October 1995, with a term of office equivalent to that of the legislature (4 years). Nevertheless, the Committee had been in existence for several years, either as an autonomous body or as part of the Parliamentary Committee on Rights, Liberties and Guarantees.

It endeavoured to analyse and study sectoral policies at the national level, define strategies and policy measures to secure equal opportunities, evaluate the implementation of current legislation in the field of parity and equal opportunities and ensure that it was actually applied. It collected information and opinions, accepted reports/opinions from the general public, requested or proposed specialists and carried out information or research assignments.

This Committee existed until the parliamentary elections of March 2002, when it was dissolved.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The first Global Plan for Equal Opportunities was adopted on 6 March 1997, as an integral part of a resolution published in the Government's Official Gazette. The Plan comprised nine comprehensive measures and several sectoral measures aimed at integrating the principle of equal opportunities into all economic, social and cultural policies.

The comprehensive measures included: providing central and regional government officials and civil servants in the social solidarity institutions and the educational sectors with information on national and Community rules, which the officials are then supposed to pass on to the general public; encouraging the inclusion of equality themes in training courses for central, regional and local authority staff; promoting the incorporation of gender and equality issues into school curricula and initial training courses for persons involved in education and vocational training officers; and providing for gender indicators in the data gathering and recording instruments used by public statistical bodies.

The sectoral measures concern the following fields:

- Violence, including measures to prevent violence and protect female victims of violence;
- – Employment and labour relations;
- – Reconciling private and working life;
- – Social benefits for mothers and families;
- – Health;
- – Education, science and culture.

Many Ministries were involved in implementing this plan, which was evaluated one year after its launch. A second Global Plan was developed on the basis of this evaluation.

The second National Plan for Gender Equality was presented publicly in July 2003 and laid open to public. The Commission for Equality and Women's Rights coordinated the preparation of the Plan in close dialogue with the ministerial advisers on equality appointed by their respective ministries and assigned to the Consultative Council of the Commission for Equality and Women's Rights and also in collaboration with the Commission for Equality in Labour and Employment.

It took dual, integrated approach, combining mainstreaming with the adoption of specific action promoting equality, including positive action.

The Plan comprised two categories of measures:

- *Structural measures*, which are cross-sectoral, target the civil service and commit all the ministries. These are the main prerequisites for the adoption of mainstreaming in all policy areas so that the resulting changes give rise to structural effects. To this end, each ministry should set up teams representing the different organic units, which would be responsible for promoting mainstreaming, so that the Plan would be met and mainstreaming strategy passed on in the medium and long-term.
- *Measures grouped by main fields of action*, as defined within the Government's equality programme and arising under the international commitments assumed by Portugal.

These measures are to be carried out by the different ministries and equality bodies and focus on four main fields:

1. Professional activity and family life, including work, employment, protection of motherhood and fatherhood and the reconciliation between working and family life.
2. Education, training and information, reproductive and sexual health, culture, sport and social communication.
3. Citizenship and social integration, including power of decision and decision making, poverty and social integration, immigrant women and ethnic and cultural minorities, physical violence against women.
4. Cooperation with countries in the Community of Portuguese-speaking Countries (CPLP).

In the area of combating violence against women, the First *National Plan against Domestic Violence* was adopted in May 1999. A free 24-hour helpline was set up, as well as a public

network of centres to assist women victims of violence; a number of measures were also adopted in the field of trafficking in women.

- The *Second National Plan against Domestic Violence* was drawn up and approved by the Council of Ministers Resolution 88/2003, of 13 June. It provided for concerted measures aimed at information and awareness-raising, training, improvement of legislation, prevention and victim support, to be implemented with the collaboration of the Ministries of Health, Education, Justice, Social Security and Labour, the High Commission for Immigrants and Ethnic Minorities and the National Association of Municipalities. The Commission for Equality and Women's Rights coordinated the preparation of the Plan in close collaboration with representatives of all the aforementioned bodies.

Since 2007, 5 new National Plans were adopted in the area of gender equality:

THIRD NATIONAL PLAN FOR EQUALITY - CITIZENSHIP AND GENDER (2007-2010)

After the final evaluation of the Second National Plan for Equality, the Council of Ministers' Resolution 82/2007 of 22 June set up the III National Plan for Equality - Citizenship and Gender (2007-2010), which laid down the rules of a consolidation phase of national gender equality policy to meet national and international commitments.

In order to integrate a gender equality perspective in a systematic way in the political agenda, and to ensure that all actors involved in its implementation recognise this dimension in the policies and measures adopted or implemented, the Plan follows a double and integrated approach: mainstreaming of gender equality and the adoption of specific actions, including positive actions, with a view to achieving gender equality.

The Plan is based on five strategic areas of intervention, including 32 goals and 155 measures with corresponding success and process indicators and the bodies responsible for implementing them. The plan aims to promote equality between women and men and covers a wide range of fields, namely health, education, employment, balance between work and family life, preventing violence against women, and social protection.

The five strategic areas of intervention are 1) Integrating a gender perspective in all policy fields as a requirement of good governance; 2) Integrating a gender perspective in priority policy fields; 3) Citizenship and gender; 4) Gender violence and 5) Integrating a gender perspective in the European Union, at the international level and in development cooperation. The goals include the setting-up of a gender equality observatory.

This Plan advocates the integration of a gender perspective in all policy domains as a requisite for good governance and, therefore, anticipated the following measures:

At the level of the central government:

- Incorporate the gender perspective into legislation and significant political decisions, namely in National Plans promoting assessment of the impact of their implementation
- Standardise the indicators used in gender research and promote the incorporation of indicators adopted by the EU to monitor the implementation of the Beijing Platform for Action into the National Statistical Institute's (INE) Gender Profile
- Ensure that all statistics referring to people produced by the Public Administration are disaggregated by sex
- Ensure that the gender dimension is integrated into the objectives, execution, assessment and impact of initiatives and projects financed by public, national or Community funds
- Promote inclusion and, whenever appropriate, fulfilment of gender equality targets in the mission statement of the Public Administration directors

- Ensure that the activity plans and reports as well as the respective employment audits for ministries departments take into account the principles of gender equality in personnel management
- Include gender equality in the visual and written communication of the public administration departments
- Develop studies on the impact on men and women of each ministry's policies and actions

At the level of local governments:

- Make local governments aware of the creation and development of municipal plans for equality
- Develop the legal framework for local male and female advisors for equality
- Define and develop instrumental and material resources to support the work of local governments and other local participants

Further measures in the area of training include:

- Promotion of gender equality training for directors, leaders, male and female public servants and central and local government employees
- Encouragement of gender equality training and awareness activities for all persons involved in the development and management of the National Strategic Reference Framework (NSRF)

A grid was outlined for all planned measures with the respective timelines, implementation and success indicators and the bodies involved.

THIRD NATIONAL PLAN AGAINST DOMESTIC VIOLENCE (2007-2010)

The Third National Plan against Domestic Violence (2007-2010), with a focus on violence inflicted on women in their domestic environment, was adopted by the Council of Ministers Resolution n. ° 83/2007, of 22 June. The Plan has five strategic areas of intervention: 1) Informing, raising awareness and educating; 2) Protecting victims and preventing revictimisation; 3) Empowering and reinserting victims of domestic violence; 4) Qualifying professionals; 5) Learning more about the domestic violence phenomenon.

It takes a comprehensive approach to domestic violence, providing for measures to protect and empower victims and rehabilitate perpetrators to prevent revictimisation and focuses on producing positive structural changes and on the quality of responses given. It provides for concerted action between public authorities and NGOs.

A considerable investment has been made in the quantity and quality of psychosocial responses – crisis centres, emergency help lines and shelters by public bodies and civil society.

This plan also has a grid of indicators for all planned measures with the respective timelines, implementation and success indicators and the bodies involved.

FIRST NATIONAL PLAN AGAINST TRAFFICKING OF HUMAN BEINGS (2007-2010)

Portugal adopted the First National Plan against Trafficking of Human Beings (2007-2010)

(Resolution nº 81/2007, of 22 June, of the Council of Ministers), assigning, thereafter, as a strategic priority the implementation of an all-round approach to combat this reality effectively. Following the most recent developments in terms of the international approach, this includes situations of trafficking for both sexual and labour exploitation.

Portugal signed the Council of Europe Convention on Action against Trafficking in Human Beings on the 16th of May 2005 and ratified it on the 27th of February 2008.

The Plan relies on four strategic areas of intervention each with its own implementation measures. The entities responsible for the implementation of all these measures as well as its process and result indicators are outlined in the Plan. The four strategic areas of intervention are: 1) Recognition and dissemination of information; 2) Prevention, awareness-raising and training; 3) Protection, support and integration; 4) Criminal investigation and punishment of trafficking.

This Plan's key structuring element is the symbiosis between the repressive approach to the combat of human trafficking and the promotion of human rights through the adoption of strategies to prevent, support, raise awareness, empower and include the victims. It also contemplates an array of national mechanisms to identify specific contours, harmonise procedures and disseminate best practices. Among others, the following measures have already been implemented:

In order to act and fight against trafficking in human beings, Portugal created, in 27 November 2008, a *monitoring system (Observatory on Trafficking in Human Beings)* concerning the problem of trafficking in human beings located in the Ministry of Home Affairs. The goal of this Observatory is to collect, process and disseminate quantitative and qualitative data from the various institutions working in the field of trafficking in human beings. The National Observatory on Trafficking is expected to have the first data available by the end of 2009.

The protection, support and integration of victims of trafficking are emphasised as areas of vital importance in this Plan. An effective combat against trafficking of human beings is not possible if intervention with the victims is neglected. The concession of a period of reflection offering psychological, medical and judicial assistance, with the help of an interpreter, the possibility of attributing a residence permit with access to official programmes leading to social integration are imperative elements for an effective human rights policy. A Shelter for Victims of Trafficking and their minor children was created in cooperation with an NGO.

The promotion of an active, aware and conscious society as regards this reality is also an essential aspect. A National Campaign against Trafficking in Human Beings was launched in 2008. The objective of this campaign was to raise awareness among the general public as well as among potential victims. For this reason a leaflet was printed in 9 languages and informs about a support phone line named "SOS Immigrant" that has recently integrated this dimension in its work.

A study on trafficking in women for the purpose of sexual exploitation was conducted in 2007 throughout the Portuguese territory and published in 2009. A standardised registration guide to be applied by security forces and services dealing with trafficking in human beings situations was implemented.

Training for future trainers on trafficking in human beings was held, in order to enable them to provide training in this area to other persons. Training for NGO, support telephonic line technicians, public prosecutors and law enforcement agents on trafficking in human beings also took place. A Training Support Kit was created. It integrates contents and modalities of training considered appropriate and required for all agents involved with the issue of trafficking in women for purposes of sexual exploitation.

Regarding bilateral cooperation against trafficking in human beings, training was undertaken in Luanda and in Mozambique for officials from Ministries.

A model for locating, identifying and integrating victims of trafficking for sexual exploitation has been defined in order to establish an articulated process for assisting trafficking victims from the time they are first located until their integration.

The execution of these plans does not rely exclusively on the budget of the CIG but also on the budgets of other Ministries and Departments of the Public Administration as part of the gender mainstreaming strategy. In addition CIG has the possibility to apply to alternative

financing sources, namely the European Union's structural funds and private institutions' patronage.

PROGRAMME OF ACTION TO ELIMINATE FEMALE GENITAL MUTILATION

Portugal launched on February 6th 2009, International Day against Female Genital Mutilation, a *Programme of Action to Eliminate Female Genital Mutilation* within the framework of the III National Plan for Equality – Citizenship and Gender Equality (2007-2010).

The Programme is structured in 4 areas: *i) Awareness raising, prevention, support and integration; ii) Training; iii) Knowledge and academical research; iv) Advocacy.* The intervention fields are: Community, Health, Education, Training and academic research, Cooperation (with the ex colonies in Africa, especially Guinea Bissau).

The programme has the following goals: Prevention of Female Genital Mutilation/Cut (FGM/C); Support to women and girls who were subject to FGM/C, as well as to their families and communities; Reinforcement of the prevention measures addressing FGM/C in the national mechanisms concerning health, education, social support, equality and citizenship and cooperation; Development of awareness raising mechanisms to enhance the general understanding of the population as regards the physical, psychological and social consequences of FGM/C, in order to discourage its practice; Reinforcement of the contributions of Portugal at the international level for the discouragement and prevention of the FGM and similar practices, in the context of sexual and reproductive rights, education for development and citizenship; Encouragement and consolidation of inter-sectorial dialogue and specific actions with the involvement of governmental sectors and NGOs at national and international level; Promotion of the cooperation and initiatives of academic research, in the framework of Human Rights advocacy between national and international organisations.

Finally, the *National Action Plan for the Implementation of the UN Security Council Resolution 1325 on "Women. Peace and Security (2009-2013)"* was adopted by the Resolution nº 72/2009 of the Council of Ministers. This Plan was prepared by an interministerial working group created in 2008. A previous public consultation to civil society, NGOs, research centres and other relevant stakeholders was launched and the drafting working group, including representatives from several line Ministries, worked taking into account the input received. Prior to its adoption, the Plan was again submitted to consultation in Public Administration and then to public consultation.

This Plan develops mechanisms for the implementation, follow up and evaluation of its goals and measures and involves 30 specific goals and their related activities and establishes five strategic main goals:

1. Increase the participation of women and mainstream gender in all the phases of the peace building processes, including at all levels of decision-making;
2. Ensure the training of all the people involved in the peace building processes, on gender equality, on gender based violence and on other relevant aspects of the UN Security Council Resolutions Nº 1325(2000) and 1820 (2008);
3. Promote and protect the respect for the Human Rights of women and girls in conflict and post conflict areas, taking into account the need to prevent and eliminate gender based violence perpetrated against women and girls and to promote the empowerment of women;
4. Deepen and disseminate the knowledge of the issue of "Women, peace and security", including by training and raising the awareness of decision-making bodies as well as of the public opinion;
5. Promote the participation of the civil society in the implementation of the UN Security Council Resolutions Nº 1325 (2000) and 1820 (2008).

The responsibility for the coordination of this Plan relies mainly on the Government and the Public Administration. A working group will soon be created who will be responsible for the implementation of this Plan.

The Constitution, as revised on 20 September 1997, reinforces the equality principle: Article 9 identifies promoting equality between women and men as one of the State's fundamental responsibilities and explicitly authorises the adoption of positive action measures. It recognises the right of every person, in the framework of the Rights, Liberties and Guarantees, to legal protection against all forms of discrimination (article 13), recognises the right for all workers, of either sex, in the framework of their fundamental rights, to organise their work so as to reconcile their professional and family life (article 59)

Article 109, on the political participation of citizens, states that “the direct and active participation of men and women in political life constitutes the condition and the fundamental instrument to consolidate the democratic system, in line with the law promoting equality in the exercise of civic and political rights and non-discrimination on the grounds of sex in access to political posts”.

In 2006, a Law establishing a minimum representation of women and men in the lists of candidates for election was approved. It states that any list of three or more candidates for Parliament, the European Parliament and for Local Authorities must ensure a minimum participation of 33% of each sex. Additionally, for the Portuguese and European Parliament, the candidates' lists should not have more than two persons of the same sex successively. Candidates lists that do not comply with the rules and quotas outlined in the Law may be modified to respect the rules. If the lists are not reviewed and corrected the sanction is always the reduction of public financing of electoral campaigns. In 2011, the Parliament will evaluate the impact of this Law in the promotion of balanced representation of women and men, and revise the Law as necessary. The Law will be fully applied for the first time to the local, European and national elections taking place in September and October 2009. A national wide campaign on women and decision-making was launched in March 2009.

In order to ensure women's participation in public administration, a Council of Ministers Resolution enshrined the active promotion by the public sector, as employer, of a policy of equal opportunities between women and men, when it comes to the direct or indirect replacement of employees leaving the administration. This is aimed at the prevention of any form of discrimination when admitting new staff.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The first Global Plan for Equal Opportunities, which was approved by the Council of Ministers on 6 March 1997, primarily met the concern to implement gender mainstreaming into the various Ministries' policies and activities. The Ministerial Advisers on Equality appointed by their respective ministries sat regularly on the Consultative Council of the Commission for Equality and Women's Rights since its inception, helping to ensure the implementation of the National Plans.

The programme adopted by the Government elected on 10 October 1999, comprised two major transversal subjects, one of which was equal opportunities. Gender mainstreaming, which involves integrating equal opportunities between men and women into all sectorial policies, was considered as a mainstay of governmental action.

Measures adopted included: setting up an Observatory for Equality in Collective Bargaining, in order to check on the effective application of current legislation in this field, as well as of other similar policies, and to promote or correct new policies; developing a second Global Equality Plan mentioned above. The Government programme also included measures to combat violence against women (the National Plan against Domestic Violence was adopted

in May 1999, a free 24-hour helpline was set up, as well as a public network of centres to assist women victims of violence) and trafficking in women; employment, work and vocational training; health; education and the international field.

THE LOCAL PLAN

The Commission for Equality and Women's Rights has been working since 1997 with local authorities to raise their awareness about the need to adopt this strategy at a local level, to appoint equality advisers and to create equality structures. It trained the advisers appointed by the local authorities and drew up a protocol with the Centre of Studies and Training for Local Authorities to incorporate a gender perspective in the training of local civil servants. Several initiatives have been organised to adopt mainstreaming on a local level. Programmes, methodologies and training resources have been elaborated to train trainers in gender equality issues and to train social workers and other public personalities, such as lawyers and work inspectors. A Law was adopted in May 2001 requiring the annual presentation to the Portuguese Parliament of a report on the development of equality in the fields of employment, labour and vocational training.

GENDER MAINSTREAMING SINCE 2006

Mainstreaming gender equality is a political commitment, a strategy for achieving gender equality and is considered a requisite for good governance. Efforts are developed by Commission for Citizenship and Gender Equality (CIG) to mainstream gender in all policies implemented at the Central and Local levels of Public Administration.

The Third national Plan for Equality is the operational basis for the achievement of this strategy in Central and Local Public Administration, by outlining the creation of structures for mainstreaming gender equality in each Ministry and the adoption of protocols with municipalities.

Efforts are developed by the CIG to mainstream gender in all policies implemented at the Central and Local levels of Public Administration, namely by promoting the adoption of Plans for Gender Equality and by appointing Ministerial Equality Advisers and teams.

At the local level the Act nº 115/2006, of 14 June, regularizes the local social networks introducing for the first time a gender equality dimension as a factor for local development. It also introduced the statute of "Local Gender Equality Adviser" in the National Network of Local Councils for Social Action.

The Council of Ministers' Resolution nº161/2008 defines the status, profile and attributions of the Ministerial Gender Equality Advisers and respective Teams, giving them political support in order to be able to fully accomplish their functions.

A Resolution of the Council of the Ministers on the Principles of Good Governance of Public Sector Companies determines that all Companies held by the State have to adopt Equality Plans that promote an effective equality between women and men, namely by fostering the reconciliation between professional, family and private life.

Simultaneously, a specific funding line was created to stimulate and support the implementation of Equality Plans in Local and Central Administration as well as Public and Private sector. (See 1.2)

TRAINING

The Commission for Equality and Women's Rights (CIG) raises awareness and gives training in the field of gender equality on a regular basis to target groups with multiplying effects (central and local civil servants, namely, city hall personnel, healthcare and social care workers, teachers, security forces, media workers, etc).

It also trains the ministerial Equality Advisers as well as the members of the interdepartmental ministerial teams working in this field, so as to develop new basic

theoretical and technical skills which will allow them to integrate a gender equality perspective in policies and actions to be implemented by their Ministry in order to reach a *de facto* gender equality, and also to draw and implement an Action Plan for Gender Equality in their specific policy area. A guide was developed in order to support the elaboration of diagnosis at local level and guidelines were launched for the drafting of Action Plan for Gender Equality at local level.

Training sessions addressed to Central and local Advisers for Gender Equality were implemented in 2006 and in 2008.

- 12 workshops on Citizenship and Gender Equality addressed to directors and civil servants of the Portuguese Public Administration were promoted by CIG in cooperation with the National Institute for Public Administration (INA). 2008/2009- 6 workshops (4 hours each) for directors of Central and Local Public Administration (in Lisbon, O'Porto, Faro, Viseu and Guarda).
- 3 workshops (16 hours each) for Advisers for Equality and Ministerial Teams (in Lisbon, O'Porto, and Faro).
- 3 workshops (16 hours each) for trainers (in Lisbon, O'Porto, and Faro).

A Protocol Agreement was signed in May 2009 between the Commission for Citizenship and Gender Equality (CIG) and the National Institute for Public Administration (INA) in order to ensure the future implementation of this type of training by the INA.

Various awareness-raising sessions, addressed to Local Advisers for Gender Equality, intervening in the framework of the already existing Local Social Networks, were held.

5 regional workshops on gender equality in local policies will be promoted by the CIG in cooperation with the body in charge of training the civil servants working in the Local Public Administration.

The legal profile and framework for the Local Advisers for Gender Equality, intervening in the framework of the already existing Local Social Networks is being developed by the CIG.

Project E-Qualification – Training using the E-learning system, aimed at developing skills for mainstreaming gender equality in the third sector by empowering agents, namely directors and technical staff working in local development associations, Advisers for gender equality working at the level of local public administration. 40 hours training using a three-learning strategy (in room, distance training and study visits). Training held in 2009 started in May.

SUPPORT INSTRUMENTS

The CIG produces, publishes and disseminates various collections addressed to different actors, covering a wide range of issues related to gender equality (namely information, research, seminars' proceedings, and support to actors on the field).

With the specific goal of making available instruments and materials to support stakeholders' work in the field of gender equality mainstreaming, CIG promoted the drafting of several guides: Gender Impact Assessment, a general guide on gender mainstreaming, and 8 guides aimed at supporting interventions in the following policy areas: Health, Professional and Family Life, Education and Training, Culture, Media, Poverty and Social Inclusion, Power and Decision-making and Cooperation. Each one of these guides for gender mainstreaming in one specific policy area has a common structure.

The CIG also implemented a study on "Environment and territory from a gender perspective" together with a manual for supporting the implementation of gender mainstreaming in the Environment and territory policies.

At the same time Portugal has been developing new instruments that allow for a closer monitoring and effective evaluation of the policies that promote gender equality, namely:

DATABASE

Gender Profile - The National Statistical Office has, since 2004, a database, available online, updated regularly. The data is so far distributed by sex on 100 indicators in the following areas: population, families, activity, employment and unemployment, reconciliation between family and work, education and training, decision-making, health, crime and violence. The creation of this database is the result of the cooperation between the National Statistical Office, the Commission for Equality and Women's Rights and the Commission for Equality in Labour and Employment. This database has free of charge access and aims at responding to the needs of civil servants, researchers, decision-makers, journalists and students, among others, who need complete and updated standardised statistical information, in various relevant fields for a gender analysis.

"Gender Equality in Portugal" is published every two years by the national mechanism for gender equality since 1980. Among other relevant information, it contains statistical data disaggregated by sex and legislation for each policy area. 5000 copies of this publication were issued in 2007 and a new updated edition will be issued still in 2009.

Apart from the dialogues and work conducted in the framework of its Consultative Council, the Commission for Citizenship and Gender Equality is, on one hand, often invited to take part or be a partner in the activities of the civil society, and on the other hand involves the civil society and the NGOs in several of its activities, including by inviting them to take part in working groups for the design and implementation of policies, action plans and activities, by consultations on different topics and policies, by the establishment of partnerships and by involving them in and inviting them to seminars, conferences and other events.

The Commission for Citizenship and Gender Equality has mechanisms in place to support technically and financially the work of Non-Governmental Organisations working in the fields of women's rights, citizenship and Human Rights.

A *Gender Observatory* is being prepared by the Commission for Citizenship and Gender Equality, in order to improve the efficiency of the system of governance in the implementation of gender Equality policies.

Creation of a Web Portal on Gender Equality by CIG, aimed at supporting and promoting the implementation of gender mainstreaming at all levels of the Public Administration and gathering information on gender equality developments and initiatives sent by all the policy areas of the Public Administration. Presented in March 2009, the web Portal contains diversified information on gender equality and equal opportunities in all scopes of life (political, social, economic and cultural) and at international level. The Portal is a source of information for various publics, namely, local and central Public Administration officers and general public. It is expected to be an interactive Portal for all citizens allowing a permanent exchange of information with and between several bodies; it is accessible to people with special needs. The contents will be available in Portuguese and English, whenever possible. Contents that are relevant for immigrants will be translated in other languages.

Technical and financial support (See 1.2)

ROMANIA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

At the time of the Beijing Conference, there was no national machinery to promote equality between women and men.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

Throughout the time there have been several departments that included in their activity aspects regarding gender equality.

1.2.2 CREATION OF NEW INSTITUTIONS

- *Department for the Promotion of Women's Rights:* This body was set up by governmental decision in October 1995 under the Ministry for Labour and Social Welfare. It is responsible for combating discrimination against women on the labour market and improving their working conditions. It revises legislation in the equality field, concentrating in particular on the rules of principle established by the European Union, conducts research into the status of women in Romania and co-operates with other organisations in identifying solutions to gender parity problems. In March 1999, the Ministry of Labour and Social Welfare was restructured as part of the general reorganisation of central government. The issue of equal opportunities between women and men is now dealt with by the Department for Co-ordination of the Labour Market and Wage Policies. The main aim of the Directorate for Equal Opportunities is to ensure the integration of the principles of non-discrimination and equal opportunities in all social policies.
- *Department for Welfare Issues relating to Children, Women and the Family.* This department was set up in 1998 under the Ombudsperson's Office.
- *Services dealing with family and women's issues:* Since 1998, services have been introduced into all 41 departments nationwide to address problems affecting women and the family.
- *The Sub-Commission for Equal Opportunities* was established on 7 November 2001. This parliamentary sub-commission is formed by the members of the European Integration Committee and collaborates with parliamentarians from all parties. The sub-

¹ Based on: Replies to 1999 questionnaire on national machinery, action plans and gender mainstreaming; <http://www.un.org/womenwatch>: Follow-up to Beijing; Summaries of the National Action plans; report of the National Conference on Equal Opportunities for Women and Men in Romania that took place on 6 March 2002.

commission's main goal is the adoption of the body of EU law in the field of equality and development programmes and measures to promote gender equality *de facto*. It will develop co-operation with social partners in order to integrate the equality principle in all fields of activity and will collaborate with similar European structures in order to achieve good practices and successful exchanges of experience in this field.

All the above institutions mentioned here no longer exist now.

- *The National Agency for Equal Opportunities between women and men (NAEO)* was established in 2005 according to Law no. 202/2002 regarding equal opportunities between women and men, republished in the subordination of the Ministry of Labour, Family and Social Protection. NAEO promotes the equal treatment and opportunities principle and assures mainstreaming gender equality in all governmental policies and programs, by making legislative proposals and national plans of action on equal opportunities and assures their application to the Ministry of Labour, Family and Social Protection; coordinates and/or implements European Commission's programs regarding equal opportunities. Also, its purpose is to stimulate women to participate in political, economical, social and cultural life and to emphasize on barriers in attaining gender equality regarding human rights. In order to stress these obstacles, it elaborates reports, studies and researches regarding the application of the principle of equal opportunities. A special attention is oriented to training, educating and sensitizing people to gender equality. Having this in mind, NAEO supports training of civil servants and employees of public or private institutions and organisms in the field of gender equality.
- *The National Commission for Equal Opportunities between Women and Men (NCEO)* is composed of ministries' representatives and of other specialized bodies of central public administration, subordinated to the Government, or of autonomous administrative authorities, of trade unions' and entrepreneurs' organizations which have a national representation, as well as of non-governmental organizations which developed a well known activity in this field. The president of the NAEO coordinates the activity of the Commission.
- *County Commissions for equal opportunities between women and men (CCEO)* have with a similar membership structure as the NCEO one but with representatives from the local level. This Commission exists in each of the 41 counties of Romania and in Bucharest. Among the attributions of the CCEO we can mention: promoting gender mainstreaming in order to eliminate gender inequalities and discrimination based on sex; including the principal of equal opportunities between women and men in the elaboration and application of local policies through the institutions represented in the Commission; evaluating the application of the legislation in this field at local level; elaboration of recommendations for central public authorities as to apply specific policies and programs in the field of gender equality; promoting the exchange of practices regarding the actions taken in this field; promoting proposals for the local strategy for equal opportunities; offers the local media information regarding positive and negative experiences in preventing and fighting against discrimination based on sex and about the application of the principle of equal opportunities; elaborates reports regarding the way policies in this field are put into action in different areas at local level, communicates them to the NCEO, as well as to the local and central public administration authorities.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

Before the Beijing Conference there were no national or regional action plans to promote equal opportunities between women and men.

In 1996, Romania drew up a National Action Plan to implement the Beijing Platform for Action. The Government informally approved the Plan, which had the following priority objectives:

- To create and develop national machinery for co-ordinating policies to promote women's rights and equal opportunities;
- To promote participation by women in the decision-making process;
- To improve the economic situation of women and ensure equal access to the labour market;
- To improve women's health;
- To prevent violence against women and girls;
- To encourage participation by women in environmental protection;
- To incorporate the principle of gender mainstreaming, stressing the role of the media in this field;
- To foster co-operation among governmental bodies, NGOs and international institutions in implementing the National Action Plan.

The National Strategy for the Equal Opportunities between women and men for the 2006 - 2009 period, which was approved through Government Decision in Govern Meeting on 8th of March 2006, proposes as main goal, to establish a set of measures and guarantees, meant to eliminate any form of direct or indirect discrimination regardless of gender and to support the free expression of the fundamental rights of the human being, which relies on the chances equal opportunities and treatment between women and men. The document underlines the objectives which are to be implemented, the specific actions, the deadlines and the evaluation forms of each measure. Also there are indicated the responsible designated persons.

The fundamental of the strategy is based on the following 4 principles: equality of the chances between women and man, the principle of non discrimination, the principle of the recognition of the human rights and the principle of the human dignity.

The strategy establishes objectives concerning:

- The harmonization of both national and international legislation, and especially the one regarding the equal opportunities between women and men;
- The reinforcement of NAEO's the institutional capacity;
- Regulation equal opportunities and treatment on the labour market both for men and women;
- The harmonization of the private life with the professional one;
- Stimulate equilibrate participation to the decisional process at all professional levels;
- The gender mainstreaming in programming, elaboration, implementation and assessment of all public policies
- Discourage of the sexual stereotypes in national educational system;
- Equal opportunities between women and men in the cultural field and mass-media;
- Monitoring and evaluating the Strategy for the Equal opportunities between women and men and of the Action Framework Plan.

In order to accomplish all these objectives, the strategy oversees the following domains of intervention: legal framework; the institutional capacity, the economical and social life, the

participation in the decisional process, the leads and gender based stereotypes, monitoring and evaluation of the strategy and the plan actions.

This year the Strategy mentioned above comes to the end of its implementation but a new draft Strategy and Action Plan has been developed and it is on the way of being adopted by Government Decision. One of the main themes of the new draft strategy and action plan is the implementation and monitoring of specific indicators developed under the Beijing Platform of Action which have been developed under the EU.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

Law 202/ 2002 on equal opportunities between women and men, republished, regulates the measures for promoting gender equality and for eliminating direct and indirect discrimination based on sex, in all spheres of public life in Romania. The law defines the key-terms of the discrimination phenomenon, such as: equal opportunities, direct and indirect discrimination, harassment and sexual harassment, multiple discrimination, equal pay for work of equal value, etc.

The law regulates the work, education, health, culture and information fields. The media must not contain, promote or cause any discrimination based on the ground of sex.

The Law stipulates in article 24, paragraph (3), that the Agency (NAEO) “promotes the principle of equal opportunities and equal treatment between women and men and ensures the active integration of the gender perspective in all national policies and programs”. This paragraph means that the NAEO has the mission to gender mainstream through all national governmental policies. Moreover, the existence of *The National Commission for Equal Opportunities between Women and Men (NCEO)* at central level and of *the County Commissions for equal opportunities between women and men (CCEO)* at local level means that all stakeholders are being constantly and periodically consulted and encouraged to introduce a gender perspective in their daily work.

The National Strategy for Equal Opportunities between women and men for the period 2006-2009 and the General Action Plan for its implementation contain specific measures for gender mainstreaming.

RUSSIAN FEDERATION¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Commission for Women, Family and Demography under the President of the Russian Federation:* This commission was established in November 1993, according to a presidential Decree. The commission is a collective advisory body that formulates and co-ordinates government's policy regarding the promotion of equal rights and opportunities for women and men. It works on the improvement of women's status, supports families and solves demographic problems in Russia.
- *Committee on Women, Family and Youth of the State Duma:* This committee was established in 1993 by the Lower House of the Federal Assembly (Duma). Its aim is the promotion of legal equality between men and women.
- *Department on Women, Family and Children:* Established in 1992, this department is placed in the Ministry of Social Protection of the Population. It is responsible for the co-ordination of the overall State policy with regard to family relations, social equality for women and the survival and healthy development of children.
- *National Preparatory Council for the Fourth World Conference:* This Council was established according to a government decision from June 1993 within the Ministry of Social Protection of the Population.

In the ministries and other government bodies engaged in the social field there are also structures dealing with women's problems. Another important element of the national machinery to promote equality are conferences. In 1994, two important conferences were held:

- "Women and development: Rights, reality and prospects". This conference was devoted to the discussion of the Federation's preparatory work for the Beijing Conference.
- "Labour, market and unemployment". This congress dealt with typical problems of the social and economic status of women.

¹ Based on: 1994 national CEDAW-report; <http://www.un.org/womenwatch>: Follow-up to Beijing: Summaries of the national action plans; Reply to 1999 questionnaire on national machinery, action plans and gender mainstreaming and update provided in 2002. No new information in 2009.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *The Commission for Women, Family and Demography under the President of the Russian Federation* ceased to exist in 2000.
- *Department on Women, Family and Children*: Since 1996, the Department on Women, Family and Children has been operating in the administrative structure of the Ministry of Labour and Social Development. Due to organisational reforms in 1999, the department was entrusted with additional responsibilities, particularly in the field of youth policy. Consequently, its name was changed to Department for Family, Women, Children and Youth Affairs. The department liaises with federal government bodies, executive branches of power in the republics, regions, autonomous units, the cities of Moscow and St. Petersburg as well as with NGOs.

1.2.2 CREATION OF NEW INSTITUTIONS

- *Round Table of Women's NGOs*: This round table of women's NGOs and non-commercial organisations was created in 1997 under the auspices of the Ministry of Labour and Social Development. Its aim is to consolidate the efforts of all participants in social development and to widen the opportunities of social partnership. The round table co-ordinates activities between state bodies and NGOs, promotes women's rights and searches for ways and means for social partnership between state bodies and NGOs. The goal of such a partnership is to create a common data bank on NGO activities and to identify priority interests and possibilities to solve social problems.
- *Interagency Commission on the Status of Women*: This commission was set up in 1996 under the auspices of the federal government. It is headed by the Deputy Prime Minister. Its task is to co-ordinate actions of federal authorities as well as to develop and put into practice the strategy for the advancement of women. The commission undertakes all necessary steps to co-ordinate activities of all branches of power and to elaborate proposals on priority tasks of state policy regarding the status of women.
- *Commission on Women's Affairs under the auspices of the Chairman of the Council of the Federation* (the upper Chamber of the Parliament). This Commission was created in 2000. It has been working on numerous tasks, including ways to integrate a gender perspective into the legislative process and to enhance the exchange of best practices in promoting women's rights among the 89 regions (constitutional entities) of the Russian Federation.
- *Section on the Rights of Women and Children in the Executive Apparatus of the Russian Federation Ombudsperson*. This Section was established in 2001. It is entrusted with resolving complaints, communications and petitions from the Russian citizens regarding infringement of the rights of women and children.
- All-Russian conferences on the advancement of women continue to be important elements of the national machinery. They are held on an annual basis.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

A national action plan to improve the status of women in Russia was elaborated and adopted by the government before the Beijing Conference. (December 1994).

In June 2001, the second *National Plan for Action on the Improvement of the Status of Women and the Enhancement of their Role in Society 2001-2005* was approved by government. It foresees the following measures:

- Increasing women's participation in decision-making at all levels;
- Improvement of the status of women in the labour market;
- Development of the system of social services for women;
- Improvement of women's health, creation of conditions to ensure women's reproductive rights and safe motherhood;
- Providing measures to prevent violence against women and to ensure victims protection.

The progress made in the implementation of the National Plan for Action is subject to regular hearings at the sessions of the Interagency Commission on the Status of Women.

On 25 January 2002, the 26th session of the UN Committee on the Elimination of Discrimination against Women examined the fifth periodic report of the Russian Federation on measures taken to implement the provisions of the *UN Convention on the Elimination of All forms of Discrimination against Women*. Concluding comments of the Committee are being taken into consideration by the Russian Government as guidelines for further actions and initiatives to promote the rights of women.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

There are some elements of gender mainstreaming in the legislative process.

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SAN MARINO¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Study Commission for the problems concerning the integration of measures aiming at legal equality of women:* This Commission was established in 1976 with the objective to inquire if there was a lack of legislative measures as regards equality and to study the discrimination still existing in practice. It also had advisory status and the power to present proposals to the Great and General Council (Parliament), which used to appoint its members – nevertheless, they were not parliamentarians. The Commission disposed of sufficient qualified personnel since it relied on the Institutional Bureau of the Great and General Council. However, it did not have a separate budget.

The *Study Commission* concluded its task in 2004 with the establishment of a new body responsible for gender equality.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

None

1.2.2 CREATION OF NEW INSTITUTIONS

- *Secretariat of State for Equal Opportunities:* With Congress of State (Government) Decision no. 1 of 15 December 2003, in the Republic of San Marino responsibility for equal opportunities was delegated for the first time to a Secretariat of State (Ministry), that is to say the Secretariat of State for Health.
- *Commission for Equal Opportunities:* This Commission was established with Law no. 26 of 25 February 2004. Among its main functions are the drafting of proposals and the suggestion to competent institutional bodies of the initiatives necessary to “guarantee full legal equality and equal opportunities among all citizens”, as well as the rendering of advisory opinions on draft laws in this field. It has the power to become a party in civil, criminal and administrative proceedings in order to defend collective interests related to equal opportunities, to promote the collection and spreading of data and information, the conduct of surveys, studies and research, as well as the organisation of meetings, seminars and conferences on legal equality and equal opportunities. This body has its own specific budget to carry out activities falling under the competence of the Secretariat of State for Equal Opportunities, with which it cooperates to fulfil its tasks. The Commission for Equal Opportunities is currently composed of 11 members. It includes the members of the parties represented within the Great and General Council (Parliament), in order to reflect the proportion of the various political groups, a member designated by the Trade Unions and one by the

¹ Last update provided in July 2009.

Economic Categories, and a member representing the Council of the Associations and the San Marino Cultural Cooperatives.

- *Authority for Equal Opportunities:* This body has been recently established following the adoption of Law no. 97 of 20 June 2008 "Prevention and elimination of violence against women and gender violence". It cooperates with the Commission for Equal Opportunities in performing some of its functions. Among its specific tasks are the collection of data on violence against women and gender violence on a six-month basis and the annual drafting of a specific report to be publicly distributed. It receives all data collected on interventions by law enforcement officers in cases of violence. The Authority is composed of three members appointed for a four-year mandate by the Great and General Council from among legal experts, members of associations or non-governmental organisations active in the field of equal opportunities, experts in communications and psychology.

Considering the limited territorial extension of San Marino (61 Km²), there exist no local or regional bodies promoting gender equality.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

In San Marino, there is no action plan to promote gender equality and the advancement of women.

However, on the occasion of the launch in November 2006 of the San Marino Campaign on violence against women promoted by the Council of Europe, a comprehensive survey was carried out on the status of San Marino legislation in this field and on action plans to eliminate such violence and protect victims thereof, in the light of the Council of Europe Recommendation REC(2002)5. This document has provided some fundamental guidelines for the legislation review project developed during the above-mentioned Campaign. The result of this project was the adoption of Law no. 97 of 20 June 2008 "Prevention and elimination of violence against women and gender violence".

Law no. 97 is undoubtedly a significant reference legislative framework, which contains the main action plans against violence, while providing for some forms of coordination at the national system level.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

International policy on women

Discriminatory and arbitrary behaviours based on sex or sexual orientation are banned by virtue of the International Conventions on human rights to which the Republic of San Marino is a party.

By virtue of the amended Article 1 of the Declaration on the Citizen's Rights, the international treaties form integral part of San Marino juridical system and prevail over domestic legislation in case of conflict.

In particular, among the main instruments adopted, the Republic of San Marino ratified the Convention on the Elimination of All Forms of Discrimination against Women in December 2003 and its Optional Protocol on 15 September 2005.

As a State Member of the United Nations and the Council of Europe and a party to the Convention on the Elimination of All Forms of Discrimination against Women, San Marino participates in the works of the United Nations Commission on the Status of Women and of the Council of Europe Steering Committee for Equality between Women and Men.

In the field of cooperation with international organisations, San Marino has sponsored a number of events.

In accordance with its policy on official development assistance and the Millennium Development Goals, San Marino has taken action to promote gender equality through the empowerment and integration of women as agents in charge of their own development.

Political participation

The electoral law in force in San Marino was revised in 2007 to favour and encourage increased participation of women in the Country's political life. In this regard, a system of quotas was introduced concerning the composition of electoral lists. Indeed, the new law envisages that "in every list the number of men candidates or women candidates shall not exceed two thirds of the total number. If any amount needs to be adjusted, it shall be rounded to the lower number".

Woman and work

Over the last ten years, the Government of the Republic of San Marino has launched some initiatives aimed at encouraging an effective gender equality with regard to job opportunities.

In particular, the objective of legislative interventions has been to:

- achieve a better and more effective protection of maternity;
- increase support to families, by paying particular attention to socially vulnerable situations (with the introduction of the Social Credit Certificate to economically support families living in particularly difficult situations, with regard to the composition and number of family members, to families living on a single income and with dependent minors, to households with disabled people and experiencing social malaise, bearing the costs related to the assistance of elderly people or composed of only retired people);
- promote, support and develop youth employment, with particular reference to first job seekers, and to envisage forms of assistance and facilitations destined to people to be re-inserted in the labour market, in particular older women;
- introduce benefits and support measures in favour of young and female entrepreneurship.

Fight against violence

San Marino actively participated in the Pan-European Campaign to Prevent and Combat Violence Against Women, including Domestic Violence, promoted by the Council of Europe (November 2006 - June 2008), and has joined the Campaign on violence against women launched by the United Nations on 25 February 2008.

In the framework of these Campaigns, San Marino has undertaken a process of reinforcement and introduction of measures to combat the despicable social phenomenon of violence. Among the main initiatives are the organisation of integrated training courses on violence destined to social and health workers and law enforcement officers with a view to improving assistance and support to victims, the activation of a toll-free hotline to report violence against women that provides support, consulting, information and further specific services, as well as the organisation of numerous events to raise public awareness of violence (conferences, film projections, television programs, etc.).

In particular, during the Council of Europe Campaign, various issues regarding gender-based discrimination or violence in San Marino have been taken into consideration: the several situations in which violence against women is perpetrated, such as at work but often within families; the need to adjust the criminal code; the need to implement both legislative and practical measures connected with prevention, youth education, awareness raising among all social partners and professional training of operators in order to help and support the victims

of violence within the health and social services; the consideration of the various cases of violence at work, such as sexual harassment, mobbing and stalking.

Various research projects and surveys have been carried out in order to precisely assess the extent of violence against women, including specific social aspects thereof. Some of these have been conducted in collaboration with Italian bodies and institutions, in particular:

- a survey in the framework of the Council of Europe Pan-European Campaign to Prevent and Combat Violence against Women, including Domestic Violence, regarding the period December 2006 to November 2007. This was the first and only annual report issued so far;
- a research activity on gender difference and the related youth imaginary, developed during the school year 2007/2008 by the Training Department of the San Marino University, together with the Faculty of Training Sciences of Bologna and the Scientific and Didactical Pole of Forlì. This project contains a specific section dedicated to violence against women;
- the Conference “Women Victims of Stalking – Legal and Criminological Issues”, held in March 2007 and organised by the Department of Foreign Affairs in cooperation with the Department of Legal Studies, University of San Marino, with the participation of representatives from the University of Modena and Reggio Emilia, members of the Modena Group on Stalking (MGS), Italy (a European multidisciplinary group of scholars committed to cross-over research projects in the framework of the Daphne Program, financed by the European Commission and aimed at preventing violence against children, adolescents and women).

SERBIA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

At the time of the Beijing Conference, there was no national machinery to promote equality between women and men in Serbia.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

None.

1.2.2 CREATION OF NEW INSTITUTIONS

The Republic of Serbia Parliamentary Committee for Gender Equality was established in 2002 with 15 members, representatives of all political parties.

The main activities were related to the analysis of laws and other legislations; the assessment of the effects of gender equality policies and gender analysis of the implementation of laws, by all state institutions and bodies subordinated to the parliament.

Republic of Serbia Government Council for Gender Equality was founded in 2004. Its members are representatives of governmental institutions, ministries and their different departments (labour and social policy, health, education, economy, education, police, finance, culture, local administration, human and minority rights) and civil society organizations, as well as the academic circle. The main tasks of the Council are:

- To enable multi-sector approach for considering and proposing measures for improving gender equality policy
- To initiate short term efforts for achieving gender equality
- To Initiate programs for collecting, processing and publishing gender sensitive statistics
- To monitor and analyze criteria for elected or appointed civil servants selection process and initiate measures for overcoming the obstacles for election or appointment of less-represented gender.
- To propose strategies, measures and actions for strengthening and empowering women for active participation in public and political life.
- To consider other issues concerning the gender equality
- To consider proposals, conclusions and recommendations from Forum of Civil Society Organizations
- Formulate Proposals and Recommendations for the Government aiming to achieve gender equality.

Deputy ombudsman (for gender equality)

Ombudsman law was adopted in September 2005. Article 6 of this law specifies special protection in gender equality cases and one of the 4 deputies is in charge of the matters related to gender equality.

¹ Last update provided in September 2009.

Sector for Gender Equality as part of Republic of Serbia Ministry of Labor and social policy represented the first administrative and executive government body for fulfilling gender equality standards, established in July 2007.

In July 2008 by the law of ministries it became a *Directorate for gender equality*², as executive mechanism for achieving gender equality in Serbia.

Mandate and priority areas of Directorate:

- Analysis of the current situation and initiating measures in the field of gender equality
- Creating and implementing the National Strategy for Improved Status of Women and Gender Equality Promotion
- Developing new legislation related to gender equality
- Coordination with other relevant institutions on national, regional and local level
- Monitoring implementation of UN CEDAW committee recommendations concerning elimination of discrimination against women and assisting governmental institutions in this area
- Interpretation and participation in fulfilling international obligations in the area of gender equality, particularly those that are relevant for EU accession process.

Provincial Secretariat for Labour, Employment and Gender Equality was established in February 2002, within the Executive Council of the AP of Vojvodina. This was a first governmental body, which, at the level of the Province, performs, individual and delegated tasks from the field of gender equality. The main objective of the Secretariat is monitoring and improving conditions in the field of labour, employment and gender equality on the territory of the AP of Vojvodina.

In the field of gender equality activities are concentrated on the implementation of the following tasks:

1. Promotion of the concept of gender equality on the territory of the AP of Vojvodina.
2. Cooperation with all relevant institutions and governmental and non-governmental organisations in achieving the policy of equal opportunities,
3. Establishing mechanisms for gender equality.

Provincial Institute for Gender Equality, was established 2004. The main priorities of the Institute are: the promotion of gender equality principles, especially on local level; researches in the field of gender equality and educational programs.

Gender Equality Committee, Parliament of Vojvodina Province was established 2003 with the main goal to monitor gender equality policies and setup the mechanisms for its implementation.

Provincial Deputy Ombudsman (for gender equality) was established on the 31st December 2002. Deputy Provincial Ombudsman for gender equality follows the international legislation regarding gender equality and discrimination collecting relevant information in the filed of human rights and gender equality etc.

Approximately, in 70 municipalities of Serbia are established *Local Gender Equality Body* (42%) with aim to promote and achieve gender equality on local level.

² http://www.minrzs.gov.rs/cir/index.php?option=com_content&view=article&id=55&Itemid=79

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

Before the Beijing Conference there were no national or regional action plans to promote equal opportunities between women and men.

For the first time, 2006 Serbia drew up a National Action Plan to implement the Beijing Platform for Action. The Government did not officially approve the Plan and in February 2009, Government of Serbia adopted *The National Strategy for Improved Status of Women and Gender Equality Promotion*. The Strategy defines state policy with aim to eliminate discrimination against women, improve their social position and integrate gender equality in all governmental institutions. In line with this, *Action Plan for Improving Position of women and Promotion of Gender Equality* is developed and will be adopted by Serbian government in 3rd quarter of 2009.

The Strategy and the Action Plan includes 6 areas of concerns in achieving gender equality: the participation of women in creating policies and decision-making; the spheres of economy; education; health; the problem of violence against women, and the issue of media and public opinion.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

From 2000 until today, many steps have been taken to introduce gender mainstreaming in Serbia. *Gender equality mechanisms* were established at all levels national, provincial and local.

Equality between women and men is an integral part of the legislation system of the Republic of Serbia, particularly after the new *Constitution* has been adopted 2006.

Gender Equality Directorate appointed civil servants as *Gender Focal Points* with the most Ministries. Additionally, Directorate established cross-sectorial working group for drafting the Low on prevention of domestic violence and initiated implementation of project for prevention of sexual and gender based violence.

Vojvodina province Assemble adopted 2004, *Decision on Gender Equality*, according to that "Provincial institutions are obliged to respect and provide equality between women and men".³

Gender Equality Low is in the procedure for adoption, within the Serbian Parliament.

Labour Low prohibits gender based discrimination and sexual harassment at work; Electoral Lows (national, provincial and local) ensures minimum of 30% of less represented sex on the political parties candidate lists; Penal Low recognize domestic violence and spousal rape as criminal acts; Family Low define certain aspects of relation between partners, pre-marriage contract; protect the children right, implement special measures against domestic violence; improves procedure of adoption and divorce. Also, Serbian legislation recognizes trafficking as a form of organised crime.

In May 2007, Serbia communicated its Initial Report on implementation of the *UN Convention on Elimination of All Forms of Discrimination against Women (CEDAW)* and subsequent Recommendations of the UN Committee were received.

³ <http://www.psrzp.vojvodina.gov.rs/pages/PublikacijeRavnopravnostiPolova.php> - Decision on Gender Equality (Page 1)

In 2006, the government of Serbia set up a multi-sectoral task force to customize Millennium Development Goals targets and indicators to the special needs and problems of Serbian citizens.⁴

⁴ http://www.mdgmonitor.org/factsheets_00.cfm?c=SRB&cd=688

SLOVAKIA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Ministry of Labour, Social Affairs and Family*: At the time of the Beijing Conference, the ministry was the only institution responsible in the field of women's issues. The Governmental Committee for Women and Family dealing with equality matters since 1990, was abolished after the elections in 1992.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

None

1.2.2 CREATION OF NEW INSTITUTIONS

- From 1996, the *Coordination Committee on Women's Issues*, terminating its work in 2002;
- In 1997, the National Centre for Equality Between Women and Men was set up within a project;
- Since 1998, the *Commission for Women* has been operating at the level of the Confederation of Trade Unions, which is mainly concerned with women's issues related to trade unions;
- In 1999 the *Department for Equal Opportunities* was made part of the structure of the Ministry of Labour, Social Affairs and Family MoLSAF of the Slovak Republic (SR); its competencies extended in 2003 to include the area of anti-discrimination, whereby the agenda of the department was extended to marginalized groups and national minorities; new name of the department - Department on Equal Opportunities and Antidiscrimination;
- In 2001, a new institute was introduced in the Slovak constitutional system – the public defender of rights (*Ombudsperson*);
- In 2002, the first body for the status of women at parliamentary level was created, the *Commission for Equal Opportunities and the Status of Women* at the NC SR Committee for Human Rights, Nationalities and Status of Women;
- In 2004 in order to ensure law enforceability in the area of equal opportunities, equal treatment and anti-discrimination, it was according the “Antidiscrimination Law” decided, that the *Slovak National Centre for Human Rights* in Bratislava would play the role of supervisory body in gender equality.

The Coordination Committee on Women's Issues (CCWI) was established subject to Government resolution No. 7/1996 of 9 January 1996, as advisory, coordination and initiative

¹ Last update provided in November 2004. No new information in 2009.

body of the Government of the SR for issues relating to the status and interests of women in all areas of life. The Committee members included Government officials, Parliament representatives, non-governmental women's organisations, trade unions, municipal authorities, selected central bodies of state administration, research institutions, religions, and experts dealing with the issues of women, families, children and youth. The Committee operated until the end of the Government term in 1998. In the new term, the Committee was transformed into an inter-ministerial expert body in the Minister of Labour, Social Affairs and Family, without changing its title, and the chair, again the Minister of Labour. Thereby its status was diminished, a fact which NGOs, in particular, expressed their disagreement and dissatisfaction.

The CCWI was concerned with inequality between women and men in different areas of life. The meetings of the Committee at that time were an important and unique platform for non-governmental organisations to present their views, problems and constructive proposals for the solution of women's issues in the SR and they provided the occasion for genuine dialogue between the Governmental and non-governmental organisations. Within the CCWI expert groups worked on issues of employment, social issues, issues of women in decision-making processes, as well as an expert group for education and research, gender statistics and analyses.

The most important activities and outputs of the CCWI included: monitoring and evaluation of the National Action Plan for Women in the SR, the preparation of the document the "Initial Report of the SR on the Convention on the Elimination of All Forms of Discrimination Against Women" and its updating in 1998.

The CCWI expert groups prepared reference materials for CCWI deliberations, and the Committee dealt with them within its competencies that could not be overstepped (as advisory, coordination, and initiation body of the SR Government). The CCWI prepared materials and in their context also proposals for solutions of such issues as determining child maintenance allowance, standards for the evaluation of conditions created by employers for the needs of reconciliation of work and family roles of women, organisation of "round tables" on the contribution of women to GDP, questions of teaching ethics, and religion, it prepared the analysis of the Basic Agreement Between the Holy See and the Slovak Republic from gender aspect, etc.

In 1998, the CCWI published the publication "Women and men in Slovakia" in English and Slovak versions, and subsequently, in 2001, "Women and men in Slovakia II". The publications contain the basic indicators monitoring the status of women in the SR.

The Coordination Committee on Women's Issues had limited or minimal decision-making powers (which was the subject of dissatisfaction of NGOs representatives) and the CCWI budget was not adequate for all planned activities. It terminated its activity in 2002. The CCWI agenda was in part taken over by the Department for Equal Opportunities set up in February 1999 within the structure of the Ministry of Labour, Social Affairs and Family. At present discussions are in progress about the future arrangements for the issues of equal opportunities, given the cross-sectional nature and social importance.

Through agreement between the Government of the SR and the UN Development Programme (UNDP), in 1997, the *National Centre for Equality Between Women and Men* was established as an information, documentation, and coordination centre, whose main remit was to establish contacts between foreign and domestic non-governmental organisations. This project ended its activity in 2000.

The Department for Equal Opportunities was set up in February 1999 within the structure of the Ministry of Labour, Social Affairs and Family. This department, in cooperation with other ministry's departments was responsible for equal opportunities for women and men, and in the prevention of violence against women and domestic violence.

The tasks involve in particular:

- in cooperation with legislative department, preparation of drafts of legal regulations, draft principles of the law, ensuring the principle of equal opportunities between women and men in all areas of life and supervising anti-discriminatory provisions in legal regulations;
- preparing conceptual documents, programme documents, draft measures, and initiating ancillary action to improve the situation in the implementation of the principle of equal opportunities, to increase women's participation in political and public life, materials for restructuring partnership in the family on the basis of equality, and promoting the implementation of NGO projects in the area of equal opportunities;
- co-participation in bringing the SR legislation regarding equal opportunities between women and men in line with EU legislation;
- co-ordination in enforcement of the principle of equal opportunities between women and men in all Government policies (gender mainstreaming) on the basis of conventions and recommendations adopted by the United Nations organisation, the Council of Europe, the International Labour Organisation, and other;
- from substantive aspects, contribution to reviewing international conventions, and the preparation of their ratification, and the elaboration of national assessment reports;
- management and control of the performance of state administration;
- undertaking of methodological guidance and provision of expert positions on legal regulations, within the scope of its own competencies;
- cooperation with other ministries and central bodies of state administration, bodies of local state administration and self-government authorities at all levels, the Confederation of Trade Unions of the Slovak Republic, the Federation of Employers Associations and Unions of the Slovak Republic, and non-governmental organisations in enforcing the principle of equal opportunities for women and men and the application of the principle of equal treatment;
- annual evaluation, in cooperation with responsible subjects, of the basic strategic documents: "National action Plan for Women in Slovakia" (information on implementation is given annually to the Government) and the "Concept of Equal Opportunities Between Women and Men" (the evaluation report is given to the Council for Economic and Social Agreement).

In 2003 the competencies of the Department for Equal Opportunities were extended within the structure of the Ministry of Labour, Social Affairs and Family to include also the area of anti-discrimination. The department's tasks are financed within the budget of the sector and are determined by a budgetary allocation, but the budget does not cover all needed additional activities. The budget for its own activities amounted to 94 000.- SKK (approx. 2356.- EUR) in 2002, 213 000.- SKK in 2003 (approx. 5338.- EUR) and 548 000.- SKK (approx. 13 734.- EUR) in 2004.

In 2002, the first body for the status of women at parliamentary level was created, the *Commission for Equal Opportunities and the Status of Women* at the Parliament's Committee for Human Rights, National Minorities and the Status of Women. A member of the Parliamentary Committee chairs it; its members are recruited from representatives of NGOs operating in the interests of the advancement and empowerment of women in society. The Parliamentary Committee cooperates with the Department for Equal Opportunities and Anti-

discrimination, mainly through the Commission. The Commission has the right to articulate its views on the issues of women, laws, and other questions, which are debated in the Parliament. If the Committee identifies with their comments, they may then be discussed by the Parliament.

The Parliamentary Commission for Equal Opportunities and the Status of Women, as well as the Department for Equal Opportunities and Anti-discrimination cooperate with NGOs, and experts of the university and research base.

The *Commission for Women* working at the level of the Confederation of Trade Unions is currently refocusing on the issues of equal opportunities between women and men, particularly with regard to employment.

In 2001 a new institute was introduced in the Slovak constitutional system – *the public defender of rights (Ombudsperson)*, whose agenda is not specialised, and who does not have a separate special office for the issues of the protection of women's rights.

In 2004 in order to ensure law enforceability in the area of equal opportunities, equal treatment and anti-discrimination, it was according the “Antidiscrimination Law” decided, that the *Slovak National Centre for Human Rights in Bratislava* would play the role of supervisory body in gender equality.

Two documents, namely the National Action Plan for Women in the SR and the Concept of Equal Opportunities between Women and Men have become the Government's basic documents in the area of women's policy issues and equal opportunities of women and men.

National Action Plan for Women in the SR (hereinafter NAP), as a follow-up to Beijing Platform for Action, was approved by Government Resolution No. 650/1997 of 16 September 1997, as the principal programme document with a view to improving the status of women in the Slovak Republic within the horizon of 10 years. It covers priorities, strategic goals and steps (measures for the solution), which should be implemented by the Government of the SR through the Government-authorised subjects, with a view to creating such conditions which would facilitate development and non-discrimination of both women and men.

The implementing subjects for NAP include state administration bodies, social partners, self-government, research institutions, NGOs, and other interested subjects. NAP contains eight priority areas at which the implementing subjects directed their attention: to implement in practice the legally embedded equal status of the woman in family, employment and society; create possibilities for personal choice in development of life strategies of women in the family, employment and the society; create conditions for the elimination of economic disadvantages which may lead to material hardship of women; shape public opinion to respect equality of men and women; create conditions for protection and promotion of women's health; create conditions for the elimination of violence against women; create conditions for personal development and vocational realisation of women with lesser development chances (such as women living in rural areas, women of Roma ethnic group, unemployed women, women inadequately prepared for their motherly role, women with disabilities); promote the activity of organisations focused on support and development of women at national and international levels.

The latter document to ensure gender equality in Slovak society is the *Concept of Equal Opportunities between Women and Men*, approved by SR Government Resolution No. 232/2001. The concept identifies the tasks for the state and other subjects in areas where gender discrimination manifests itself most markedly and defines 31 measures and recommendations for the implementation, with active participation of non-governmental

subjects. The application of equal opportunities in the SR includes the legislative and institutional provision, and particularly, the practical implementation. State bodies, social partners, self-government, research institutions, non-governmental organisations, and other interested subjects cooperate in the implementation of the concept's measures.

Both programme documents of the Government - the National Action Plan for Women and the Concept of Equal Opportunities between Women and Men - are currently **updated and monitored** by the Department for Equal Opportunities and Anti-discrimination of the MoLSAF SR, which submits annual information to the Government of the SR on the progress achieved.

In November 2004 the government adopted a new and very important document "National Strategy on the prevention and elimination of violence against women and in the family", which is the first governmental document on violence against women. As follow-up to this document the National Action plan on elimination and prevention of violence against women" will be prepared in 2005.

2. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The strategy of gender mainstreaming is still in its initial stage in the SR Individual sectors at present do not have separate expert workers dealing specifically with equal opportunities (so-called Focal points). Mainly through projects, the Department for Equal Opportunities and Anti-discrimination ensures training and information for state administration and self-government staff on the development and the current trends in gender equality issues.

Despite the fact that the focal points for gender equality and empowerment of women have not been established at relevant ministries, the ministries within their scope of competencies, cooperate in the implementation of measures of the National Action Plan for Women and the Concept of Equal Opportunities Between Women and Men. Equally, a worker has been appointed responsible for the horizontal implementation of the principle of equal opportunities in the European Structural Funds.

The Department for Equal Opportunities and Anti-discrimination of the MoLSAF SR will continue implementing the project "Introducing equal opportunities in the agenda of regional and local self-government". The objective of the project is to train local government elected officials and the staff in the issues of equal opportunities and acquaint them with the existing institutions for equal opportunities in the EU member states, and the possibilities to introduce gender aspect in all policies, measures and activities, at every level of governance, with special emphasis on the activities' outcome. The means of mainstreaming are also in the main objectives of the Department for Equal Opportunities and Antidiscrimination.

SLOVENIA¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Ombudsperson*: The Ombudsperson officially began work in January 1995 (According to the 1993 Law on the Human Rights Ombudsperson). The institution was formed on the basis of a classic model of a national parliamentary ombudsperson and is an autonomous and independent institution. His/Her task is to identify and prevent violations of human rights and other irregularities arising from the operation of national or local public bodies, and to eliminate their consequences. The jurisdiction of the Ombudsperson includes investigation into cases of alleged violations of specific human rights.
- *Women's Policy Office of the Government of the Republic of Slovenia*: The office was founded in 1992 as an advisory body (based on the Founding Act of the Women's Policy Office). This central government unit is not attached to any of the existing ministries but it was founded as an independent government service. The Office performs the following tasks:
 - Monitor the position of women and the realisation of the rights ensured by the constitution, laws and international agreements;
 - Assist government in policy making and discusses regulations and measures adopted by the government;
 - Initiate legislation and proposes measures to the government and ministries to promote gender equality;
 - Prepare gender based analyses and reports;
 - Disseminate gender-relevant data and other information on gender equality, including through publications and the media;
 - Work in partnership with local, regional, national and international agencies.

Its operations are financed entirely by the national budget². The office is hindered by insufficient financial and human resources, an unclear mandate, limited authority and a marginalised position in the government structure.

- *Women's Policy Commission*: The Commission was established within the Slovene Assembly in 1990. It monitors the position of women and submits proposals for improving their situation.

¹ Last update provided in November 2004.

² In 1995, the budget funds allocated to it were 157 000 USD (remuneration for employees excluded), in 1996 156 844 USD, in 1997 125 511 USD and in the same year an additional 11 765 USD, in 1998 144 700 USD.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *Women's Policy Office of the Government of the Republic of Slovenia:* The personnel of the Policy Office has strengthened its capacity and knowledge regarding gender issues. It has also created more formal links of co-operation with other government ministries and agencies and women's organisations. As regards the budget, see footnote 2.
- *Women's Policy Commission:* After the 1996 elections, the Commission was renamed Equal Opportunities Policy Commission and set up at committee level in the National Assembly. The mandate it had over the previous six years was extended and it was entrusted with greater competencies in dealing with these matters. The Committee consists of ten members³. It performs its tasks in co-operation with independent experts.

1.2.2. CREATION OF NEW INSTITUTIONS

- The *Office of the Government of the Republic of Slovenia for Equal Opportunities*, which was established by government decision on 24 February 2001, will take over the tasks of the *Office for Women's Policy* from 1 July 2002. The Decision on the establishment, organisation and working areas of the Office for Equal Opportunities gave the Office a mandate to perform all the tasks it performed as the Office for Women's Policy. The Office monitors the position of women and the implementation of their rights guaranteed under the constitution, laws and international conventions, participates in the preparation of regulations, acts and measures prepared by ministries and examines draft acts and measures prepared by ministries from a gender equality perspective. It puts forward opinions and proposals on them before they are adopted by the government or ministries, presents initiatives and proposals for measures from its field of work, promotes gender equality by informing, awareness-raising and counselling, examines initiatives by NGOs and represents the government in activities of international and regional organisations to promote gender equality.

The Office for Equal Opportunities performs its tasks in co-operation with ministries and governmental services, local communities, professional and scientific institutions, NGOs, domestic and foreign experts and regional and international organisations.

The staff and financial resources of the office have increased.

After the 2000 national elections the proposal to set up the *Equal Opportunities Policy Commission of the National Assembly* (parliament) was refused, with the argument that there is a need to rationalise working methods and procedures of the legislative power and that a gender equality principle will be integrated in the work of each working body of the Slovene parliament.

After the adoption of the Act on Equal Opportunities for Women and Men (June 2002) coordinators for equal opportunities were appointed in each Ministry and in a number of municipalities. In addition an independent complaint procedure was introduced. It is carried out by the Advocate for Equal Opportunities for women and Men who examines cases of alleged discrimination on the grounds of sex and tries to resolve them.

³ Seven male and three female deputies.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

Slovenia has no action plan for the promotion of gender equality and the advancement of women. The main reason for the absence of such a plan is that parallel to the preparation of new laws replacing the legislation of the former SFRJ, Slovenia is also harmonising its legislation with the legal acts of the EU. This dynamic process of forming a new legal order and reforming the social system requires the permanent engagement of the Women's Policy Office in addressing the proposed new acts, measures and programmes. The commitment to implement the Beijing Platform for Action is being realised through ensuring that international norms and standards of gender equality and actions called for in the Platform are used as a basis for all national actions. Slovenia has not adopted an action plan for the implementation of the Beijing Platform for Action since determined strategies and time-bound targets might act as an obstacle in the process of engendering the dynamic political processes.

The Act on Equal Opportunities for Women and Men (adopted in June 2002) introduced the obligation of the government to prepare the National Programme for Equal Opportunities for Women and Men of the Parliament to adopt it.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

In October 1997, the then *Women's Policy Office* started a pilot project aiming at establishing gender mainstreaming as a standard policy-making strategy at government level. When the project started there was not a clear government "mission statement" which would convey that gender mainstreaming is an integral part of the continuous process leading towards gender equality. The project was based on a contract between the then Women's Policy Office and the Ministry of the Interior, Ministry of Education and Sports and Ministry of Labour, Family and Social Affairs. The results of this project clearly showed that there is a lack of knowledge, expertise and will in the three involved sectors and that to make individuals who are involved in policy-development accountable for integrating a gender equality perspective into their work, binding decisions are needed. In this respect the Act on Equal Opportunities for Women and Men (adopted in June 2002) introduced an obligation for the ministries and local communities to promote gender equality by general and special measures and by integrating a gender perspective into planning, development, implementation, monitoring and evaluation of their policies and their management. The government *Office for Equal Opportunities* provides assistance in the development of relevant methods and techniques.

SPAIN¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Ministry of Labour and Social Affairs:* This Ministry oversees, amongst other things, the proposals regarding the general guidelines laid down by the government in the area of social affairs and carries out their implementation.
- *General Secretariat of Equality Policy:* This body of the aforementioned Ministry is in charge of promoting equal opportunities between women and men, equality in employment and women participation in decision-making process at political and social level.
- *Institute for Women:* Established in 1983, this autonomous body is placed within the governmental structure of the Ministry of Social Affairs. Its objective is to promote conditions favouring equality between men and women before the law and the participation of women in political, cultural, economic and social life. It also constitutes the governmental body aiming at promoting equality related policies. It carries out studies on women's situation in Spain, encourages action to eliminate discrimination, assists the government and co-ordinates the activities of different ministerial departments, other public bodies and NGOs, monitors the application of the law, receives discrimination complaints from women and channels them and gathers and disseminates information through its information and documentation centre. It also upholds relations with equality machineries from different countries as well as with supranational, international and national organisations dealing with women's issues. Its resources consist of state subsidies and finance provided by the EU. Other resources come from financial investments and profits on the account of the institute's activities.
- The General Director and Governing Council govern the Institute. The Council's members (representatives from all ministerial departments and other) are appointed on the basis of their accredited personal and professional experience. The Governing Council has, among other functions, the task of co-ordinating the work of the different ministerial departments dealing with women's affairs and the study of the targets established.
- *Institutions in the Autonomous Communities and at local level:* Due to the transfer of powers to the Autonomous Communities, these have established their own equality institutions, being responsible for the implementation of policies relating to women in their geographic areas by virtue of the competencies established by the Spanish Constitution and Statutes of Autonomy. Since 1995, the Sectorial Women Conference carries out the coordination between the equality policies of the different Autonomous Communities. At local level, some Town Councils have created the post of a councillor for women's affairs based on the competencies assigned to them for the promotion of

¹ Last update provided in September 2009.

women and the provision of social services. Regarding the cooperation between Administrations at national, regional and local levels, this is guaranteed through Agreements of Collaboration.

- *Mixed Commission Congress-Senate of the Spanish Parliament:* This Commission, in which the parliamentary groups are represented, is a co-ordinating body for the promotion, defence and study of issues related to women's rights.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

In the first place, account must be taken of the fact that the territorial distribution of powers established in the 1978 Spanish Constitution remains in place. Thus, the Autonomous Communities and local governmental entities are assigned the power to handle matters of equality and gender violence. Such powers are therefore shared, because furthermore the power to regulate the basic conditions guaranteeing equality for all Spanish men and women in the exercise of their constitutional rights belongs to the National Government. The powers exercised on a nationwide basis have enabled the terms regulated in *Organic Act 3/2007 of 22 March for the effective equality of women and men* (henceforth "the LOIE") to be applied at all levels of government.

The Autonomous Communities maintain their own equality mechanisms, generally in the form of Institutes for Women.

The Sectorial Conference on Equality (former Sectorial Conference on Women) remains the forum for meetings and deliberation to achieve maximum consistency in the application of equality policies throughout the National Government and Autonomous Communities alike.

The many different forms of local corporations, such as town councils, local councils, island councils and associations of towns, maintain and implement resources for women in the social realm; depending on their size, local corporations hold powers in social services, women's affairs, gender violence, employment, etcetera. The Spanish Federation of Municipalities and Provinces (FEMP) has an Equality Committee, whose purpose it is to foster the incorporation of the gender perspective into all realms of local activity management.

In the judiciary, there is the *Equality Committee* of the National Judiciary Council and the *Domestic and Gender Violence Observatory*.

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *Institute for Women* This is an autonomous organisation dependent upon the Ministry of Equality, and it has just reached its twenty-fifth year of operation. Its purpose is to promote and foster the right conditions to enable the social equality of both sexes and participation by women in political, cultural, economic and social life. *Organic Act 3/2007 of 22 March for the effective equality of women and men* (henceforth "the LOIE") granted the Institute for Women new functions in matters of assisting the victims of discrimination in the processing of their discrimination complaints, conducting studies of discrimination and publishing reports and recommendations on these matters. Moreover, the Institute for Women is the competent organisation in connection with the application of the principle of equal treatment in access to jobs, occupational training and promotion, working conditions and access to goods, services and supplies.

The Institute for Women has 145 people on its workforce and 28 interns.

In 2009 it has a budget of 25.08 million euros.

1.2.2 CREATION OF NEW INSTITUTIONS

THE LEGISLATIVE BRANCH

New parliamentary committees have been created:

- *The Congress of Deputies Equality Committee*. This committee prepares the decisions of the Plenary Sitting and has oversight functions in respect of the administration.
- *The Subcommittee to Study the Comprehensive Act against Gender Violence*.
- *The Senate Equality Committee*.

THE EXECUTIVE BRANCH

NATIONAL GOVERNMENT

- *The Administration's Deputized Committee for Equality Policies*. Its function is to prepare the affairs dealt with at the Council of Ministers.
- *Ministry of Equality*. This is the department whose task it is to propose and enforce the Administration's policies in matters of equality, the elimination of all kinds of discrimination against people for reason of sex (amongst other personal or social conditions or circumstances) and eradication of gender violence. It is the Ministry's task to prepare and implement rules, actions and measures aimed at ensuring equality of treatment and opportunities, especially amongst women and men, and to foster women's participation in society and politics.

These powers will be understood in coordination with the powers of other ministerial departments, given their mainstreamed nature.

The Ministry of Equality currently has a workforce of 170 people.

The different budgetary programmes managed by the Ministry of Equality (which has powers in youth affairs and combating discrimination due to other personal and social conditions in addition to gender, such as sexual orientation) and its autonomous organisations (including the Institute for Youth) add up to 113,173,640 euro in credits, which is 37% more than the budget of the year before.

The Ministry of Equality performs its functions through the following executive bodies:

- *The General Secretariat of Equality Policies* (created in 2004 as an Under secretariat) under which there are:
 - *Special Government Delegation on Violence against Women* (created by Organic Act 1/2004 of 28 December on Comprehensive Protection Measures Against Gender Violence), which in turn has:
 - Units for Coordination against Violence to Women and Units on Violence to Women, which form part of the Offices of the Administration's Deputies and their Assistant Deputies.
 - The State Observatory on Violence against Women. The State Observatory on Violence against Women is a group interministerial body that has the task of advising, evaluation, and institutional cooperation, preparation of reports and studies and action proposals in matters of gender violence.

The budget of the Office of the Administration's Deputy for Gender Violence will have in 2009 a budget of 28,321,180 euros, which is 83% more than in 2008. Two million euros will be earmarked for the Comprehensive Plan against Trafficking in Human Beings for Purposes of Sexual Exploitation.

- *The Directorate-General for Equality in Employment.*
- *The Directorate-General against Discrimination.*
- *The Office of International Relations (Deputy Directorate-General).*

- *The Institute for Women* (which has partially amended its functions and is spoken of in section 1.2.1.).

- *The Women's Participation Council.* A consultative, advisory group body to serve as the channel for participation by women's associations and organisations nationwide and in all levels of government as a whole. It is currently preparing the draft royal decree that will regulate its composition and functions.

- *The Interministerial Commission on Equality between Women and Men.* A body whose purpose it is to supervise the active integration of the principle of equal treatment and opportunities in the action of the National Government. It is responsible for coordinating the policies and measures taken by ministerial departments for the purpose of guaranteeing the right to equality between women and men and to promote its enforcement.

- *The other ministries' Equality Units.* Located at the Technical Secretariats-General, Offices of the Ministerial Undersecretaries or Human Resources Units.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

Spain had four consecutive Equality Plans. The LOIE regulates a *Strategic Plan on Equal Opportunities*. The Strategic Plan approved by the Council of Ministers in December 2007 for the 2008-2011 periods is currently in force. This Strategic Plan is governed by four guiding principles: redefinition of a model of citizenship, empowerment of women, gender mainstreaming and recognition of scientific and technical innovation as a force for social change. The Plan is grounded on two basic principles, non-discrimination and equality. Action by public authorities must be looked at from this double perspective, as follows:

- **Non-discrimination:** Although the action of public authorities in equality matters has traditionally pursued principles of social justice, situations of discrimination for reason of sex are a daily reality. Consequently it is necessary to take reparative action to improve the social position of women.
- **Equality:** Equality must be regarded as a value in itself. Women make up at least 50% of the population. They are not, therefore, a collective. No society can afford the luxury of squandering half of its intellectual and human potential. From this perspective, the important thing is not only to remedy situations of discrimination, but to reinstate the value of the incorporation of women in parity for economic growth and social modernisation.
- The Strategic Plan has twelve Themes, which are:
 1. Political and Social Participation
 2. Economic Participation
 3. Co-responsibility
 4. Education
 5. Innovation
 6. Knowledge
 7. Health
 8. Image
 9. Care for Diversity and Social Inclusion
 10. Violence
 11. Foreign Policy and Development Cooperation Policy

12. Protection of the Right to Equality

For each of these Themes, an explanatory theoretical framework, a diagnosis of the current situation in Spain, strategic objectives and action proposals are established.

The budget allocated to this plan comes to 3,690 million euro.

Another important plan is the *Comprehensive Plan to Combat Trafficking in Human Beings for Purposes of Sexual Exploitation*. Approved in December 2008, the Plan endeavours to be the first planning instrument of a comprehensive nature to combat trafficking in human beings for purposes of sexual exploitation in Spain, and it is built on five areas of action:

1. Sensitisation, prevention and investigation (preparation of codes of good practices for investigation, preparation of studies and investigations, improvement of care for victims, information campaigns, courses and seminars, etc.).
2. Education and training (information and awareness programmes at schools, lectures and colloquiums for parents and educators, etc.).
3. Assistance and protection for the victims (guide to improve call-in victim care services, specialised legal assistance in the victims' own language, simplification of the procedures for granting work and residence permits and boosting of cooperation with countries of origin, etc.).
4. Legislative and procedural measures (improvement and systematisation of police procedures, immediate, adequate victim attention, improvement of the detection of situations of trafficking in human beings, etc.).
5. Coordination and cooperation (boosting of police coordination nationally and internationally, increase in cooperation with the NGOs that furnish victim support and services, etc.).

Furthermore, the *National Plan on Human Rights*, approved by the Council of Ministers on 12 December 2008, doubles as the road map in matters of the promotion and protection of human rights in Spain and in the implementation of Spain's foreign policy. It includes a total of 172 measures, 132 of which pertain to internal policy, while the rest concern action abroad.

In November 2007 the *National Plan of the Kingdom of Spain for the Application of UN Security Council Resolution 1325 (2000) on Women, Peace and Security* was approved. The Plan revolves around the following objectives:

- To boost the presence of women in peacekeeping operations and in the decision-making bodies of peacekeeping operations.
- To boost the inclusion of the gender perspective in all phases of peacekeeping operations, from planning to conclusion, including rebuilding.
- To ensure specific training in matters of equality and the different aspects of Resolution 1325 for the personnel participating in peacekeeping operations.
- To guarantee that women, teens and girls in conflict and post-conflict areas fully enjoy their human rights and to foster participation by women in peace agreement negotiation and enforcement processes.
- To mainstream the principle of equal treatment for women and men into the planning and execution of activities for Disarmament, Demobilisation and Reintegration (DDR).
- To foster the participation of Spanish civil society.

Generally speaking, since the Beijing Conference Spain has mainstreamed the gender perspective into many laws (the Organic Act on Education, the Act on International Cooperation for Development, the Act on Promotion of Personal Autonomy and Care for

Persons in a Situation of Dependence...), likewise a multitude of *government action plans* (the National Programme of Reforms, the Equality Plan for the Rural Environment, the Disability Plan, the National Health System Quality Plan, the 2007-2010 Citizenship and Integration Plan, the Second Master Plan for Spanish Cooperation, the Third Social Integration Plan, the Plan Concerning the Sexual Exploitation of Minors, etc.).

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

During this period *Organic Act 3/2007 of 22 March for the effective equality of women and men* (henceforth “the LOIE”) was approved, a genuine comprehensive law/code that introduces equal treatment and opportunities for women and men in all spheres of life, especially in the political, civil, labour, economic, social and cultural spheres, and in all the actions of the government, under the principle of gender mainstreaming.

This Act creates a battery of institutional mechanisms for mainstreaming, such as Equality Units at the ministries, the Interministerial Commission on Equality between Women and Men and the Women’s Participation Council, which were explained above in the answer to the first question.

Furthermore, *Organic Act 1/2004 of 28 December on Measures for Comprehensive Protection Against Gender Violence* established a comprehensive system of institutional protection by means of the creation of the Special Government Delegation on Violence Against Women and the Observatory of Violence Against Women, which have also been explained, and which involve other mainstreaming instruments, since violence against women is the most extreme kind of attack on equality and the human rights of women.

Some of the instruments for enforcing mainstreaming are:

- A seat for the Minister for Equality at the Council of Ministers.
- Participation by the Minister in the *Administration’s Deputized Committee for Equality Policies*.
- Participation by the Minister for Equality in the *Administration’s Deputized Committees* for Immigration Policy and the Administration’s Deputized Committee for Cooperation for Development.
- Application of laws addressing violence against women and effective equality and the multiple measures for their implementation.
- Encouragement to revise the model of labour relations in companies through equality plans. Since Organic Act 3/2007 of 22 March for the effective equality of women and men took force, it has been mandatory for companies with 250 workers or more to introduce an equality plan. Other companies may also do so, and they are encouraged to do so through different lines of action, such as technical assistance, economic aid for small and medium-sized enterprises and through the awarding of the “Business Insignia in Matters of Equality”, which stimulates and recognises the companies that have made an outstanding commitment to equality.
- Approval of laws and *national plans* with gender mainstreaming.
- Participation in social dialogue forums where trade unions and business owners’ organisations discuss and negotiate to establish measures that facilitate a way of overcoming the current crisis in growth and employment.
- Application of the *Strategic Plan on Equal Opportunities (2008-2011)* (LOIE, section 17).
- *Gender impact reports* under section 19 of the LOIE, which establishes that all general draft legislation (also the National Budget, in accordance with section 15 of

the same act) and plans of special economic, social, cultural and artistic relevance submitted to the Council of Ministers for approval, must include such a report. The 2009 National Budget was accompanied by a gender impact report, and the objective is for budgets to be prepared with gender perspective. Recently regulations were approved for the Report on Analyses of Legislative Impact for reason of gender.

- *The Ministry of Equality* coordinates with the different ministries concerning the diverse matters of common interest.

There are various instruments of interpretation, assessment and criticism in following up and evaluating equality policies:

- The Constitutional Tribunal.
- In civil society, the *Women's Participation Council*.
- The *gender impact reports* mentioned above, which are included as part of the planning of all policies planned by the Administration.
- The LOIE calls for a regular report on the equality policies implemented in the set of actions taken in connection with the enforcement of the principle of equality between women and men. This report is to be given to the Cortes Generales, Spain's parliament.
- Action taken by the *Ombudsman*.

In connection with political participation and parity, the LOIE introduces the principle of balanced presence, which means that neither of the two sexes may have representatives numbering less than 40% or more than 60%. This means amending the Organic Act on the General Electoral Procedure, which establishes that the candidacies for congressional and municipal elections and elections to the European Parliament and the assemblies of the Autonomous Communities have to maintain that 40-60% balance, down to the level of each five-candidate bracket.

The LOIE establishes measures to foster equality in the media so that the image of women and men given in the media is plural and not stereotyped, avoiding any form of discrimination.

For public media (Radio Televisión Española, Agencia Efe), specific rules are established so that the presence of women in social life is adequately reflected, non-sexist language is used and cooperation is given in fostering equality for women and men (basically by means of self-regulation) and in eradicating gender violence. Moreover, the public media will promote the incorporation of women in posts of executive and professional responsibility and relationships with women's associations and groups in order to identify women's needs and interests in the realm of communication.

As for private media, the law advocates respect for equality between men and women, avoiding any form of discrimination, and it appeals to the function of the various levels of government to promote the adoption by the media of self-regulating agreements to contribute to compliance with legislation on matters of equality, including sales and advertising activities conducted in the private media.

The LOIE addresses the integration of the principle of equality in education policy in general terms, guaranteeing real equal opportunities by means of the following actions:

- Special attention in curricula and at all stages of education for the principle of equality between women and men.
- Elimination and rejection of sexist and stereotyped behaviour and contents that involve discrimination between women and men, with special consideration for this in textbooks and educational materials.

- Integration of the study and application of the principle of equality in courses and programmes for initial and ongoing teacher training.
- Balanced presence of women and men in the bodies that control and govern schools.
- Cooperation with the rest of the government education authorities for the implementation of projects and programmes aimed at fostering knowledge and dissemination of the principle of coeducation and effective equality between women and men amongst the members of the education community.

The *LOIE*'s regulations state that all levels of government will foster integration of the principle of equality in the realm of health by adopting initiatives aiming to:

- Favour the specific promotion of women's health.
- Foster scientific research with a view to the differences between women and men in connection with health protection.
- Look at sexual harassment and harassment for reason of sex, within the protection, promotion and improvement of occupational health.
- Integrate the principle of equality into health organisation personnel training, guaranteeing personnel's ability to detect and handle situations of gender violence.
- Balance the presence of women and men in executive posts and posts of professional responsibility in the National Health System as a whole.
- Gather and process the data contained in records, surveys, statistics and other medical and health information systems, disaggregated by sex whenever possible.

The *LOIE* establishes that all policies and plans, strategic planning documents and tools for *cooperation for development* must include the principle of equality between women and men as a substantial element, and they will envisage concrete measures for following up and evaluating achievements for effective equality in Spanish cooperation for development. In compliance with this law, the "Gender in Development" Spanish Cooperation Strategy has been approved; this will be a key cohesive and coordinating element for the consistency of policies on gender in development.

The *LOIE* pays special heed to correcting inequality in the specific realm of *labour relations*. The right to work in equal opportunities includes measures to guarantee equality for women and men in access to jobs, in occupational training and promotion and in working conditions. The *LOIE* is intended to promote the adoption of concrete measures in favour of equality in companies, situating such measures in the framework of collective bargaining. The top-priority objectives of employment policy include improvement of training, women's employability and the long-term presence of women in the job market.

Recognition of the right to reconcile personal and family life and work and fostering of *greater co-responsibility shared by women and men* in the shouldering of family obligations takes the shape of a vast repertoire of measures. The foremost is the recognition of 13 days' paternity leave, independently from the mother's leave, for birth, adoption or fostering (This is added to the two-day leave already in force, or whatever improved conditions may be established in collective bargaining agreements).

The *LOIE* also makes it an obligation for employers to respect equal opportunities and equal treatment. Employers are obligated to negotiate *equality plans* with workforce representatives in companies with more than 250 workers. Small and medium-sized enterprises may take measures for positive action in equality matters, which they must also negotiate. The *LOIE* defines "equality plan" as a set of measures agreed to after diagnosis and aimed at attaining equality in companies.

Moreover, *the violations and penalties* and the mechanisms for checking for failures of compliance in matters of non-discrimination are adapted, and the role of the Labour Inspectorate and Social Security is strengthened.

SWEDEN¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *The Minister for Gender Equality*: This ministerial post was established by Ministerial Decision in 1976. In 1995, the Deputy Prime Minister was also Minister for Gender Equality and was attached to the Prime Minister's Office. Her objective was to co-ordinate the government policy on equality.
- *Division for Gender Equality*: Established in 1982, this Division is placed within the Government's offices and was in 1995 attached to the Ministry of Health and Social Affairs. Among its main objectives are to assist the Minister for Gender Equality in co-ordinating the government's policy in this field; initiating training for the Cabinet Office and other government authorities regarding equality between women and men; reviewing written communications from other ministries to Parliament to ensure that a gender perspective has been considered; processing applications for funds for development work and projects within the field and providing information regarding the Government's policy and work for gender equality.
- *Council on Equality Issues*: Established in 1981, this is a forum for the exchange of ideas and discussion of current equality issues. The Minister for Gender Equality chairs the Council, which consists of representatives of the political parties and their women's organisations, the social partners and some popular movements. The Council meets four times a year.
- *Equal Opportunities Ombud*: The Ombud was established in 1980 when the Act concerning Equality between Men and Women (generally known as the Equal Opportunities Act) came into force. The primary task of the Ombud is to ensure the application of the Act. The Ombud promotes the voluntary implementation of the Act through information, advice and friendly settlement of disputes, institutes proceedings on behalf of the complainant with the labour tribunal (disputes concerning discrimination are tried out by the Labour Court), informs the public and brings matters before the Equal Opportunities Commission. Since its establishment, the budget of the Ombud has constantly been increased.
- *Equal Opportunities Commission*: This judicial commission was established in 1980 by the Equal Opportunities in Employment Act. In the sphere of labour, it sanctions failure to comply with the Ombud's decisions or obligations imposed by the law. It also has appellate jurisdiction for the Ombud's decisions ordering an employer to provide information on working conditions in the firm.
- *Regional Experts for Gender Equality*: Since January 1995, an expert on gender equality is to be found at each County Administrative Board. The Expert supports the

¹ Based on: 1994 report on national institutional machinery; Reply to 1999 questionnaire on national machinery, action plans and gender mainstreaming and update provided in 2002; Fact sheet on national machinery for equality between women and men, March 1999; Fact sheet on gender mainstreaming in Sweden, June 1999; Fact sheet on gender equality initiatives in 2002, <http://www.un.org/womenwatch>; Follow-up to Beijing: Summaries of the national action plans.

implementation of the national policy for gender equality at the regional level and promotes and develops the integration of a gender perspective within the various regional policy fields.

- *Officers at local government level:* These officers co-ordinate activities to promote equality within their communities.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

After the election in Sweden 2006 the new Government established a new ministry for gender equality, the Ministry of Integration and Gender Equality.

The Government: The aim of the Swedish Government's gender equality policy is, on the one hand, to combat and change systems that preserve the gender based distribution of power and resources at societal level, and on the other, to create the condition for women and men to enjoy the same power and opportunities to influence their own lives. Sweden considers it necessary to have women and men sharing power and influence in all aspects of community life. This is a prerequisite for a democratic society. The Government also recognizes that gender equality contributes to economic growth by promoting all people's skills and creativity.

Minister for Gender Equality: The Minister for Integration and Gender Equality coordinates the Government's gender equality policy yet each Minister is responsible for gender equality in his or her policy area and the Minister for Gender Equality is responsible for ensuring that progress is made and for following up measures at an overarching level. All Ministries have drawn up plans for gender mainstreaming. The Minister is supported by a state Secretary, Political Advisers, and a special Division for Gender Equality

The Government offices have a special division that assists the Minister for Gender Equality Affairs in pursuing, coordinating and following up the Government's gender equality policy, *the Division for Gender Equality*. The Division's responsibilities with regard to the overarching plan for gender mainstreaming include the following:

- leading and coordination the work of implementing the Government's plan at government Offices level,
- acting as consultants to support the ministries, the Prime Minister's Office and the Office for Administrative Affairs in their work of implementing their undertakings in the plan,
- developing methods and training in gender mainstreaming,
- producing bases for Government decisions on annual action plans,
- following up the overall plan and reporting to the Minister for Gender Equality Affairs on an ongoing basis.

On 1 January 2009 a new comprehensive Discrimination Act, which covers more areas than before, came into force. The Discrimination Act prohibits discrimination on grounds of sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. *The Equality Ombudsman* was formed on 1 January 2009 when the four previous anti-discrimination ombudsmen were merged into a new body. The previous authorities were the Equal Opportunities Ombudsman (JämO), the Ombudsman against Ethnic Discrimination (DO), the Disability Ombudsman (HO) and Ombudsman against Discrimination on grounds of Sexual Orientation (HomO). The Equality Ombudsman's main task is to monitor compliance with the Act. The authority also works to ensure that the law for parental leave is followed and that people on parental leave aren't treated less favourably at work. Other tasks of the Ombudsman are to:

- Receive and investigate discrimination complaints.
- Provide information on the rights protected by anti-discrimination legislation.
- Provide advice on how to assert persons rights when they have been discriminated against.
- Represent persons in court.
- Receive and investigate persons complaint if they have been treated less favourably because of parental leave.
- Provide advice on how to promote equal rights and prevent discrimination.
- Provide education on protection against discrimination.

A new agency, the Board against Discrimination, has the task of examining applications for financial penalties and appeals against decisions on financial penalty orders. The two previous agencies, the Equal Opportunities Commission and the former Board against Discrimination, have been phased out.

The Equality Ombudsman will have access to better tools than the previous anti-discrimination ombudsmen to deal with actors that do not fulfil their obligations under the Discrimination Act. The Equality Ombudsman can apply to the Board against Discrimination for a financial penalty to be ordered against employers and education providers that do not fulfil their obligation to take active measures.

Since 2007 the Swedish Agency for Economic and Regional Growth (Tillväxtverket) has special programmes on information, training and consultation, aimed at increasing the number of women entrepreneurs.

In December 2007, the Swedish Government decided to grant the Swedish Association of Local Authorities and Regions SEK 125 million, primarily for the purpose of ensuring that activities and services to citizens are the same whether you are a man or a woman. The funds specially target efforts to develop gender mainstreaming in the country's municipalities and county councils. This includes training key staff in organisations, building up a web-based knowledge bank for the ongoing dissemination of experience and instructive examples, and developing managerial systems.

On 1 July 2007, household-related services became tax-deductible. The deduction effectively reduces the cost of buying such services by around 50 percent. One of the aims of introducing tax relief in this area is to enable members of the household to increase their time in gainful employment and to make it easier for women and men to combine family life and working life on equal terms.

Since 2007 The Swedish Agency for Economic and Regional Growth (Tillväxtverket) is commissioned by the Government to be national coordinator for a programme to Promote women's entrepreneurship.

In March 2008 inspired by the UK women's Enterprise Task Force (WETF) the Swedish Government started an initiative to elect ambassadors for Women's Enterprise. 880 ambassadors for women's enterprise are presented. They have been chosen to encourage women and girls across the country to start a run business. The aim is also to increase the knowledge of enterprising, to make women who run businesses more visible and enable for women and girls to see enterprising as an option.

Since 2008 the Swedish Council for Strategic Human resources Development (KRUS) has been leading and coordinating a three year long program initiated by the Swedish Government to promote the career development of women in the central administration. Its aim is to increase the number of women in managerial and expert positions within public agencies. The program will be completed in 2011.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The overall objective of Sweden's gender equality policy is to ensure that women and men have the same power to shape society and their own lives.

The policy focus is set out in four sub goals:

- Equal distribution of power and influence. Women and men shall have the same rights and opportunities to be active citizens and to shape the conditions for decision-making.
- Economic equality between the sexes. Women and men shall have the same opportunities and conditions with regard to education and paid work that provide them with the means to achieve lifelong economic independence.
- Equal distribution of unpaid care and household work. Women and men shall take the same responsibility for household work and have the same opportunities to give and receive care on equal terms.
- Men's violence against women must stop. Women and men, girls and boys, shall have equal rights and opportunities in terms of physical integrity.

In recent years, *gender equality policy* has been allocated considerable resources by the Swedish Government. A tenfold increase of the budget was decided upon from approximately SEK 40 million to 400 million a year. Along with other measures taken, these new resources have greatly contributed to develop gender equality policy and made it become more forceful and consequently enabled it to play a more active role in policymaking. Continued efforts on gender mainstreaming, aimed at ensuring an impact on gender equality policy objectives throughout government policy, are accompanied by the creation of greater opportunities for supplementary initiatives.

Examples of initiatives include inter alia:

In November 2007, an action plan to combat men's violence against women, violence and oppression in the name of honour. The Government has earmarked about SEK 900 million over a three-year period (2007-2010) for implementing measures proposed in the action plan. The measures in the action plan are general in nature, but special steps are being taken to combat honour-related violence and oppression. The plan covers six areas of action, each of which is important in its own right but which also complement and reinforce one another. These areas are:

- Greater protection and support to those exposed to violence
- Greater emphasis on preventive work
- Higher standards and greater efficiency in the judicial system
- Stronger measures targeting violent offenders
- Increased co-operation
- Improved knowledge.

In July 2008, an action plan against prostitution and trafficking in human beings for sexual purposes. The background is that the Swedish Government views prostitution and trafficking in human beings for sexual purposes as a serious obstacle in achieving gender equality. This problem must be addressed by both judicial and social measures, with a focus on combating the demand for sexual services. For this roughly SEK 200 million are granted over a three-year period. The Swedish law prohibiting the purchase of sexual services is an important factor in preventive work to combat the demand for trafficking and sexual exploitation of women and children. It is important to stress that the law should be seen as a support for the work being done by social services. In April 2008 the Government appointed an Inquiry to evaluate the current provision on purchase of sexual services (chapter 6, section 11 in the Swedish Penal Code). A report is to be delivered no later than 30 April 2010.

The *action plan* is being invested in 36 measures up to the end of 2010. The action plan focuses specifically on the exposed person's need of protection and support and states that this aspect is to permeate government work at all levels. Special measures targeting children and young people are included. The plan covers six areas of action, each of which is important in its own right but which also complement and reinforce one another. These areas are:

- Greater protection and support for those exposed to violence
- Greater emphasis on preventive work
- Higher standards and greater efficiency in the judicial system
- Increased national and international co-operation
- Improved knowledge.

Investment of about SEK 11 million concerning gender equality in schools. *The Swedish National Agency for Education* is responsible for the assignment of planning and implementing measures aimed at promoting gender equality. The task also includes continued professional development of teachers and other school staff in the area of honour traditions, sex and relationship training and the recruitment of more male teachers. The assignment is to be presented no later than 31 December 2010.

Appointment of a *committee for gender equality*, the Delegation for gender equality in schools, with the purpose of highlighting and improving knowledge about gender equality in schools. Methods that can be used to break traditional gender patterns and gender roles in schools should be focused on. The committee shall also identify areas where further knowledge about gender and gender equality is needed, including student's health. It is to deliver a final report no later than 30 August 2010.

A *Committee for Gender Equality in Higher Education* has been commissioned by the Government to support and propose measures to promote gender equality in higher education. The committee is assigned to pay special attention to and counteract gender based study choices of higher education, including the declining proportion of men that apply for university programmes and courses. The committee is also commissioned to study gender related differences concerning ratio of study, dropouts and inclination to take a degree. Women's and men's different conditions for making an academic career and the unequal gender distribution among those holding senior positions within the higher education institutions will also be addressed. An official committee report is to be submitted on January 2011.

Gender Equality strategy in the labour market and the business sector was presented in 2009 by the Government, in the form of a written communication to the Riksdag (Swedish Parliament). Based on a general, all-round perspective, the strategy seeks to coordinate and develop gender-equality measures, targeting working life, business, education policy and social policy. The communication includes analyses and sets out policy aims and over 60 strategic measures. Among them are measures to combat violence in the labour market and issues concerning men and gender equality. A total of SEK 235 million are being invested.

In May 2007, the Swedish Government adopted a three-year programme worth SEK 100 million per year to boost women's entrepreneurship and enhance knowledge and research in this area. The aim is for at least 40 per cent of new entrepreneurs to be women.

Research and Innovation for Sustainable Growth (Vinnova) has been allocated SEK 10 million per year for 2007-2009 to finance research on women's entrepreneurship. The aim is to intensify and update this area of research, with a view to make it easier for women to enter the business world and thereby boosting employment in the future. Business statistics disaggregated by sex are only available to a limited extent. In June 2007, the Government tasked Statistics Sweden (SCB) with developing a database containing data on entrepreneurs and businesses in a gender perspective. This database will make it possible to

analyse entrepreneurship among women and men from various angles, including sex, educational background, industry and number of employees. etc.

In June 2008, the Swedish Government assigned the *Swedish Administrative Development Agency* (Verva) to manage and coordinate a programme for women's professional development in central government in order to boost the proportion of women employed as experts or managers. In 2009, this assignment was taken over by the Swedish Council for Strategic Human Resources Development. The aim is to increase the proportion of state-employed women with specialist skills or expertise or holding managerial position. Such a development would have the additional advantage of helping to reduce pay gaps between women and men. A total of SEK 17 million is being invested in the programme, which will be the subject of a report to the Swedish government offices in March 2011.

In June 2008, the Swedish Government presented a *gender equality programme* for Swedish schools, representing an investment of SEK 110 million. The programme includes the establishment of a special gender equality committee, further training courses for teachers, and measures both to enhance pupils' health and to attract greater numbers of male teachers. The task of the gender equality committee is to enhance knowledge and awareness of gender equality in schools. The assignment also includes analyzing gender differences in educational results, evaluating method and means of overcoming traditional gender roles, and recommending appropriate action. The Swedish national Agency for School Improvement has been tasked with planning and implementing measures to promote gender equality both in compulsory schools and in similar educational forms, in upper secondary schools and in adult education. The National Agency for Higher Education has been given the task of analysing gender differences in specialized study choices in teacher training, the reasons why more men than women choose to break off their studies in this training field, the proportion of men who work as teachers on completion of their training, and factors that influence women's and men's study choices in teacher training.

The Swedish Government appointed a committee in February 2009 to promote gender equality in Swedish higher education. The committee will have a budget of SEK 60 million at its disposal up to the end of 2010, and will target the entire higher education sector, i.e. state-run universities and colleges, private education providers authorized to award degrees, and organizations associated with such institutions. The committee will focus in particular on combating gender-based subject choices and on reversing the trend towards fewer male students in higher education. It will also address gender differences in terms of study rate, dropout and propensity to complete a degree, of career opportunities in research, and of representation at executive level in higher education.

The Swedish Government has tasked *the Swedish Council for Working Life and Social Research* (FAS) with initiating a research *programme on women's health*. SEK 30 million per year has been allocated for the purpose for the period 2008-2010. The research programme aims to enhance knowledge and to build up research environments able to continue developing once the project period ends.

On July 2008, the Swedish Government introduced a *gender equality bonus* in the parental insurance system. The aim is to boost gender equality in terms both of parental leave and of participation in working life. The gender equality bonus is intended to encourage parents to share parental leave as evenly as possible. Under this reform, when the parent who has been home the longest works, that parent receives a tax credit while the other parent is claiming parental benefit.

On 1 July 2007, household-related services became tax-deductible. the deduction effectively reduces the cost of buying such services by around 50 per cent. One of the aims of introducing tax relief in this area is to enable members of the household to increase their time in gainful employment and to make it easier for women and men to combine family life and working life on equal terms.

The Swedish Government has earmarked a total of SEK 6 million during the period 2007-2009 for efforts to promote gender equality in the performing arts and the cultural sector. The funds are intended primarily for initiatives and projects that encourage and support the development of greater equality in the performing arts.

Each year, *the National Board for Youth Affairs* distributes SEK 28 million in grants to promote women's organisations. The aim is to promote women's participation in the democratic process and in public life by providing funds to women's organizations and to encourage their participation in the democratic process and public life by providing funds to women's organizations and to encourage their participation in the democratic process and public life, and by enabling them to look after their rights and interests and to push their demands. The board also distributes SEK 6,9 million per year in grants to projects designed to promote gender equality. Grants are available for projects that reflect the Government's sub goals for gender equality policy

The Swedish Government wants women from national minorities to gain a stronger position in society. In April 2008, it instructed *the National Board for Youth Affairs* to distribute grants to organizations to encourage their efforts to promote gender equality among national minorities. The assignment also includes developing forms for cooperation between the country's national minorities on gender equality related matters. A total of SEK 6,5 million has been allocated for the purpose up to and including 2010.

As of 2008, a new grant of SEK 15 million is made available each year to support the parliamentary parties' women's organisations. The aim is to encourage women's organizations and strengthen their role in society.

Since 1999 the Council of the European Union has reviewed the implementation by the EU Member States and the EU institutions of the critical areas of the Beijing Platform for Action on a regular and defined basis. A wide set of indicators have been adopted in nine of the twelve critical areas of concern. The commission reports yearly to the European Council concerning the development on gender equality. The annual review of progress in relation to the critical areas of concern of the Beijing Platform for Action and the development of indicators have proven to be a successful tool for the improvement of gender equality in the EU Member States.

This year the Swedish Presidency has prepared a joint report on the progress achieved in relation to the critical areas of concern of the Beijing Platform for Action in the EU Member States. The report will be available at the regional review of the Beijing Platform for Action in Geneva on the 2-3 November 2009.

The Swedish Government adopted an action plan for 2009-2012 to implement *Security Council Resolution 1325 on women, peace and security* in March 2009. The action plan implies that all Swedish conflict management efforts must take into consideration that women are affected by armed conflict. They must take into account that women affected by conflicts and post-conflicts can be part of the solution and that women should be represented in the work of reconstruction.

In Sweden, both women and men are extensively employed compared with other countries. Labour market participation in 2008 was 64 per cent among women and 70 per cent among men in the age range 15-74. The amount of people with permanent positions is somewhat higher among men than among women; 85 per cent compared to 81 per cent. Women work part time to a larger extent than men, approximately a third of the working women are part time employed. Only about 10 per cent of men are. Women divide their work between the private and the public sector whereas men work predominantly in the private sector. Men dominate as entrepreneurs.

There are positive signs for gender equality. Both women and men work in high numbers. All children are offered day care. An increasing number of men are taking active responsibility for their children. Women are increasingly starting their own businesses. However, despite

decades of constant effort to promote gender equality, the Swedish labour market and business sector are still marked by gender imbalances. Women are absent from work more than men due to sick leave and due to care for family members. Women are more exposed to violence at the work place. There is still a wage gap between women and men.

The Government, therefore, has drawn up an overall strategy for the promotion of gender equality in the employment and business sectors. The measures set out in the strategy are designed to eliminate gender inequalities, to get more people into the labour market and to reduce exclusion.

The strategy is supported by more than 60 actions in the field of labour market-entrepreneurship, education- and social policy. For example Establishment of a Delegation for Gender Equality in Schools; Establishment of a Delegation for Gender Equality in Higher Education; A three-year programme for the promotion of women's enterprise; A database with gender-specific data on entrepreneurs and enterprises; Study on women's enterprise and innovation; A gender equality bonus to improve parents' chances of sharing parental duties and participation in working life equally; Tax relief for household services to facilitate the reconciliation of professional and family life for both women and men: Examine gender differences in sickness absence.

In the boards of governmentally owned (fully and partly) companies the boards are made up of 46 per cent women and 54 per cent men.

To attain *equal distribution of power and influence between women and men* the Government maps women's representation every year. Among ordinary members of central Governmental boards, women constitute 48 2008 per cent. The goal is 50 per cent. In the boards of the Municipalities and the County Councils the figures are 42 per cent and 48 per cent respectively 2007.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

Each Minister is responsible for the promotion of a gender equality perspective in her/his area. The Minister for Gender Equality co-ordinates the work and is responsible for the follow-up and further development of gender policy.

In 2004 the Swedish Government adopted a special plan (2004–2010) that provides a common framework for all gender mainstreaming work in the Government Offices. In response to the requirements of the government plan, each ministry has developed an organisational structure for its gender equality efforts and drawn up a plan of its own for its work in this field.

Each ministry has appointed one or two coordinators for gender mainstreaming and built up an organisational structure for disseminating support and information to all ministerial areas. The task of the coordinators is to coordinate gender mainstreaming efforts in their respective ministries and offer support and guidance where needed. The coordinators are not, however, responsible for implementing, scrutinising or approving gender analyses of background material etc. Responsibility for the presence of a gender perspective lies with whoever is in charge of producing this data.

During the seven years that the plan is in force, the Division for Gender Equality at the Government Offices is responsible for following it up and evaluating it, and for developing new guidelines for subsequent work in this area on the basis of their findings. The Division for Gender Equality also leads an inter-ministerial working group for gender mainstreaming.

As part of their gender mainstreaming effort, the Government Offices will be widening the scope of their internal training programmes to incorporate a gender perspective into existing courses, for example those focusing on budget work and on the formulation of government bills. In addition, the regular course programme will be supplemented with special gender-

related training (e.g. in how to perform gender analyses and how to work with gender disaggregated statistics).

In 2005 the Government appointed a committee of inquiry in order to support the implementation of gender mainstreaming in the Government Offices and the central government agencies. Gender Mainstreaming Support (JämStöd) worked for two years under a government mandate to provide information about gender mainstreaming and to develop practical methods and models for mainstreaming gender into central government activities.

JämStöd has

- provided training in gender mainstreaming
- provided guidance on gender analysis
- acted as a discussion partner in the work of drawing up strategies
- provided coaching in the change process
- created a forum for exchange of experience
- developed methods for gender mainstreaming.

JämStöd completed its work in March 2007 and presented their experiences and suggestions for the future in a final report and two publications on gender mainstreaming. In the final report JämStöd conclude that the implementation of gender mainstreaming in agencies and municipalities need continuously support if not the last years positive developments are to be jeopardized. JämStöd suggest that support structures for gender mainstreaming at both central and regional level are introduced. JämStöds suggestions are now drafted within the Government Offices.

In May 2006, the Swedish parliament adopted new national gender equality objectives proposed by the Government in a bill on gender equality. In the bill, the Government stipulates that gender mainstreaming is the strategy to be used in order to achieve the national gender equality policy objectives.

Since 2006 the main objective of the Government's gender equality policy is that "Women and men shall have equal power to shape society and their own lives". A prerequisite to accomplish this is that women and men enjoy the same opportunities, rights and obligations in all spheres of life.

SUBSIDIARY OBJECTIVES:

1. An equal distribution of power and influence. Women and men shall have the same rights and opportunities to be active citizens and to shape the conditions of decision-making.
2. Economic equality between women and men. Women and men shall have the same opportunities and conditions with regards to education and paid work that provide life long economic independence.
3. An equal distribution of unpaid care and household work. Women and men shall take the same responsibility for household work and have the same opportunities to give and receive care on equal terms.
4. Men's violence against women shall come to an end. Women and men, girls and boys, shall have equal rights and opportunities to physical integrity.

In 2003 the former government made a commitment to conduct gender equality analysis in all 48 policy areas in order to set goals and develop indicators for gender equality where possible. As a first step, each policy area is related in relation to the national gender equality

policy objectives to see whether the policy area could contribute to gender equality. As a second step, gender equality analyses are made of the relevant areas. These analyses are then to result in gender equality goals and indicators for follow up by the government. The aim is that all relevant policy areas are to be analysed from a gender equality perspective at the latest the year 2008. Hence, not all policy areas are analysed at the same time and some are not analysed at all, because they are not relevant for fulfilling the gender equality objectives.

The gender equality analyses resulted in some cases in completely new objectives that mirror a gender equality perspective within the policy area, and in some cases in the reformulating of already existing objectives to better include a gender perspective. Today almost half the government agencies have various gender equality requirements, including gender equality objectives. However not every analysis achieved result. In some divisions there were expectations that the analyses would produce more.

AT THE REGIONAL LEVEL

At the regional level, the county administrative boards are responsible for coordinating government and municipal services in the counties and ensuring that the decisions of the Government and parliament have the desired effects. Since 1995 there has been an expert for gender equality in each of Sweden's 21 counties. The gender equality expert acts as a resource for the county administrative board executive in its efforts to introduce a gender equality perspective in all branches of operations.

GENDER EQUALITY INITIATIVES AT LOCAL AND REGIONAL LEVEL

In December 2007, the Government decided to grant the Swedish Association of Local Authorities and Regions SEK 125, primarily for the purpose of ensuring that activities and services to citizens are the same whether you are a man or a woman. The funds specifically target efforts to develop gender mainstreaming in the country's municipalities and county councils. This includes training key staff in organisations, building up a web-based knowledge bank for the ongoing dissemination of experience and instructive examples, and developing managerial systems.

SUPPORT FOR GENDER MAINSTREAMING EFFORTS OF GOVERNMENT AGENCIES

In July 2008, the Government assigned the University of Gothenburg (National Secretariat for Gender Research) to support the efforts of government agencies to promote gender mainstreaming.

The assignment includes:

- • Further developing gender mainstreaming methods
- • Creating a forum for exchanges of experience concerning gender mainstreaming
- • Disseminating information about gender mainstreaming
- • Paving the way for long-term support for gender mainstreaming

The total cost of the assignment is estimated at SEK 13 million.

SWITZERLAND¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Federal Commission for Women's Issues*: This extra-parliamentary advisory body was set up in 1976 by decision of the Federal Council. It is part of the Federal Department of the Interior and its secretariat is attached for administrative purposes to the Federal Office of Culture. The 20 members of the Commission are government-appointed and represent political parties, the regions, linguistic communities, women's organisations, employers and employees' organisations (compensation). The Commission's remit is to improve awareness of matters of equality between women and men. It advises the Federal Council and federal departments, submits proposals, gives an opinion on draft legislation, prepares reports and conducts surveys, monitors developments in the situation of women, provides information for the public and maintains a documentation centre. In 1995, the Commission received funding amounting to 175 000 CHF.
- *Federal Office for Equality between Women and Men*: Set up in 1988, this body is attached to the Federal Office of Culture and is thus part of the Federal Department of the Interior. It has seven employees in four posts under a head of section. It is active in a number of areas - employment, law, documentation and public relations - and is mandated to promote equality between women and men. It provides back-up in decision-making, recommends courses of action, gives an opinion on draft legislation, prepares expert reports, advises the authorities and private individuals and educates and informs the public. Its budget in 1995 was 600 000 CHF.

There are also around fifteen *cantonal and municipal offices for equality between women and men*. These and the Federal Office for Equality between Women and Men regularly work together on information and proposals.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *Federal Commission for Women's Issues*: Since July 1996, the Commission's secretariat has been attached for administrative purposes to the Federal Office for Equality between Women and Men within the Federal Department of the Interior. Its budget for 2009 is 185 400 CHF (120 000 €). It is currently headed by Ms Etienne J. VERREY.
- *Federal Office for Equality between Women and Men (BFEG)*: under the new federal law on equality between women and men, which entered into force in July 1996, this body was granted far greater autonomy as a federal office, and it now enjoys new powers. The same law authorises the Confederation to award grants to consultative bodies and public and private organisations for programmes to promote equality between women and men in working life. The Office is responsible for examining applications and overseeing grant awards, as well as monitoring and assessing programme activities. It now employs 17 staff and 4 posts in the following areas: grant

¹ Last update provided in September 2009.

awards, employment, a legal and international co-operation section, and section for action against violence, a documentation centre and public relations. It also heads and/or sits on various working groups (both governmental and non-governmental). Its budget for 2009 is CHF 8.1 millions (5.2 millions €) of which grants accounted for CHF 4.1 millions (2.7 millions €). The current director is Ms Patricia SCHULZ.

1.2.2 CREATION OF NEW INSTITUTIONS

At federal level, the department for combating violence has been set up within the Federal Office for Equality between Women and Men. It began its work on 1 May 2003. The department's purpose is to coordinate and support the numerous activities of existing organisations and to group resources, making them more effective

The employers' and employees' confederations, the Federal Office of Justice (OFJ), the Secretariat of State for the Economy (SECO) and the Federal Bureau for Equality between Women and Men (BFEG) have begun a dialogue on equal pay. Their aim is to accelerate the application of such equality by encouraging as many enterprises as possible to conduct a voluntary examination of their own pay policies and eliminate any discrimination.

In May 2009 the partner associations signed an agreement, undertaking to take action, for which financial and technical support is received from the federal offices involved.

On 29 December 2008 the Optional Protocol of 6 October 1999 to the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) came into force in Switzerland. This will enable groups or individuals to complain to the Committee about violations of the rights enshrined in the Convention, once all other remedies have been exhausted.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The Federal Office for Equality has been the driving force in preparing the national Plan of Action "Equality between women and men", approved by the Federal Council in 1999. A total of 287 measures have been decided on in collaboration with an inter-departmental working group; NGOs, and particularly Post-Beijing NGO coordination for Switzerland (www.postbeijing.ch), a grouping of women's organisations campaigning for gender equality, have been involved. The working group has produced a report on the federal authorities' implementation of the national plan of action, and this was approved by the Federal Council at the end of 2002. Post-Beijing NGO coordination drew up an alternative report.

The Confederation is developing programmes to promote equal opportunities in vocational apprenticeships, specialised vocational colleges and universities. Fostering the reconciliation of family and working life is an important field of action of the BFEG, in which it has launched awareness-raising programmes on the themes of "Fair play at work" and "Fair play at home".

A study published by the Federal Bureau for Equality between Women and Men in June 2009 provides an analysis of the causes and risk factors of violence within couples and lists the measures so far taken by the Confederation and the cantons to combat this form of violence. It sets out recommendations which refer briefly to the results of the study where these show the need to act and the possibilities of optimisation, and it contains a table summarising the measures planned by the Confederation.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

Gender mainstreaming is the main priority of the Swiss Plan of Action, which is itself designed to enable those to whom it is addressed (politicians and administrators, public and private institutions, NGOs, employers and unions, training institutes and the media) to put

this policy into practice. It has a calendar for achieving its measures in the short, medium and long term. In order to promote gender mainstreaming, it proposes that in-service courses on matters of equality between women and men be devised and offered to women and men in positions of responsibility in politics, economics and the law. In the report on the implementation of the Plan (see above), it can be seen that numerous measures have already been (partially) implemented by the federal authorities. However, gender mainstreaming is not well known yet and its actual implementation varies considerably between departments and offices.

A parliamentary committee recommended that the Swiss government take practical measures to give the federal authorities greater awareness and powers where equality between women and men was concerned. The inter-departmental working group instructed to tackle this question proposed that gender mainstreaming be introduced, following a pragmatic approach. Five pilot schemes were launched in four departments and the Federal Chancellery to demonstrate, using concrete examples, in what circumstances the equality issue arose and how to respond to it. In June 2004 a leaflet illustrating the gender mainstreaming concept with specific examples was distributed to all federal authority staff. A guide published at the same time uses two practical examples to explain how mainstreaming can be applied in any project.

Generally speaking, statistics are broken down by sex. Important quantitative studies have been conducted into the value of unpaid work and the sex of those by whom it is done. However, there is still insufficient data on violence against women and on time-budget analyses.

“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” ¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *National Committee*: This committee was established to prepare the national report for the 4th World Conference on Women in Beijing.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *National Committee*: The committee was reactivated by the Department for the Promotion of Gender Equality. It is composed of members of government institutions and NGOs. *Inter alia*, its task is to give priority assessments on the proposed projects and to verify their results.

1.2.2 CREATION OF NEW INSTITUTIONS

The Ministry of Labour and Social Policy will intensify, upgrade and expand measures and activities for prevention and protection of victims of trafficking in human beings, especially women and children, in accordance with the interests and efforts of the international community for joint action in the repression of trafficking in human beings and implementation of the National Program for Fight against Trafficking in Human Beings and Illegal Migration. In this context, since *September 2005*, an office of the *National Referral Mechanism for the victims of trafficking in human beings (NRM)* successfully functions within the Ministry of Labour and Social Policy.

Since September 2006, a *Commission for Equal Opportunities between Women and Man* functions in the Assembly of the Republic of Macedonia, and it is responsible for monitoring the legal regulation drafted by the Government of the Republic of Macedonia from the aspect of gender equality and emancipation of women. In the last period, the Commission has been actively working on the promotion of gender equality in different areas of the social life.

In March 2007, a *Department for Equal Opportunities* was established in the Ministry of Labor and Social Policy. This Department treats the issues of promotion of gender equality and equal opportunity's for women and man, as well as protection and prevention against all forms of discrimination.

By entering into force of the Law on Equal Opportunities for Women and Men, and in accordance with Articles 13, 11, 16 and 17 of this Law, 13 coordinators for equal opportunities for women and men have been appointed in the Ministry of Economy, Ministry of Local Self-Government, Ministry of Transport and Communications, Ministry of Culture, Ministry of Defense and Ministry of Environment and Physical Planning, Ministry of Interior Affairs, Ministry of Information Society, Ministry of Health, Ministry of Justice, Ministry of Education and Science, Ministry of Foreign Affairs and Ministry of Finance. They are civil servants who in largest part are employed in the sector for human rights, and besides other responsibilities, they have an obligation to monitor the activities from the aspect of gender

¹ Last update provided in September 2009.

equality and equal opportunities for women and men and to inform the Department for Equal Opportunities on the adoption of certain proposals and solutions in the area of gender equality.

In sense of incorporating the gender perspective in the local policy, the promotion of women's position on local level and the implementation of one of the strategic objectives of the National Action Plan and the Law on Equal Opportunities for Women and Men, *commissions for equal opportunities for women and men have been established in 75 local self-government units*. From the start, this initiative has been supported by the non-governmental sector in the Republic of Macedonia. Members of councils of the municipalities from different political parties are members of the commissions. Main responsibility of the commissions is to positively influence on the local level policy from the aspect of gender equality, in order to solve the specific problems with which women and man confront on local level. The commissions have drafted local action plans with specific objectives and needs for each municipality.

In accordance with *the Law on Equal Opportunities for Women and Men*, 75 persons have been appointed as coordinators for equal opportunities for women and men in the local self-government units who have status of civil servants, responsible for the promotion of gender equality and establishment of equal opportunities for women and men on local level. Coordinators' main responsibility is to assist the commissions for equal opportunities and to establish sustainability of the process, as well as to continuously perform the activities regarding the fact that the commissions for equal opportunities for women and men have only 4 years terms of office, and are replaced each fourth year upon the local elections.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The second National Action Plan on Gender Equality was adopted in 2007 and it will cover a period from 2007 to 2012. The National Action Plan is a document which defines policy and measures regarding promotion and protection of woman's rights in all areas of social life.

The National Action Plan on Gender Equality contains ten strategic areas and one cross-section area, represented by strategic objectives and activities, which should be achieved in the following period. In order to obtain evaluation of the achieved results in the National Action Plan on Gender Equality, indicators have been introduced for every activity in each strategic area, which represents a possibility to evaluate the way of implementation of the National Action Plan on Gender Equality.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

In 2002, amendments to the *Law on Election of Members of Parliament* were adopted in the Assembly of the Republic of Macedonia. Pursuant to Article 37 of the Law: In the list of nominated candidates, each gender will be represented with at least 30%. This legal provision resulted in an increased number of women MPs in the fourth multi-party Parliament, established after the parliamentary elections held in 2002. Out of total 120 elected MPs, 22 or 18, 3% were women.

In June 2004, the amendments to the *Law on Local Elections* were adopted. Pursuant to Article 15-a: In the list of nominated candidates for members of the Municipal Council or the Council of the City of Skopje, each gender will be represented with at least 30% in the upper and in the lower half of the list. The results of the local elections which took place in 2004 show that out of total 85 elected mayors, 3 or 3, 5% were women. Out of 1391 elected Council Members, 309 or 22, 2% are women, which compared to the elections of 2000 is an increase to 13, 8%.

Law on labour relations: (Official Gazette of the RM, No. 60/2005) is in compliance to the Directive 76/207/ EEC, for application of the provision for equal treatment of women and men regarding the access to employment, vocational training and advancing and for the working conditions, Directive 2002/3/EC which represents changing and amending of the Directive 76/207/EEC, and contains new definition of indirect discrimination, harassment as a form of discrimination, Directive 97/80/ EC for the burden of proof in cases of discrimination based upon the sex, Directive 75/11/ EEC, which refers to the principle for equal pay for women and men, directive 82/85/EEC for security and protection of pregnant worker and worker that have given birth or is feeding, Directive 96/34/EC for parental leave.

According to the *Law on high education* (Official Gazette of RM No. 64/2000 and 49/2003) the citizens of the RM have, under equal conditions, right on education in the universities in RM.

Law for political parties (Official Gazette of RM No. 76/2004) obligates political parties on their acting to take care for accomplishing of the principle for gender equality in accessibility on the positions in the political party.

The Election Code adopted in 2006 (Official Gazette of RM No. 40/06) Article 64 paragraph 5 regulates that in the submitted list of candidates for MPs of paragraph (2) of this Article for members of the councils of municipalities and the city of Skopje of paragraph (3) of this Article, at least one place to every third place belongs to the represented sex. The results from the parliamentary elections 2006 show that out of total 120 elected MPs, 33 are women. In the moment there are 37 women MPs in the Assembly of the Republic of Macedonia as a result of the lists change.

It is planned to achieve single economic development and to open new middle-term workplaces by full concept of strategic development management of the available resources, contained in the Program of the Government of the Republic of Macedonia for the period 2006-2010. In this sense, the Government of the Republic of Macedonia adopted the National Employment Strategy 2010, in which the gender concept was incorporated for the first time.

An Operational Plan is prepared for the active employment policies on a yearly level in accordance with this Strategy. Within the frames of the Draft National Action Plan on Gender Equality, the planned activities are in compliance with the National Employment Strategy and the Program of the Government of the Republic of Macedonia, which are directed towards increasing the employment rate and promotion and strengthening of the economic status of women in the Republic of Macedonia.

Domestic violence was first treated in the Macedonian civil legislation with the amendments of the Law on Family from June 2004.

Namely, in accordance with the provisions from the Law, it was established that the Republic provides protection against bad relations and violence in marriage and family. Any kind of violence in marriage and family is prohibited.

The Law defines the measures for protection against domestic violence.

For the purposes of the enforcement of the Law, the Ministry of Labour and Social Policy has opened seven-day centers for the family violence victims as special organisational units in the competent of Centers for social work

In 2006, the Assembly of the Republic of Macedonia adopted *the Law on Equal Opportunities for Women and Men* within the frames of compliance and adjustment of the legislation of the Republic of Macedonia regarding the equal opportunities for man and women.

The amendments of the Law on Healthcare Protection (Official Gazette of the Republic of Macedonia No. 5 from 16.01.2007) provide treatment of issues regarding measures and

activities for early detection of the breast cancer in the women and preparation of a program for early detection, diagnosing and treatment of the breast cancer in women.

In September 2008, the *Law Amending the Law on Equal Opportunities* (“Official Gazette” No. 117 from 18.09.2008) was adopted in accordance with the program of the Department for Equal Opportunities. Compliance has been made with EU Directives regarding the definitions for discrimination and disturbance and competencies of the Ministry of Labor and Social Policy contained in the law, as well as their compliance with the Directive 2007/73/EC, and changes have been made of the criminal provisions in the law.

TURKEY¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

Directorate General on the Status and Problems of Women (DGSPW): This government body was set up by law (No: 3670) in 1990. Initially organized within under the Ministry of Labour and Social Security, it was engaged in the Prime Minister's Office in 1991, executing its functions under the responsibility of a State Minister. The Directorate's objective was to ensure women's access to education and training, to enhance their contribution in various economic fields, to ensure social and health cover and to enable women acquire a better status and equality. It initiated reforms, carried out research and publications, co-ordinated the work of various bodies, monitored actions in the regions and gave financial support to a number of organisations. In 2004 this Directorate was replaced by Directorate General on the Status of Women, the details of which are explained below.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

Directorate General on the Status of Women: "The Law on the Organization and Duties of the Directorate General on the Status of Women (DGSW)", No. 5251 came into force in 2004 and DGSW was established as the national mechanism affiliated to the Prime Ministry to "conduct operations to protect and improve women's human rights, to strengthen the status of women in social, economic, cultural and political life, to enable them to benefit from rights, opportunities and facilities on an equal basis."

Directorate General on The Status of Women consists of 4 main service units; namely Improving Women's Social Status Department, Strengthening Women's Economic Status Department, Foreign Relations Department, Communication, Documentation and Publication Department"; 2 advisory units, namely Strategy Development Department, Legal Counseling and 1 support service unit, namely Human Recourses and Support Service Department. Its resources from the national budget amounted to 4.239.800 TRL (1.972.000 Euro) in 2009.

According to its Strategic Plan 2007-2012 DGSW's mission is, "to make policies, to develop strategies, to cooperate with all stakeholders and to coordinate in order to achieve equality between women and men, to strengthen position of women in all fields of social life and to eliminate all forms of discrimination against women in Turkey." And DGSW's vision is, "to become an effective and successful institution in achieving gender equality and ensuring its sustainability with the policies it made and strategies it developed."

There are some other mechanisms, operating under the DGSW such as Advisory Board on the Status of Women and Monitoring Committee for Violence against Women or ad hoc commissions for special issues such as violence against women.

¹ Last update provided in August 2009.

Advisory Board on the Status of Women: As required by the “The Law on the Organization and Duties of the Directorate General on the Status of Women (DGSW)” relevant public institutions, universities and non-governmental organizations are represented in the “Advisory Board on Status of Women”. Duties of the Advisory Board are:

- To assist with the formulation of general policies by examining problems concerning the status of women within the framework of economic, social, cultural and women-related policies of the state and to advise on the implementation of plans and programmes;
- To determine measures improving the tasks of the Directorate General and to make recommendations within the framework of economic, social and cultural policies of the state and according to plans and annual programmes;
- To examine, evaluate, advise and make recommendations on the issues related to the status of women as asked by the Prime Minister or a Minister assigned by him/her, as proposed by the General Directorate or members of the Board.

The Advisory Board on the Status of Women has 36 members and is chaired by the State Minister in charge of Women and Family Affairs. The Advisory Board meets at least once per year and DGSW follows up the resolutions made within the scope of the meeting agenda.

Investigation Commission: A significant step taken for the elimination of violence against women was the formation of a Parliamentary Commission of Inquiry for purposes of “Investigating the Reasons behind Custom and Honour Killings and Violence against Women and Children, and Identifying the Measures to be taken”.

The Commission conducted its activities from 2005 to 2006 and following its activities it submitted a comprehensive report which provided its suggestions on the measures that need to be taken to the Parliamentary Assembly and identified the responsible agencies with regard to honor/custom killings and violence against women.

After this report, a Prime Ministry Circular was published in order to identify the measures to be taken and institutions responsible. This Circular entrusted the Directorate General on the Status of Women with the duty of providing coordination for the activities and the measures to combat violence against women and custom and honour killings. Within the context of this function, DGSW monitors the activities of responsible/collaborating institutions and relevant agencies.

Monitoring Committee for Violence against Women: A “Monitoring Committee for Violence against Women” was established by DGSW with the participation of representatives of all related public agencies and institutions, universities and non-governmental organizations working for combating violence against women. The Committee meets under the chairmanship of the State Minister in charge of Women and Family Affairs in order to assess the current situation and to determine the extent to which the responsibilities specified by the Prime Ministry Circular have been discharged.

1.2.2 CREATION OF NEW INSTITUTIONS

Commission on Equal Opportunities between Women and Men: Law on the establishment of “Commission on Equal Opportunities between Women and Men” under The Turkish Grand National Assembly (TGNA) came into effect in March 2009. According to this Law, “Commission on Equal Opportunities between Women and Men” is in charge of protecting and enhancing human rights of women, monitoring and negotiating the improvements achieved in Turkey, to ensure equality between women and men, pursue the improvements achieved on this issue in other countries and international organizations and inform Turkish Grand National Assembly on these improvements and by request, presenting its view to specialization commissions on the convenience of the draft laws, proposals and degree laws

submitted to the Turkish Grand National Assembly with national legislation and international obligations.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

In 1998, The Turkish National Plan of Action for the implementation of the Beijing Conference was formulated by the specialised commission made up of the representatives of women's NGOs, gender studies centres of universities, academic experts and relevant state institutions. An inter-ministerial council was established, in which non-governmental organisations, representatives of ministries and different government departments participated.

The results of Turkey's first National Action Plan were satisfactory in some fields, but some new policies were needed to be established due to the changes both in Turkey's legislation and Turkish people's mentality regarding the issue of gender equality.

In this framework, Turkey has identified education, health, violence, participation in employment and raising public awareness on gender equality as priority areas in respect to ensuring gender equality and empowerment of women. Besides other ongoing activities, the most important development in this regard has been the preparation and entering into effect of the "National Action Plan on Gender Equality" and "Combating Domestic Violence against Women National Action Plan".

Both of the National Action Plans have been prepared with a large participation from relevant public institutions and agencies, NGOs, trade unions and confederations of workers-employers, professional organizations, Turkish representatives of international organizations, political parties and universities and implementation period has started after the approval of the State Minister in charge of Women and Family Affairs.

Problems, priority areas and implementation strategies concerning the issue have been identified. For each implementation strategy, the National Action Plans define the responsible public institutions and organizations.

Monitoring and assessment committees have been formed for each of the critical area under the coordination of DGSW. Representatives of responsible institutions and agencies take part in these committees corresponding to implementation strategies defined in respective critical area. The mentioned committees convene twice a year at six-month intervals following the submission of reports by relevant parties to DGSW and carry out the evaluation in terms of the implementation of the National Action Plan. In case of detection of shortcomings in the implementation process, DGSW, having the responsibility of monitoring, take the necessary steps by the responsible institutions in order to overcome deficiencies.

The details of the National Action Plans are:

The National Action Plan on Gender Equality: In order to mainstream gender equality into public policies and strengthening the socio-economic status of women in Turkey, "The National Action Plan Gender Equality" covering 2008-2013 periods has been prepared in accordance with the above mentioned Ninth 5 Year Development Plan by national machinery Directorate General on the Status of Women (DGSW).

Aforesaid National Plan has been prepared with a scope of covering the titles of "Women and Education", "Women and Economy", "Women and Poverty", "Women and Health", "Women and Power and Decision-making Processes", "Women and Environment", "Women and Media", and "Institutional Mechanisms for the Advancement of Women" which are among the critical areas determined in the Beijing Platform for Action. As for the critical areas named "Women's Human Rights" and "Girl Children", they have been taken into consideration under each of these titles.

Combating Domestic Violence against Women National Action Plan: As for violence against women, one of the critical areas stated in Beijing Platform for Action, again by the participation of all related parties a separate action plan has been prepared and it has been put into effect in 2007 under the title of “Combating Domestic Violence against Women National Action Plan (2007-2010)”.

With the Plan on domestic violence against women, it is targeted to improve the conditions in six main fields which are legal arrangements, social awareness and mental transformation, advancement of women’s socio-economic status, protective services, curative and rehabilitation services and inter-sectorial cooperation. In this respect, various responsibilities have been given to related public institutions and agencies and cooperative institutions.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

In the international conventions and resolutions to which Turkey is a party, governments are designated as the authorized bodies for the incorporation of a gender equality perspective into main policy plans and programmes. DGSW, as the national mechanism, has a key role in the process of incorporating the concept of gender equality into main plans and programmes (gender mainstreaming) given its function of coordination institution. As the first responsible institution in the process of the development of a harmonized gender equality policy, it is also a driving force for the application of gender mainstreaming by other public institutions.

Since policies related to women are implemented by different ministries, DGSW conducts its operations in due collaboration with relevant public agencies and institutions. In this process, the role of DGSW is to facilitate the implementation of the policies developed with the aim of securing gender equality and to monitor progress and results of the implementation. The provincial organizations of Ministries, which have the capacity to provide services to all regions of Turkey, operate in affiliation with provincial and district authorities.

Therefore, the policies developed are being implemented at the local level by provincial governorships and district authorities.

A two-level approach to gender mainstreaming was taken by Turkey:

LEGAL TOOLS

Turkey has a legislation which pays attention to gender equality especially since Beijing Conference. Considerable arrangements have been made particularly in the Constitution, which has the highest level in hierarchy of norms, and in fundamental laws. Through the comprehensive amendments made in the Constitution in 2001 and 2004, the Constitutional principle of equality between women and men has been strengthened.

Among the other basic laws, the first and the most important step has been the adoption of the *New Turkish Civil Code*, giving place to reformative arrangements, on 1 January 2002. The reconstituted Code has reached a new manner that pursues equality between women and men, puts an end to gender discrimination, makes women equal to men in the family and society and respects women’s labour.

The Labour Law, which is also among the fundamental laws, has been reconsidered having regard to implementations that includes discrimination against women. In this regard, no discrimination including sex discrimination is permitted in employer-employee relations considering fundamental human rights (10 June 2003).

One of the fundamental laws which have been revised is The *New Turkish Criminal Code*. With the amendments made in this law contemporary arrangements have been brought on gender equality and violence against women in accordance with the recent conditions (10 June 2005).

Additionally, the Law on the Protection of the Family, which came into force 17 January 1998 in order to prevent violence against women, has been amended due to the problems in the implementation process. With this amendment protection measures regarding victims of violence have been varied (4 May 2007).

MAINSTREAMING A GENDER PERSPECTIVE INTO POLICIES AND PROGRAMMES

In pursuit of these important legal developments, in order to reflect legally provided gender equality into implementation process, intensive efforts have been carried out and also a large number of regulations and circulars have been put into effect to guide and to eliminate uncertainty that encountered during implementation.

In Turkey, National Development Plans which are prepared by State Planning Organization for 5 years period are the fundamental policy document in policy development and implementation processes. The latest one of these plans, which are prepared so as to improve economic, social and cultural structure by taking into consideration international obligations and needs of the country, is the Ninth 5 Year Development Plan that covers the 2007-2013 period. The Plan considers “promoting education and vocational training opportunities for women in order to increase their participation to economic and social life, improving employability of women and proceeding combating domestic violence” among priorities.

The aforesaid Advisory Board on the Status of Women is among the mechanisms in Turkey which brings together all the relevant stakeholders related to gender mainstreaming and coordinates Turkey’s activities on gender mainstreaming.

In order to mainstream gender equality into public policies and strengthening the socio-economic status of women in Turkey, the abovementioned National Action Plans, namely “The National Action Plan on Gender Equality” and “Combating Domestic Violence against Women National Action Plan” was prepared and has been on implementation process.

Also, the above mentioned Prime Ministry Circular, published in 2006, was another important tool for gender mainstreaming in Turkey, both for providing suggestions on the measures that need to be taken with regard to honor/custom killings and violence against women and for providing effective measures in order to achieve gender equality in Turkey.

In order to mainstream a gender perspective into policies and programmes and achieve real gender equality, it is important to raise awareness of policy makers and policy implementers. Within the scope of this strategy several training programmes and seminars are being held for police officers, health care providers, judges, prosecutors and other public officers in Turkey. And these programmes are planned to be implemented for other public officers in the future.

Within the framework of the protocol signed between DGSW and General Directorate of Security, training programs on gender equality and procedures to implement to victims of violence that were given to 40.400 police were completed.

In accordance with the protocol signed between DGSW and General Directorate of Basic Health Care Services, doctors, nurses, midwives, and other health care personnel working in the health sector started receiving in-service trainings.

Within the scope of a protocol signed between DGSW and Ministry of Justice, training seminars for family courts’ judges and prosecutors of the Republic are being conducted.

Moreover, trainings will be organized for sociologists, psychologists, social service experts, forensic science experts who work in family and children courts and personnel of court house.

Gender equality and equality between women and men trainings are initiated for the public officers of Public Education Centers and Agriculture Directorates at the provincial level.

UKRAINE¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Committee for Women's Affairs, Motherhood and Childhood:* This committee was set up in 1995 under the President of Ukraine. Its goal is to study the social status of women and to develop propositions regarding its improvement, to protect the interests of family and children at government level and to introduce the best Ukrainian and international experience in the sphere of legal and social protection of women, family planning, mother and child protection, co-operation with international organisations etc. The committee does not have a separate budget.
- *Commissions on Issues of Health Care, Mother and Child Protection/ Sub-commission on Enforcement of Rights of Women, Family and Children:* These bodies were added to the standing Commission on Issues of Human Rights, National Minorities and International Relations acted at the Supreme Rada (National Assembly) of Ukraine. The commission was set up in 1990. Its resources were part of the State's budget. In 1994, the functions of the commission were transferred to the specially created Sub-committee on Female Status, Family and Childhood which is also attached to the standing Commission on Issues of Human Rights, National Minorities and International Relations. The sub-committee is particularly aiming at an improvement of maternity medical treatment and female labour protection.
- *Sector for Women's Affairs, Family, Mother and Child Protection:* This sector was set up in 1993 and is attached to the Cabinet of Ministers. In collaboration with other ministries as well as scientists and public associations, it developed measures to ensure social and legal guarantees for women's equal opportunities in the sphere of labour and social protection. One of its major aims was to increase the prestige of the family in society and to improve measures directed to support families. The sector does not have a separate budget.
- *Ministerial Departments:* The Ministries of Labour, Public Health and the Ministry of Social Protection established departments between 1992 and 1995 that also address issues regarding the improvement of the status of women. These Departments deal with assistance for children and mothers, family planning, social protection and guarantees for women and children etc. They do not have a separate budget - their budgets are part of the ministries' budgets.
- *National Organising Committee for the Preparation of the Beijing Conference:* In 1993, this committee was set up under the Cabinet of Ministers. It consisted of ministers, deputy ministers, and heads of subdivisions and department employees of the Cabinet of Ministers, members of the commissions, scientists and members of NGOs. The committee analysed the status of women and children and developed measures to improve it.

¹ Based on: Replies to 1999 questionnaire on national machinery, action plans and gender mainstreaming and information provided in 2002 and updated in September 2009.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

- *Committee for Women's Affairs, Motherhood and Childhood*: In 1996, the committee terminated its work due to the establishment of the Ministry of Family and Youth.

1.2.2 CREATION OF NEW INSTITUTIONS

- *Ministry for Family and Youth/State Committee for Family and Youth*: This ministry was founded in 1996. Its objective is to create a common strategy of state policy as regards the female status in family and public life as well as the establishment of equal opportunities for women and men in all spheres of social life. In March 1999, it was transformed into the State Committee for Family and Youth, which includes a Department of Family Affairs and Gender Equality. In 1999, the budget of the committee only covers about 60% of its needs.
- *Female Relationship Regulatory Body (1997) and the Council of Equal Opportunities/Gender Council (1998)*: These bodies were established under the Ministry (at the present State Committee) for Family and Youth. They provide linkage with governmental authorities and public institutions in order to resolve problems regarding women's and family matters. The main tasks of the Gender Council, which operates as an analytical, consultative and advisory body attached to the Ministry, are to provide gender examination of the national legislation and draft laws, to put forward proposals concerning changes and amendments to laws which run counter to the principle of gender equality, to participate in the process of forming gender policy, etc. The personnel are qualified. It consists of specialists in different fields, scientists, representatives of ministries and other central bodies of executive power as well as public structures.
- The *State Committee for Family and Youth* has been adopted by presidential decree (No. 1132, 22 November 2001). The *State Committee for Family and Youth* has been adopted by presidential decree (No. 1132, 22 November 2001). According to Article 15 of the Constitution of Ukraine the State Committee for Family and Youth was reorganized into the Ministry of Ukraine for Family, Children and Youth.

According to presidential decree № 381/2005 of 26.02.2005 "On the Ministry of Ukraine for Youth and Sports" Ministry of Ukraine for Family, Children and Youth and State Committee of Ukraine for physical culture and sports were reorganized into the *Ministry of Ukraine for Youth and Sports*.

According to presidential decree №1176 of 18.08.2005 "On the Ministry of Ukraine for Family, Youth and Sports" Ministry of Ukraine for Youth and Sports was renamed in the *Ministry of Ukraine for Family, Youth and Sports*.

Sub-committee on the international legal issues and gender policy of the Committee on the human rights, national minority and international relation of the Verkhovna Rada of Ukraine was set up in Ukraine.

The expert working groups on the implementation of gender methods are created under 37 central bodies of executive power.

The coordination councils on the family, gender quality, demographic development and resistance to the human traffic are created in 19 State Regional Administrations of Ukraine.

16 heads of the State Regional Administrations have advisers on gender issues.

12 regional gender centers fulfill their functions in the regions of Ukraine.

More than 500 public organizations on gender issues operate in Ukraine.

In September 2007 the Cabinet of Ministers of Ukraine established the Inter-Ministerial Council for family, gender equality, demographical development and prevention of human trafficking and adopted its Regulations.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

In 1997, the "National Plan of Action on Women's Status in Ukraine and the Improvement of their Role in Society during 1997-2000" was adopted by the Cabinet of Ministers. It focuses on the:

- Establishment of an effective judicial system to protect women's rights;
- Improvement of women's competitive abilities on the labour market;
- Creation of conditions for safe maternity;
- Enlargement of female participation in policy-, economy- and decision-making within all power structures;
- Prevention of violence against women.

In March 1999, the Declaration on General Provisions of State Policy regarding Family and Women was approved by Verkhovna Rada of Ukraine. It determines the main principles, directions and approaches to problems concerning family and women.

In September 1999, the "Comprehensive National Programme on Prevention and Struggle against Trafficking in Women and Children" was adopted by the Cabinet of Ministers.

In 2002, the "Comprehensive National Programme of counter-acting trafficking in human beings for 2002-2005" was adopted by the Cabinet of Ministers of Ukraine. (Decree № 766 of 5 June 2002)

In 2006 the State Program on enhancement of gender equality in the Ukrainian society till 2010 was adopted by Decree of the Cabinet of ministers of Ukraine N 1834 of 27.12.2006.

In 2004 and 2006 the Parliamentary Hearings "The status of women in Ukraine: the reality and prospects" and "Modern state and topical tasks in preventing gender violence" were held.

In order to ensure gender equality in Ukrainian society a number of legislative and normative acts were adopted. On February, 4, 2004 the law of Ukraine "On Ratification of the United Nations Convention against Transnational Organized Crime and the Protocols thereto (the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air)" was adopted.

On 21 February 2005 Ukraine signed the Action Plan "Ukraine – European Union. The European Neighborhood Policy", clause 9 of which is aimed at ensuring gender equality in Ukraine.

On 7 November 2005 Ukraine signed the Council of Europe Convention on Action against Trafficking in Human Beings.

In 1995 the resolution of the Verkhovna Rada of Ukraine "On Recommendations of Participants of the Parliamentary Hearings on the Implementation of the UN Convention on Liquidation of All Forms of Discrimination against Women" was adopted. It points out at the necessity of establishing the state bodies responsible for giving qualified psychological and advisory assistance to women who suffered from domestic violence and humiliation in family.

In January, 2006 the amendments to article 149 of the Criminal Code of Ukraine were adopted (human trafficking or other illegal contract regarding a human being). It led to bringing the punishment for human trafficking into line with Palermo Convention.

In June, 2004 the Parliamentary Hearings on "The Status of Women in Ukraine: the Reality and Prospects" were held. During the Hearings, the real status of Ukrainian women was analyzed and the strategic approaches and priorities for further actions aimed at improving and increasing the status of Ukrainian women were determined. Ensuring all conditions for full self-realization for women in professional, social and political activities was listed among the most important tasks of the state. To this end, first of all, it is important to set conditions favorable to combining motherhood and professional advancement of women, to treat motherhood as socially useful work, to make appropriate amendments to the legislation of Ukraine, including the law on pensioners. Following the Parliamentary Hearings, the corresponding regulation of the Verkhovna Rada of Ukraine "On Recommendations of the Parliamentary Hearings" The Status of Women in Ukraine: the Realities and Prospects" was adopted and necessary instructions were given to the Cabinet of Ministers of Ukraine.

In order to increase the effectiveness of the state policy and coordination of cooperation among executive authorities in providing equal rights and opportunities for men and women, on 26 July 2005 the President of Ukraine signed Decree №1135 "On Improvement of Work of Central and Local Executive Authorities in Ensuring Equal Rights and Opportunities for Women and Men". By this act the leaders of central and local authorities were instructed to entrust one of their deputies with the function of ensuring equal rights for men and women; a detailed list of functions and officials responsible for work in this sphere was given and the personal responsibility of the officials for non-fulfillment of their duties in ensuring equal rights and opportunities for women and men was introduced.

On 1 January 2006 the Law of Ukraine "On Ensuring Equal Rights and Opportunities for Men and Women" came into force, which became an important step in the implementation of the Convention. The aim of this Law is to reach the parity in status of women and men in all spheres of social activities by means of the legal ensuring of equal rights and opportunities for men and women, liquidation of gender discrimination and use of special provisional measures for the liquidation of imbalance between the opportunities of men and women in realizing equal rights.

According to the legislation, the aim of the state policy in ensuring equal rights and opportunities for men and women is as follows:

- Enhancement of gender equality;
- Prevention of gender discrimination;
- Use of positive actions;
- Ensuring the equal participation of men and women in decision-making;
- Ensuring equal opportunities for men and women in combining professional and family duties;
- Family support, popularization of the responsible motherhood and fatherhood;
- Education in and popularization of the culture of gender equality in Ukrainian society, awareness-raising in this sphere;
- Protection of the society from gender discriminative information.

According to the Law of Ukraine "On ensuring equal rights and opportunities for women and men" the mechanism of ensuring equal rights and opportunities for men and women in Ukraine is determined; regulations of specially authorized central executive body for ensuring equal rights and opportunities for men and women are set and gender terminology is legislatively fixed.

An important milestone for the State in fulfillment of the provisions of the Law and obligations of Ukraine in the implementation of the Convention was Regulation of Cabinet of Ministers No. 504 of 12.04.2004 "On Gender-Legal Expertise". It stipulates that the Ministry of Justice of Ukraine shall conduct the gender-legal expertise of the legislation in vigor and of draft normative and legal acts which relate to human rights and freedoms in accordance with Law

of Ukraine No. 2866 of 08.09.2005 "On Ensuring Equal Rights and Opportunities for Women and Men".

On 21 November 2006 the following Parliamentary Hearings on "Current State and Relevant Tasks in the Sphere of Prevention Gender Violence" and "Equal Rights and Equal Opportunities in Ukraine: the Reality and Prospects" were held:

Following the Parliamentary Hearings the public authorities within the scope of their competence were recommended to:

- provide women with the possibility to fully realize their rights by promoting respect of women in society; to bring to account offenders and criminals who committed violence against women by adopting effective laws;
- ensure the protection of women's rights by their family members, as the most spread form of violence against women is domestic violence;
- improve the legislation on preventing domestic violence, including types of sanctions against those who committed home violence;
- strengthen the parliamentary control over respect of the legislation in the sphere of preventing gender violence etc.

Regulation of the Cabinet of Ministers of Ukraine №1834 of 27.12.2006 approved the State Program on Enhancement of the Gender Equality in Ukrainian Society till 2010.

The Program is aimed at enhancing equal rights of men and women and equal opportunities for their realization as fundamental human right.

The main tasks of the Program are:

- establishment and implementation of the state policy in the sphere of ensuring gender equality;
- drafting appropriate normative and legislative acts;
- bringing the branch normative and legislative acts in line with the Law of Ukraine "On Ensuring Equal Rights for Women and Men";
- adjusting Ukrainian legislation to the EU legislation in the sphere of ensuring gender equality;
- improving the mechanism of carrying out the gender-legislative expertise of acting legislation and draft normative and legislative acts;
- setting up the institutional mechanism of ensuring equal rights for men and women;
- gender mainstreaming in central and local authorities.

In September 2007 by the resolution of the Cabinet of Ministers of Ukraine the Inter-ministerial Council for Family, Gender Equality, Demographical Development and Preventing Human Trafficking was set up. The main tasks of the Council are:

- assistance to the implementation of the effective state policy concerning family, gender equality, demographical development and preventing trafficking in human beings;
- consideration of issues that require inter-branch coordinated cooperation in the field of implementation of the state policy concerning family, gender equality, demographical development and combating human trafficking, including investigation, return, rehabilitation of victims of such trafficking as well as preventing home violence.

In April 2008 the Verkhovna Rada of Ukraine adopted the Law "On Amendments to Certain Legislative Acts of Ukraine as a result of the adoption of the Law of Ukraine "On Ensuring Equal Rights and Opportunities for Women and Men ". The law amended the following legislative acts:

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- Ukrainian Labour Code as regards determining the provisions which ensure equal rights and opportunities for women and men in the collective agreement (article 13);
 - The Law of Ukraine "On Association of Citizens" in the field of setting up additional rights of association of citizens for ensuring equal rights and opportunities for women and men (article 20);
 - The Law of Ukraine "On Collective agreements and arrangements" as regards defining in collective agreements and contracts of the provisions that ensure equal rights and opportunities for women and men (articles 7, 8);
 - The Law of Ukraine "On Authorised Human Rights Representative of Verkhovna Rada of Ukraine" (Ukrainian Parliament Commissioner for Human Rights) – Ukrainian Parliament Commissioner for Human Rights control over respect of equal rights for women and men.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

The principle of equal rights between men and women is ensured by the Constitution of Ukraine as well as other legal regulations (such as the Code on Marriage and Family, the Labour Code, the Criminal Code, the Code of Criminal Procedure, the Civil Code, the Code of Administrative Violations, the Law on Employment etc.).

The Constitution determines an ideology and state policy concerning women's status as well as their opportunities to influence economic and political processes taking place in society. Equal constitutional rights and freedoms for women and men and their equality before the law are legally enforced. Clause 24 of the Constitution also provides that equality of rights is ensured by providing women with equal opportunities as regards public, political and cultural activities, education and professional training as well as work and its remuneration; by special measures for the protection of work and health of women; by establishing pension privileges; by creating conditions that allow women to combine work and motherhood; by legal protection, material and moral support of motherhood and childhood, including the provision of paid leave and other privileges to pregnant women and mothers.

The legislative base of Ukraine on gender equality consists not only of laws regulating social relations and providing for combating gender discrimination in accordance with gender norms of international law but also of other normative and legislative acts such as the Family Code of Ukraine, the Criminal Code of Ukraine (article 161) and the Labor Code of Ukraine, the laws "On Preventing Family Violence" (2001), "On Compulsory General State Social Insurance as result of Temporary Loss of Working Capacity and Expenses due to birth and burial " (2001), "On Ensuring Equal Rights and Opportunities for Women and Men (2006), etc.

UNITED KINGDOM¹

1. NATIONAL MACHINERY

1.1 SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

- *Equal Opportunities Commission*: Established in 1975, this mixed independent body is attached to the Department of State for Employment. Its objective is the elimination of all discrimination, to promote equal opportunities for women and men in general, to monitor the application of the 1975 Sex Discrimination Act and the Equal Pay Act and to prepare proposals to amendments of law for the Secretary of State. It undertakes formal investigations, assists complainants, carries out research and promotional activities, disseminates publications and collaborates with trade unions, employers and other organisations. The state subsidies for 1993/1994 amounted to £5.794 million (9, 033,468 €).
- *Equal Opportunities Commission for Northern Ireland*: This mixed non-departmental body was set up in 1976. The institution includes several committees and thematic groups. Its objective is the elimination of all discrimination, to promote equal opportunities for women and men in general, to monitor the application of the 1976 Sex Discrimination Order (Northern Ireland) and the Equal Pay Act of 1970 and to prepare proposals to amend these legal provisions for the Department of Economic Development. It assists complainants, initiates formal investigations and works with the employers and trade unions to encourage the voluntary implementation of the legislation relating to sex discrimination and equal treatment. The state subsidies for 1992/1993 amounted to £1,252,002 (1,951,686 €).
- *Women's National Commission*: This mixed independent advisory body was established in 1969. It is attached to the Department of State for Employment. Its objective is that the viewpoint of women's organisations is heard and taken into account by the government. It organises seminars, publishes documents, submits reports to the Ministers and monitors international developments concerning women. Its resources in 1994/1995 were £257,500 (401,357 €).
- *Ministerial Sub-committee on Women's Issues*: Established in 1992, this sub-committee is attached to the Cabinet of Government. Its members are the ministers of the main government departments. It is chaired by the Secretary of State for Employment. Its objective is to monitor and develop the government's policy on women's issues and to watch over their implementation. It co-ordinates government policies across departments. It does not have a separate budget.
- *Working Party on Women's Issues*: This advisory group with the Secretary of State for Employment was established in 1992. Its objective is to advise the Secretary of State on questions relating to women at the workplace and beyond and to draw his attention

¹ Last update provided in October 2009.

to questions concerning women when formulating government policies. Its resources in 1993 were £4,000 (6,234 €).

- *Secretary of State for Employment*: In 1992, the responsibility for co-coordinating policies and strategies concerning women was transferred to the Secretary of State for Employment.

1.2 SITUATION SINCE THE BEIJING CONFERENCE

1.2.1 CHANGES TO ESTABLISHED INSTITUTIONS

The Equality and Human Rights Commission (EHRC) was launched in October 2007, taking over the role and functions of the Commission for Racial Equality (CRE), the Disability Rights Commission (DRC) and the Equal Opportunities Commission (EOC).

The Commission is a Non Departmental Public Body (NDPB), established under the Equality Act 2006 as a corporate body. Its sponsor department is the Government Equalities Office.

The ECHR serves as an independent advocate for equality and human rights in England and Wales, and aims to reduce inequalities, challenge prejudice and disadvantage, and enforce equality legislation, including on gender. The Commission is mandated to monitor the effectiveness and effects of equality and human rights legislation – including legislation related to gender.

The funds allocated to the EHRC in 2009/ 2010 are £62 million.

Women's National Commission (WNC): acts as an official, independent advisory body presenting the views, needs and concerns of women from over 500 women's member organizations across the UK to Government. It is a Non-Departmental Public Body (NDPB), set up in 1969, fully funded by Government but able to comment freely on Government policy. The WNC is sponsored by the Government Equalities Office (which was formed from the Women and Equality unit established in 1997 as the Women's Unit, to support the Ministers for Women).

Since 2003, the WNC has facilitated regular meetings between women's organisations, Ministers and senior officials (mainly London-based, but with a growing regional voice) on a range of issues of relevance to women, such as violence against women, and migration and asylum policy. The outputs of these meetings have helped to inform Government policy and action.

In addition, in early 2009, the WNC and the Government Equalities Office held a series of stakeholder events throughout the UK to gain input from women's organisations regarding the UK's international commitments and activities at the United Nations. These events will be repeated later this year in preparation for the next meeting of the Commission on the Status of Women in 2010.

The funds allocated to the WNC in 2009/ 2010 are £747,957.

NORTHERN IRELAND

- *The Equality Directorate of the 'Office of the First Minister and deputy First Minister'* has an advisory, consultative and reporting role in respect of international human rights obligations and statutory equality duties across government.
- *The Equality Rights and Social Need Division* within the Equality Directorate covers a number of issues these include equality and human rights, gender and sexual orientation equality, equality legislation and research.
- *The Equality Commission for Northern Ireland is an independent public body established under the Northern Ireland Act 1998*. On 1 October 1999 the Commission

took over the functions previously exercised by the Commission for Racial Equality for Northern Ireland, the Equal Opportunities Commission for Northern Ireland, the Fair Employment Commission and the Northern Ireland Disability Council.

The Commission is responsible for promoting awareness of and enforcing anti-discrimination law on the following grounds: age, disability, race, sex (including marital and civil partner status), sexual orientation, religious belief and political opinion.

SCOTLAND

There is no separate Equality and Human Rights Commission in Scotland as the Commission covers Great Britain i.e. England, Scotland and Wales, but not Northern Ireland. However, there is a Scottish office of the EHRC.

The Commission in Scotland sees that the aims, vision and strategy of the Commission are delivered in a way that responds to Scottish needs and supports good practice across the organisation.

1.2.2 CREATION OF NEW INSTITUTIONS

The UK's national response to promoting gender equality and the empowerment of women is led by the Minister for Women and Equality (Rt. Hon. Harriet Harman QC MP); she is supported by Maria Eagle MP, who is Minister of State at the GEO and Ministry of Justice, and Michael Foster MP, who is Parliamentary Secretary for Equality at the GEO. Vera Baird QC MP (Solicitor-General) leads on the Equality Bill.

They have a specific role to raise awareness across Government of the need to, and the benefits of, addressing gender inequalities. The Ministers sit on a broad range of Cabinet Committees covering areas such as public health, children, ageing, asylum and migration and violence against women to make sure that the needs and interests of women are fully taken into account in a strategic way when national policies and programmes of action are being developed. The Minister also participates in and/or chairs key inter-Ministerial groups directly relating to policy on gender equality issues, including domestic and sexual violence, and on reducing numbers of women offenders.

In July 2007 the Minister for Women and Equality set out three priority areas for action (for England and Wales), namely:

- to support women and families who are caring for children, elderly and disabled relatives;
- to tackle violence against women, and to change the way women offenders are treated; and
- to increase the representation of Black, Asian and Minority Ethnic women in public life.

The Minister for Women and Equality is supported by the *Government Equalities Office (GEO)*, a self-standing Department responsible for Government's overall strategy on equality as well as for promoting women's issues across Government.

The funds allocated to the GEO in 2009/ 2010 are £17 million.

Full details of the work of the Government Equalities Office can be viewed at the website: <http://www.equalities.gov.uk/>

In 1999, following a series of referendums, devolved governments were established in Scotland, Wales and Northern Ireland, named respectively: the Scottish Parliament; the National Assembly for Wales and; the Northern Ireland Assembly. These devolved governments have responsibility for a range of policy and legislative matters (devolved matters), where arrangements are different for each administration, reflecting their history and administrative structures. The UK government remains responsible for national policy on all matters that have not been devolved (reserved matters), including foreign affairs, defense, social security, macro-economic management and trade.

In regards to equal opportunities, such matters are largely reserved in respect of Scotland and Wales (with certain exceptions).

SCOTLAND

The Scottish Government has a dedicated Equality Unit to help take forward its work to promote equality. The Unit supports Scottish Ministers and officials throughout the Scottish Government in mainstreaming equality, including gender equality. In order to develop the equality evidence base, a dedicated Analytical Unit has been established within the Scottish Government. The Scottish Government also works in partnership with the Equality Proofing the Budget and Policy Group (set up in 2001) to map the pathway between evidence, policy and spend. It is working to improve the presentation of information about equalities issues in the Government's budget documents, as well as raising awareness about the need to mainstream equalities into both policies and resource allocation.

WALES

The Welsh Assembly Government Equality and Human Rights Division provides support, advice and guidance on mainstreaming equality into the policies, strategies, programmes and practices of the Welsh Assembly Government and liaises with internal and external groups to identify specific initiatives, including those around gender, to take these forward.

2. HAVE ANY ACTION PLANS TO PROMOTE GENDER EQUALITY AND THE ADVANCEMENT OF WOMEN BEEN SET UP SINCE THE BEIJING CONFERENCE?

The *Government Equalities Office* (GEO) leads on mainstreaming gender equality policy across Government and promotes gender equality within wider UK society.

GEO leads, for example, across Government on sexual orientation and transgender equality policy. It also takes the lead on co-coordinating joint work with other Departments i.e. Home Office and the Ministry of Justice and cooperation between the devolved administrations on gender equality and related issues.

Earlier this year, for example, a cross-government public consultation to tackle violence against women and girls was launched by Jacqui Smith (Home Secretary). The 'together we can end violence against women and girls' consultation sets out action the government has taken to tackle all forms of violence against women and girls. It looks at what more can be done to challenge the attitudes that may uphold it in order to help women and girls feel safer.

GEO is also responsible for delivering the priorities of the Minister for Women and Equality and leads on and supports the fulfilment of the UK's gender equality obligations internationally, including with the United Nations (under CEDAW and under the Beijing Declaration and Platform for Action), and within the European Union (including the EU Roadmap for Equality Between Women and Men (2006-2010)).

In addition, in 2007 the Department for International Development (DFID) launched the Gender Equality Action Plan (2007 - 2009) which explains what action the department is taking to help developing countries to achieve gender equality and women's empowerment. The Plan sets out how DFID can better use its partnerships, its money, and the way it manages its staff to make a lasting difference to gender equality and women's empowerment.

3. HAVE ANY PROVISIONS FOR GENDER MAINSTREAMING BEEN INTRODUCED SINCE THE BEIJING CONFERENCE?

- *Public Sector Duty on Gender Equality ('Gender Equality Duty')*

Section 76A of the Sex Discrimination Act 1975 was amended by Part IV of the Equality Act 2006. This introduced a general duty – the equivalent of a lawful overarching obligation - on public authorities which requires them, as employers and service providers, to have due regard to:

- the need to eliminate unlawful discrimination and harassment; and
- promote equality of opportunity between men and women.

The general duty, which came into effect on 6 April 2007, also covers contraventions or breaches to the Equal Pay Act 1970. It covers England, Scotland and Wales.

To assist them in complying with the general duty, a majority of public authorities² also have to satisfy a series of specific legislative requirements.

If public authorities fail to comply with the duty, the Equality and Human Rights Commission (EHRC) can take legal steps.

- *Public Service Agreement (PSA) 15*

PSA 15 (usually referred to as the Equality PSA) sets out Government's ambition to address the disadvantage that individuals experience because of their gender, race, disability, age, sexual orientation, religion or belief. Within this PSA, Indicator 1 specifically aims to reduce the gender pay gap.

This indicator relates to the overall gap in pay between men and women. We are measuring the gap in median hourly wage rates (full and part-time) between men and women using the Annual Survey of Hourly Earnings.

Many of the factors underpinning the continuing gender pay gap are however deep-rooted and require sustained action. Government's approach seeks to tackle the drivers of the pay gap over the remaining 2 years of the PSA period and to lay strong foundations for continuing narrowing of the gap in particular through:

- Legislative and non-legislative measures to increase pay transparency
- development of policies to support high quality, flexible work and help women and men to combine work and family responsibilities
- improving advice, support and training to address the gender skills gap and occupational segregation
- focusing on key sectors, such as the financial sector, where the pay gap is particularly high.

² The General duty will apply to all English, Scottish and Welsh public authorities. Specific duties will apply to public authorities in England (including English public authorities with outlets in Wales) and Scotland but not those operating wholly or exclusively in Wales.

CONCLUSION

The present study issued by the Council of Europe on national machinery established in its member States aims at providing a broad overview of the structures set up in the different member States. The objective is also to take stock of:

the evolution in this field since the Beijing Conference in 1995;

action plans having been set up and carried out by governments since the Beijing Conference;

progress made with introducing and implementing gender mainstreaming.

Some interesting conclusions may be drawn from the information provided in this document.

The most obvious is the positive influence that the Beijing Conference and its preparatory process have had on equality policies in the member States. It gave the question of equality between women and men increased political importance, and thus an excellent opportunity to set up bodies/institutions in those countries where no machinery existed at that time. During the preparatory process or just after the Beijing Conference, national/interministerial equality committees were established in many countries. These have sometimes evolved into institutional machinery. In the countries where national machinery already existed, this was sometimes changed or adapted to new circumstances.

This momentum did not, however, always result in the longer term in meaningful and active policies to promote equality. Most countries, especially those which created their first equality machinery at the time of or in the wake of the Beijing Conference, complain that they lack adequate financial and human resources to make them function properly. The lack of qualified human resources is often mentioned, and there are contributions which state that no funding comes from governmental sources and that the machinery has to rely on external funding such as that of the UNDP. This indicates that equality between women and men is still not considered, in a number of member States, as an issue of importance. Other problems of such institutions are that they often have an unclear mandate, limited authority and a marginalised position in the government structure. All this means that they have little influence.

In countries where national institutional machinery has existed for a longer time, it has, as a rule, clearly more political significance and legitimacy, and some contributions state that staff and budget have been on the increase.

The national institutional machinery's main function is still to promote equal opportunities legislation, anti-discrimination law(s) and to monitor their implementation. They are principally linked to the government structure. Some countries have an independent equality ministry, in others the machinery often takes the form of a department/unit within a ministry – often the ministry dealing with labour and social affairs. Committees (often interministerial, also parliamentary) or councils can also act as a machinery, especially when it comes to setting up and implementing plans of action to promote equality. In some countries there is a system that is independent from the government (ombuds, equality councils/agencies).

The machinery, besides its mandate linked to legislation and its implementation, is often responsible for activities linked to research, training, elaboration of specific projects and actions. Generally speaking, the mandate of institutional machinery seems to be broadening, especially in countries having had machinery for a longer time.

At the same time, consultations with NGOs seem to be developing and representatives of NGOs are associated, as a rule, with decision-making when it comes to setting up projects and action plans in the field of equality.

Another trend which can be observed, this time with regard to the location of the national institutional machinery is its decentralisation. Federal, regional and local bodies to promote

equality have been set up and sometimes function independently from the central power. Decentralisation is also clear at the central level, in that focal points for equality have been created in various ministries to deal with the integration of issues related to equality in their fields. This trend can therefore be interpreted as being closely linked to the development of gender mainstreaming and, in that context, it is not impossible that there will be further evolution regarding decentralisation. An example from Norway is quite interesting in this respect, as it may give a hint for future developments. After having created, in the 1980s, local equal status committees in the municipalities, it has become clear that these "tend to be rather marginalised and without much influence. There is a growing tendency to integrate gender equality concerns into mainstream municipal committees and decision-making fora" (see Norway's answer).

In the same vein, many governments now voice a clear commitment "not to marginalise women's interests and concerns and to recognise that progress for women is progress for the whole of society". In the past, equality machinery was *de facto* mainly preoccupied with redressing the status of women. Now, its mandate is broadening also in the sense that it is committed to take into account men's concerns. This is a recognition of the fact that equality cannot be achieved only by giving women legal rights, it is above all a question of gender, of the social relations between the two sexes and therefore has to be worked for by women and men together.

As to action plans, it is interesting to note that most countries set up action plans to promote equality after the Beijing Conference. Many are linked to the Platform for Action, and in the new member States these are often overall plans inspired by the Platform. The countries having a longer tradition of national machinery have sometimes set up a more focused plan, working on specific critical areas of concern in the Platform. During the last years, many countries, considering that fighting violence against women and trafficking in human beings have become priorities, had developed actions plans to fight against these phenomena. This trend has increased and many action plans had been developed in these fields following the two Council of Europe campaigns: the Campaign on Action against trafficking in human beings (2006-2007) and the Campaign to combat violence against women, including domestic violence (2006-2008).

Finally, with regard to gender mainstreaming, it is clear that progress is slow, even if there is a great interest in this new strategy in all member States. Some of the answers demonstrate that it is not yet understood everywhere what gender mainstreaming means, and that it is still mixed up with specific equality policies. In a meeting of the Council of Europe Informal Network in September 2007, one of the conclusion had been that the main results in the implementation of gender mainstreaming had been in the awareness-raising field and there were still efforts to be made to achieve a real implementation of this strategy. This is why the Council of Europe will continue its efforts to promote the implementation of gender mainstreaming, including gender budgeting in its member states and within the organisation.

APPENDIX

QUESTIONNAIRES

1994 Questionnaire on national machinery to promote equality between women and men¹

SITUATION AT THE TIME OF THE BEIJING CONFERENCE IN 1995

1. What was the situation as regards national machinery to promote equality between women and men at the time of the Beijing Conference in 1995?
 - a) Name and address of the institution
 - b) Date of establishment
 - c) Main tasks and powers²
 - d) Structural situation: Was it located in, or attached to, a public authority – if so, which? What was its position within the structure?
 - e) How high was the budget and was it adequate?
 - f) Was there sufficient qualified personnel?

SITUATION SINCE THE BEIJING CONFERENCE

2. Since the Beijing Conference, have new mechanisms been created?
 - a) Name and address of the institution
 - b) Date of establishment
 - c) Main tasks and powers²
 - d) Structural situation: Is it located in, or attached to, a public authority – if so, which? What is its position within the structure?
 - e) How high is the budget and is it adequate?
 - f) Is there sufficient qualified personnel?
3. Have changes been made to the institutions mentioned under 1.? If so, please describe briefly.

ACTION PLANS AND GENDER MAINSTREAMING

4. Do any action plans exist at national or regional level for the promotion of gender equality and the advancement of women? If so, please describe briefly. Were they set up before the Beijing Conference?
5. Are there any provisions (statutory or other) for gender mainstreaming at national or regional level? If so, please give details.

¹ For reference as to the definition of national machinery, please see chapter H of the Beijing Platform for Action. (This questionnaire was sent to countries missing in the 1994 report on national institutional machinery.)

² Means of influence, possible sanctions, advisory or binding character of decisions etc.

1999 Questionnaire on national machinery to promote equality between women and men¹

DEVELOPMENT BETWEEN THE LAST SURVEY IN 1994 AND THE BEIJING CONFERENCE IN 1995

If your replies to the previous questionnaire of 1994² regarding national machinery to promote equality between women and men were still valid at the time of the Beijing Conference in 1995, please go to question 3. If changes have occurred, please complete 1. and 2.

1. *Changes were made between the reply to the 1994 questionnaire and the Beijing Conference to the institutions indicated in the replies of 1994².* Please describe, following a-f):
 - a) Name and address of the institution
 - b) Date of establishment
 - c) Main tasks and powers³
 - d) Structural situation: Was it located in, or attached to, a public authority – if so, which? What was its position within the structure?
 - e) How high was the budget and was it adequate?
 - f) Was there sufficient qualified personnel?

2. *New institutions having been created before the Beijing Conference as compared to the replies of 1994:*
 - a) Name and address of the institution
 - b) Date of establishment
 - a) Main tasks and powers³
 - c) Structural situation: Was it located in, or attached to, a public authority – if so, which? What was its position within the structure?
 - d) How high was the budget and was it adequate?
 - e) Was there sufficient qualified personnel?

SITUATION SINCE THE BEIJING CONFERENCE

3. Since the Beijing Conference, have new mechanisms been created? If so, please complete:
 - a) Name and address of the institution
 - b) Date of establishment
 - c) Main tasks and powers³
 - d) Structural situation: Was it located in, or attached to, a public authority – if so, which? What was its position within the structure?
 - e) How high was the budget and was it adequate?
 - f) Was there sufficient qualified personnel?

¹ For reference as to the definition of national machinery, please see chapter H of the Beijing Platform for Action. (This questionnaire was sent to countries included in the 1994 report on national institutional machinery.)

² Means of influence, possible sanctions, advisory or binding character of decisions etc.

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4. Have changes been made to already established institutions? If so, please give details.

ACTION PLANS AND GENDER MAINSTREAMING

5. Do any action plans exist at national or regional level for the promotion of gender equality and the advancement of women? If so, please describe them briefly. Were they set up before the Beijing Conference?
6. Are there any provisions (statutory or other) for gender mainstreaming at national or regional level? If so, please give details.

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