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Gender mainstreaming in Ireland

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1. Introduction

Ireland is experiencing a banking crisis, a fiscal crisis, an unemployment crisis, an economic crisis and a reputational crisis. Ireland is implementing a memorandum of understanding with the ECB, the IMF and the European Commission. Austerity policies are being implemented in all areas. There has been a backlash against equality alongside a deepening of inequality¹. This backlash is evident in disproportionate cutbacks to the equality infrastructure, reduced funding to NGOs advocating for gender equality and a Programme for Government agreed in 2011 that makes only limited reference to gender equality. This is not a favourable context for the advancement of gender mainstreaming. However it is a context where the implementation of gender mainstreaming is important given the differential impact of austerity policies and of the recession itself on women and men. Women's participation in the labour forces is declining, women have borne the brunt of cuts to public services and welfare provision and violence against women is increasing.

Gender mainstreaming was driven in Ireland by the regulations governing the Structural Funds. It was enabled by a small number of middle to senior level administration officials with a commitment to gender equality. The Structural Fund grants were incorporated into the National Development Plan 2000-2006 (NDP). These grants only accounted for 7% of expenditure under the NDP. However, in a positive move gender mainstreaming was applied to all but six of the 177 measures in the NDP. An NDP gender equality unit was established in the Department of Justice, Equality and Law Reform to provide support and advice to all those working on the NDP and to monitor progress on gender mainstreaming in the NDP. A second such unit was established in the Department of Education and Science to provide support and advice on gender equality to those working on education policies.

In 2005 the former head of the NDP gender equality unit published a review of progress on gender mainstreaming². She found a lack of comprehensive implementation of the commitments made to incorporate gender equality issues into fund allocations, to measure the impact of programmes on gender equality, to alter policies to address gender inequalities and to promote more women into decision making positions. She identified the need to promote evidence based policy making, increase education of policy makers on gender equality issues, reduce the compartmentalisation in policy making and delivery, link those working on gender equality and high level decision makers, and introduce sanctions where commitments were not implemented.

In 1999 and 2000 the Employment Equality Acts and the Equal Status Acts were enacted to prohibit discrimination on gender and eight other grounds in employment and in the provision of goods and services. The Equality Authority was established to promote equality of opportunity and combat discrimination in the areas covered by this legislation. The legislation was further developed with the enactment of the Equality Act

¹ Crowley N., Empty Promises: Bringing the Equality Authority to Heel, A&A Farmar, Dublin 2010.

² Gender Equality Phase 3, Mc Gauran and Mc Namara eds., Administration Vol. 53 No. 2, Institute of Public Administration, Dublin, 2005.

2004. The legislation contains no provisions in relation to gender mainstreaming despite the requirement on Member States under the amended Gender Equal Treatment Directive³ to take account of the objective of gender equality when formulating laws, policies and provisions in relation to employment and vocational training. The Equality Authority has been accorded no role in gender mainstreaming.

In 2007 the Government published a national women's strategy⁴. This set out a vision of 'An Ireland where all women enjoy equality with men and can achieve their full potential, while enjoying a safe and fulfilling life'. It set out two hundred planned actions under three themes:- Equalising socio-economic opportunity for women; Ensuring well being of women; and Engaging as equal and active citizens. It identified gender mainstreaming as the principal instrument for the achievement of gender equality in Ireland. It committed to re-establishing the NDP gender equality unit as the Central Gender Mainstreaming Unit, to establishing Gender Mainstreaming Supports in Government Departments, to including linkages with the National Women's Strategy in the Strategy Statements of Government Departments and to including training on gender mainstreaming as an intrinsic part of training programmes. No role was accorded to the Equality Authority in relation to gender mainstreaming.

The Department of Justice Equality and Law Reform implemented a valuable project in 2009 to examine and learn from models of gender mainstreaming in other Member States. This was funded under PROGRESS. Some gender mainstreaming continues to be done in the ESF funded Human Capital Investment Operational Programme. However the commitments in the National Women's Strategy have not been implemented. The NDP Gender Equality Unit was closed in 2008. The budget of the Equality Authority was cut by 43% in 2008. A new Government was elected in 2011. The current Programme for Government makes no reference to implementing the National Women's Strategy and contains no specific commitment to gender mainstreaming.

There has also been a practice of gender mainstreaming pursued by other entities particularly in relation to policy implementation. The Equality Authority developed and piloted templates for equality mainstreaming that included gender mainstreaming⁵ at local authority level. The National Women's Council of Ireland is working with the Health Service Executive to develop a gender mainstreaming strategy for this key organisation. The project is building a gender dimension into policy making, planning and service delivery by the Health Service Executive.

2. Transferability Issues

It would not be possible to transfer the good practice in the Belgian and Swedish papers in its entirety. Gender mainstreaming in Ireland will have to grow from the various foundations outlined above. There is also a core difference in that the development of gender mainstreaming in both Sweden and Denmark enjoyed significant political support in its development, even if this support is now reported to be

³ Parliament and Council Directive 2002/73/EC amending Council Directive 76/207/EC 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.

⁴ National Women's Strategy 2007-2016, Department of Justice Equality and Law Reform, The Stationary Office, Dublin, 2007

⁵ Guidelines for conducting equality impact assessments on IVEA and VEC plans, policies and programmes, IVEA and Equality Authority, Dublin, 2007; An equality proofing template for the City and County Development Boards, Equality Authority, Dublin; and Equality impact assessment: initial guidelines for the City and County Development Boards, Equality Authority, Dublin.

waning. The situation in Ireland is characterised by a significant absence of political will in support of gender equality and gender mainstreaming. However it is possible to identify elements of good practice in both Belgium and Sweden that could usefully and possibly be transferred into the Irish situation.

It is clear from both Belgium and Sweden that legal obligations can play a valuable role in stimulating and sustaining gender mainstreaming. The conclusion to the analysis of the Swedish experience was the identification of the need for a Gender Mainstreaming Act. In Sweden there is already the example of the Shared Responsibility Bill of 1994 and the 2001 Act on Official Statistics. In Belgium there is the 2007 federal law on gender mainstreaming. The current Programme for Government in Ireland commits the Government to requiring all public bodies to take due note of equality and human rights in carrying out their functions. This could be achieved through a positive duty in the equality legislation and could underpin gender mainstreaming alongside, or integrated with, a wider equality and human rights agenda. It will be important and necessary to learn from legal obligations deployed in other Member States in implementing this commitment. The PROGRESS funded project of the Department of Justice Equality and Law Reform referenced above would assist this learning.

The Belgian approach makes use of the equality body, the Institute for the Equality of Women and Men, to support and monitor gender mainstreaming. This institute replaced the Department of Equal Opportunities of the Ministry of Employment. In Ireland, the NDP gender equality unit was established within a Government Department. This allowed it greater persuasive access to other Government Departments. However in the context of a lack of implementation, an independent support and monitoring would be more effective. The Equality Authority would be well placed to take on this role if adequately resourced. It has already, as noted above, developed a body of pilot work on equality/non-discrimination mainstreaming on nine grounds.

The Swedish approach includes a 2004 plan for gender mainstreaming that set out a structure for gender mainstreaming at each Ministry and defined goals and key processes for gender mainstreaming. This planned and systematic approach to gender mainstreaming could be developed in Ireland on foot of commitments already made in the National Women's Strategy through developing a similar dedicated plan for gender mainstreaming. The Belgian approach emphasises the importance of collaboration between ministries for effective gender mainstreaming and identifies the interdepartmental coordination group that plays this role. This coordinated approach for gender mainstreaming could be developed in Ireland through an evolution of the function and composition of the Inter-Departmental Committee set up to support implementation of the National Women's Strategy.

The Swedish approach includes a valuable focus on gender mainstreaming in policy implementation. The work with the Swedish Association of Local Authorities and Regions is focused on tangible and permanent improvements of services provided by municipalities and county councils. Gender mainstreaming in policy making needs to be accompanied by gender mainstreaming in policy implementation if it is to achieve change in the situation and experience of women. The Equality Authority has developed a focus on this type of mainstreaming in promoting and supporting planned and systematic approaches to equality within public bodies. The National Women's Council of Ireland has also supported gender mainstreaming in policy implementation in its work with the Health Service Executive. There could be a valuable transfer of experience from Sweden to build on and expand this work.

There is important learning for Ireland in the presentations of the analysis of and learning from the experience in Belgium and Sweden. The Belgian case study usefully raises a key question as whether gender mainstreaming can be left to male dominated policy making structures. The approach to gender mainstreaming in Ireland has emphasised participation of NGOs, such as the National Women's Council, and it is interesting that this participation is not reflected in the presentation of the Belgian and Swedish models given that it can serve, to some extent, to correct for male dominated policy structures. In the Irish context there has also been steps taken in relation to setting and pursuing targets for a higher proportion of women at middle management levels in the civil service. Such a strategy also has a capacity to alleviate male dominated policy structures.

The Swedish case study highlights that many civil servants did not understand why gender mainstreaming should be used recurrently and strategically in their ordinary work. It is clear that it is important to build and communicate a business case and a rights based case for gender mainstreaming and to do so on an ongoing basis. The availability of good practice examples like Sweden and Belgium should enable this case to be made, in particular if results could be made available on an ongoing basis of any evaluation of the impact of gender mainstreaming on the situation and experience of women.

3. Policy Debate

The core gender mainstreaming issue in relation to policy debate in Ireland is the virtual absence of a focus on gender and gender equality in policy debate. There is a challenge to build political will and leadership for a focus on women, gender equality and gender mainstreaming in a context of severe recession just as there is a challenge to build administrative leadership and a popular demand for these issues to be visible in policy making. Gender mainstreaming will only progress to the extent that gender equality can regain position within policy debate. In this regard it is important to enable a resourced and effective advocacy for gender equality and for gender mainstreaming from NGOs such as the National Women's Council of Ireland. Civil society advocacy has been identified as a key part of an equality and human rights infrastructure by the Equality and Rights Alliance in Ireland, a coalition of over 155 civil society groups and activists⁶⁶. It has recommended that advocacy work for equality and human rights should be adequately resourced by and formally recognised by Government and that it should be protected from victimisation under equality legislation.

The Belgian discussion paper raises the issue of the multiplicity of tests that now have to be carried out on new legal projects. The question is raised in the Belgian paper as to whether these should be integrated into one general test. In Ireland there is debate as to where gender equality stands in relation to integrated multi-ground approaches to equality that include gender alongside a number of other grounds. This debate will now focus on mainstreaming given the commitment in the current Programme for Government to requiring public bodies to take due note of equality and human rights in carrying out their functions. It is this commitment that might offer the best opportunity to revitalise gender mainstreaming. The Equality Rights Alliance has recommended the implementation of an integrated equality and human rights impact assessment that would address gender and the other grounds covered in equality legislation, social

⁶⁶ A roadmap to a Strengthened Equality and Human Rights Infrastructure in Ireland, Equality and Rights Alliance, Dublin, 2011.

inclusion and human rights⁷. The advantages/disadvantages of a gender specific approach to mainstreaming as opposed to an integrated approach that includes gender and other grounds need to be explored.

Gender mainstreaming, even though under-developed in Ireland, has had a focus on all phases of the policy cycle in Ireland – policy making, policy implementation and policy review. This is considered imperative for effective gender mainstreaming – where effectiveness is measured in terms of impact on the situation and experience of women and the advance of gender equality rather than in terms of the development of administrative procedures and processes. The most recent focus on gender mainstreaming in policy implementation has been the development of a ‘A Charter for Women’s Equality’ by the National Women’s Council and the National Collective for Community Based Women’s Networks. This sets out a vision of ‘an Ireland and of a world where all women and men have equal power to shape society and their own lives’⁸. It aims to get organisations to sign up to a commitment to make women’s equality a reality, to introducing a gender dimension in their programme planning and implementation, and to secure the participation of women in all their decision making processes.

⁷ A Roadmap to a Strengthened Equality and Human Rights Infrastructure in Ireland, Equality and Rights Alliance, Dublin, 2011.

⁸ A Charter for Women’s Equality, National Women’s Council of Ireland and National Collective for Community Based Women’s Networks, Dublin, 2010.