



Exchange of good practices on gender equality

**Gender Impact
Assessment**
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The Future of Gender Impact Assessment in the Czech Republic

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1. Introduction

Gender impact assessment (GIA) is an instrument currently under construction in the Czech Republic. It is being developed in the framework of a project managed by the Department for equal opportunities of women and men at the Ministry of Labour and Social Affairs of the Czech Republic and financed from the European Social Fund. In this report I will first introduce the political and institutional background for gender equality in the Czech Republic in which this process of development of GIA methodology takes place. Then I will describe the project under which GIA methodology is being developed and the policy debate around it. Finally I will address the transferability issues of the two good practices examples (Finland and Austria).

1.1. Political background for gender equality

After a period of 2006 – 2012 with the right-wing Government promoting neoliberal values, since January 2013 Czech Republic has a new Government led by social democrats. The newly formed Government of the Czech Republic includes a Minister for Human Rights, Equal Opportunities and Legislation. This Minister as well as the new Minister of Labour and Social Affairs is strongly committed to gender equality. Therefore there is a chance that one of the main barriers for the introduction of gender equality policies and measures – political will - will be at least partly overcome in the Czech Republic. There is a chance that gender equality agenda will receive more attention under the new Government and specifically it is a positive situation into which a gender impact assessment is being created.

1.2. Institutional background for gender equality

Gender equality machinery exists only on the central level in the Czech Republic. The Department for equal opportunities of women and men coordinating gender equality policy is within the Ministry of Labour and Social Affairs. It is currently moving from the Ministry to become part of the Government Office. Besides this unit, at each ministry there is a “gender coordinator” position that is responsible for the promotion of equality between women and men for its ministry as well as for the fulfilment of the National gender equality plan.

The Government Council for Equal Opportunities for Women and Men (Council) was renewed in February 2012. The head of the Council (The Minister of Labour and Social Affairs) is the national coordinator of the agenda of equal opportunities of women and men. There are four committees of the Council that focus on: reconciliation of working and private life; institutional mechanisms for gender equality; women in politics and decision-making positions; and prevention of domestic violence. In 2012 a Working Group on Men and Gender Equality was

established under the Council. This working group as well as each committee of the Council is meeting four times a year and is currently (as well as all the committees) involved in the preparation of the Strategy for equal opportunities for men and women which will be a mid-term strategy coordinated with the NAP (see part 2).

Since 1998 the National gender equality plan (NAP) (Priorities and Procedures of the Government in the Promotion of Equality for Women and Men) is compiled annually and has also been monitored. The National Action Plan currently includes following priorities:

- Promotion of equal opportunities for women and men as part of the government policy;
- Legislation for equal opportunities for women and men, and raising legal awareness;
- Ensuring equal opportunities for women and men in access to economic activity;
- Equalisation of social status of women and men caring for children and family members;
- Mainstreaming of women's reproductive function and physiological differences;
- Suppression of violence against women;
- Monitoring and evaluation of the effectiveness of the application of the principle of equality between women and men.

The report on the fulfilment of the NAP includes reports of the activity of each ministry submitted by “gender coordinators”.

The newly formed Government of the Czech Republic appointed in January 2014 includes a Minister for Human Rights, Equal Opportunities and Legislation.

Gender mainstreaming is not a part of the political process in the Czech Republic, neither at the central nor at the regional level. Gender budgeting does not take place at any budgetary level.

1.3. Impact assessment – current situation

Rules of Procedure of the Government contain a rule that the explanatory report must contain “evaluation of the current status and impacts of the proposed solutions to gender equality if the proposed measures concerns physical persons....The evaluation must contain explanation of causes and differences, expected impacts or expected development, using statistical or other data disaggregated on men and women, if they are available.”

The regulatory impact assessment (RIA) included in the Legislative Rules of the Government were amended and since February 2014 the documents have to be evaluated only in relation to the prohibition of discrimination. Legislative Rules of the Government contain a formulation “evaluation of the current status and impacts of the proposed solutions to the prohibition of discrimination - explanation of the

causes of any differences, the expected impact or expected development, using statistical and other data, if such data are available.”

This arrangement is problematic for several reasons:

- It is unenforceable and unsystematic. The evaluation is conducted under own rules of each institution if any rules exist.
- Disaggregated data by sex are often unavailable. And the current process does not contain a direct possibility to collect further data or conduct research.
- Clear methodology how to assess impact is missing.
- Low specific education of policy makers in gender equality issues and therefore their rather low ability to independently conduct gender impact assessment.
- The rule only applies to measures concerning physical persons therefore for example some technical measures that might have indirect impact on physical persons are exempt.
- The new amendment narrowed the focus only on discrimination which excludes even the option to generally assess gender impact.

1.4. Gender budgeting in the Czech Republic

Gender budgeting does not take place in the Czech Republic at any level. There were some attempts to introduce gender budgeting to Czech Republic around 2005 and 2006 but they never reached the level of policies or binding measures and came to an end with the right-wing government since 2006.

There was a project led by a group of gender and budgetary experts resulting in 2004 in a publication of Information Methodology: Gender Budgeting under the auspices of the Ministry of Finance and Ministry of Labour and Social Affairs.¹ The aim of the information methodology is to provide municipalities, towns, regions and state institutions with instructions on how to proceed when introducing gender budgeting. But this methodology was in fact not used in practice further on.

2. Policy debate

Since 1998 when equal opportunities of women and men and the term gender mainstreaming entered the Czech political arena, there were changes associated with the importance assigned to gender equality issues. At first positive, when with the social democratic government the infrastructure for gender equality has been created which is generally identical until today. Then, in the period between 2006 and 2013 under the right wing governments the situation is best characterised as

¹ Foltysová, M., P. Pavlík, L. Simerská 2004. Information Methodology. Gender Budgeting. Prague: Ministry of Finance, Ministry of Labour and Social Affairs, available at: http://www.mpsv.cz/files/clanky/12448/GB_EN.pdf

stagnation. Within this period also the concept of gender mainstreaming has been lost and it would be hard to build on that in the process of GIA methodology development.

The NAP is a political document containing tasks for every ministry to fulfil during the respective year. The fundamental problem with this policy instrument is that it is not binding for the actors (for example ministers).

2.1. Project on Optimisation of institutional support of equal opportunities for women and men in the Czech Republic

The goal of the project funded by the European Social Fund for the period 2012 – 2015 is to identify, compare and evaluate transferable tools and policies in the area of gender equality. The project is coordinated by the Department for equal opportunities of women and men at the Ministry of Labour and Social Affairs and project partners are Federal Chancellery of Austria, Ministry of Labour and Social Affairs and Czech Statistical Office. The main concrete goals of the project are: creation of the mid-term Strategy for equal opportunities for men and women and optimisation of the functioning of the Council, optimisation of the statistical data collection and creation of methodology for impact assessment of documents submitted to the Government on gender equality. This methodology should be focused on gender impact assessment of legislative and non-legislative documents. The development of the methodology has been assigned to an external supplier – Open Society Fund Prague. The finalisation of the methodology is expected at the beginning of 2015.

3. Transferability issues

3.1. Transferability of the Austrian good practice

Gender budgeting is not an issue of policy debate at all since 2007 in the Czech Republic. Therefore it is hard to assess its transferability.

Gender impact assessment methodology is being created under the responsibility of the Department for equal opportunities of women and men. This unit will be part of the Government Office when the GIA methodology will be finished and ready to use. Therefore to include the GIA methodology under the RIA through its reform would be one possibility how to implement it into practice.

Czech Republic shares with Austria some problems that might hinder full use of GIA in practice:

- Lack of gender equality expertise within public administration;
- Lack of public awareness on gender equality issues;
- Gender equality issues are often perceived as women's issues and men are rather absent;
- Lack of gender related research and sex disaggregated data.

There is a chance to introduce GIA as part of an overarching gender equality Strategy which is being developed in the Czech Republic. The question is whether this strategy and its objectives will be binding for the government. The Strategy will be prepared by the end of 2014.

3.2. Transferability of the Finnish good practice

The chances for the implementation of GIA as a gender mainstreaming tool in the Czech Republic are low. As has been discussed above gender mainstreaming is not part of the policy debate anymore. From the Finnish good practice it is clear that strong government support is needed for the implementation of GIA in law drafting procedure. In the current political situation in the Czech Republic this is not an unachievable goal. Also, the fact that the GIA methodology is currently being developed under the project managed by the Department for equal opportunities of men and women which will soon be part of the Government Office in the Czech Republic is positive.

On the other hand, due to the low public and policy maker's awareness about gender equality issues, the rather non-binding character of the Finnish good practice might constitute a problem in the case of Czech Republic.