



**European Commission**  
Justice

## Exchange of good practices on gender equality

**Implementation of  
gender mainstreaming**  
Belgium, 17-18 May 2011

## Comments paper – Former Yugoslav Republic of Macedonia

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*This publication is supported by the European Union Programme for Employment and Social Solidarity - PROGRESS (2007-2013).*

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# Gender mainstreaming in the Republic of Macedonia

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## 1. Introduction

Gender equality as a principle has been enshrined in the Constitution of the Republic of Macedonia since its adoption in 1991 (Articles 9, 54, and 110). In the 1990s the limited gender engagement of civil society and local politicians was mostly concentrated in the field of economic and social rights.<sup>1</sup> In January 1997 the Unit for the Promotion of Gender Equality was formed within the Ministry of Labour and Social Policy and in 1999 the first National Plan for Gender Equality was enacted by the Government. These two were a reaction to the Beijing Declaration of 1995 and we can consider them a setting stone for gender institutionalization, although only as formal emerging instrument and with limited impact in the society.

The real breakthrough happened in May 2006 when the Law on Equal Opportunities of Women and Men was passed by the Parliament. The Law is laying general groundwork for gender equality and in a smaller part for gender mainstreaming. The Law obliged the ministries to appoint a Coordinator for equal opportunities (by 2011 all of the ministries and several state agencies appointed a total of 23 coordinators and their deputies)<sup>2</sup>. Equally significant, is the legal provision for the municipalities to establish Commissions of Equal Opportunities (CEO), as permanent bodies and to appoint municipal Coordinators, their task being to propose measures and activities for implementation of the Law. By 2010, a total of 80 out of 84 committees and coordinators have been put in place in the municipalities.<sup>3</sup>

There are several problems with the implementation: The coordinators are appointed among the officials that were already employed and with other duties;<sup>4</sup> Some of them have been assigned without being aware of the appointment; Most of them did not have any previous gender experience and understanding of gender equality; The level of gender expertise is low and there is a necessity for continuous training; Clear instructions for their specific work obligations have not been provided;<sup>5</sup> There is a high level of turnover among coordinators.<sup>6</sup>

In March 2007 the Department for Promotion of Equal Opportunities (DPEO) was established (restructured from the unit formed in 1997) within the Ministry of Labour and Social Policy (MLSP). The DPEO is the top agent for the implementation of the Law, and

<sup>1</sup> Dominika Stojanoska: Gender Equality and Human Development in Macedonia during Transition (1991-2006), PhD at Università di Bologna, p. 202.

<sup>2</sup> <http://www.mtsp.gov.mk/WBStorage/Files/koordinatorki1.pdf>

<sup>3</sup> Извештај од мониторингот на политиките за родова еднаквост во Р. Македонија, Акција Здруженска, Скопје, декември 2010, 17.

<sup>4</sup> The collected data displays that a third of the Committees on Equal Opportunities (CEO) "have never held a meeting, about 70% have not developed annual working programmes, and only a half have undertaken some measures and activities." ("Monitoring of the Implementation of the Law on Equal Opportunities of Women and Men Within the Local Self-government of the Republic of Macedonia", Akcija Združenska, Skopje, 2010, p. 10).

<sup>5</sup> Monitoring of the Implementation of the Law on Equal Opportunities of Women and Men Within the Local Self-government of the Republic of Macedonia, Akcija Združenska, Skopje, 2010, 10.

<sup>6</sup> The FYR of Macedonia 2010 Progress Report, 2010-2011. Brussels, 9 November 2010, 18.

its task is to coordinate all commissions and coordinators. Each coordinator should report annually to the DPEO. However, the compulsory annual reporting is not satisfying, i.e. in 2009 it was reported that “none of the appointed coordinators prepared an annual report”,<sup>7</sup> and in 2010 that the annual reporting mainly consisted of doctoring the planned and realized activities.<sup>8</sup> These reports in many cases are not made public on the MLSP website or otherwise.<sup>9</sup> It is arguable that the requirement to produce such reports is not only to improve the knowledge-base, but also to boot-strap the activity of all stakeholders: i.e. if there was no reporting required, even less would be accomplished!

It appears that apart from the poor reporting mechanism, gender data gathering (both statistical and analytical) is on a very poor level. The DPEO still lacks resources to fulfill its mandate.<sup>10</sup> For example, in 2009 it was reported there was “absolute absence of coordination between the DPEO and gender equality coordinators.”<sup>11</sup> If the activities can be measured by the output in the public domain, through media and other channels, the DPEO and the coordinators public impact, for the time being is quite limited. In all fairness, it should be noted that the burden of gender mainstreaming implementation mainly falls on the DPEO as the main player in this field.

My reading of the Law on Equal Opportunities (2006) furthermore establishes that certain provisions of the Law cannot be implemented and seem unrealistic given the circumstances. For instance, the Law provides for substantial financial penalty (3000 – 5000 EUR) in case any coordinator fails to submit a report to the DPEO (Art. 42). The information on the implementation of this stipulation is not made public, but there are no indicators that the systematic lack of reporting is being punished. Another such example of unrealistic financial penalty (1.000-2.000 EUR), not enforced, is stipulated in case an institution fails to appoint a coordinator (Art. 43). The DPEO is legally obliged to check different institutions (ministries, political parties, etc.) for their implementation of gender mainstreaming, however their capacity to perform such scrutiny through fieldwork is unrealistic.

Renewed National Action Plan for Gender Equality 2007-2012 was adopted in May 2007,<sup>12</sup> and was in parts derived from the Law on Equal Opportunities. According to my reading, the main problem with the National Plan is that substantial portions of it are descriptive and read more as activity report rather than policy document! Also, the National Action Plan 2007-2012 and the Law on Equal Opportunities are overlapping in their aims and should further be synchronized and clarified.<sup>13</sup>

Since 2006 there exists the Parliamentarian Commission on Equal Opportunities, which is mainly serving to promote governmental successes instead of discussing critical gender issues, and is generally inactive.<sup>14</sup>

The National Strategy against Domestic Violence 2008-2011 was passed by the Government in 2008. The activities mostly consist of campaigns for public awareness, still

<sup>7</sup> Macedonia 2009 Progress Report on Gender Equality, May, 2009, Esem.org.mk, p. 4.

<sup>8</sup> Извештај од мониторингот на политиките, op. cit. 2010, p. 18.

<sup>9</sup> By 2010, only 36 local action plans have been published on: <http://rodovaramnopravnost.gov.mk/> site initiated by UNDP. (From: “Извештај од мониторингот на политиките “ p. 17, 18).

<sup>10</sup> The FYR of Macedonia 2010 Progress Report, op. cit., p. 18.

<sup>11</sup> The FYR of Macedonia 2009 Progress Report, op. cit., p. 4.

<sup>12</sup> National Action Plan for Gender Equality 2007-2012, Skopje, May, 2007.

<sup>13</sup> Извештај од мониторингот на политиките, op. cit., 2010, 16.

<sup>14</sup> The 2008 brief report of the Commission’s work states that seven sessions with a total of eight issues for discussion on the agenda took place. (Macedonia 2009 Progress Report on Gender Equality, May, 2009, p. 2. Esem.org.mk)

there is a lack of understanding of the domestic violence phenomenon, also “some ministries show little interest in it.”<sup>15</sup>

Much work is yet to be done in relation to improving the status of minority women. There are no documents that regulate the gender relations into the minority communities, the only exception being the National Action Plan on Roma Women 2008-2010 (passed in 2008), yet some reports show that the Action Plan for Roma Women is not operative. There are no publicly reachable reports as of how the operative plans have been adopted, which indicates its total marginalization.

There is insufficient readiness of municipalities to allocate budget funds for gender equality. Budgeting is more damage-control oriented (domestic violence, trafficking). The largest share of the undertaken activities are been initiated by the civil society. However NGOs are lacking the capacity and inclusion, they are heavily dependent on foreign funding, and the Government agencies display only the minimum willingness to include them in the developing policies and legislations.

*A general note:* Awareness for gender mainstreaming, whereas it departs from gender equality, is on a very low level. Efforts to include gender mainstreaming as an important cross-cut concern should be a priority. Much effort is needed from various domestic and foreign stakeholders to constantly remind the authorities that a political will for gender mainstreaming and political commitment to do so is crucial, if more rapid progress is to be expected. Although some level of political will is present, and it has materialized in the legal framework, as explained above, there is still a question of how much of this will is genuinely seeded. Therefore, different instruments aimed at gauging the political need to be further developed.

## 2. Transferability

- There is no institution such as gender institute. I am not sure if it would be beneficial that such is formed, but if it is, funding and expertise-building is needed and separation of different duties between DPEO and such Institute. The formation of such gender institute can stem from both governmental and NGO efforts and could be a longer-term policy goal. The existence of such an institute, as well, must be rooted in the Law.
- The DPEO has a legal obligation to perform gender test and review the legal framework (Art. 14.1.4 of the Law). However, the DPEO does not have the needed capacity to perform such duties (the total personnel consists of six employees plus the State Secretary for Equal Opportunities). If the gender institute is formed in foreseeable future, one of its mandates could be to test the existing domestic legislation and all future drafts.
- Although the ministry coordinators are mainly coming from heads of various departments, it is unclear if their influence reaches to highest ranking officials who author the ministries' policies. This is crucial in order to be able to surpass the dominant sector-based logic and introduce the gender mainstreaming approach. A possible pilot project in one of the ministries could be initiated to this effect.
- There is a need for creation of an interdepartmental coordination group, which would meet regularly to discuss policy issues aimed at improving the National Plan for

<sup>15</sup> The FYR of Macedonia 2009 Progress Report, op. cit. p. 18.

gender equality, rather than to have a centralized logic where DPEO gets internal reports and produces the policy drafts by itself, without de facto feedback from the ministry and other coordinators. In addition, the representatives from other stakeholders (NGOs, broadcasting Council, media, etc.) should be included in this group.

- The implementation of the legal provision for continuous training is lacking, due to the fact that the legal provision is only general and other reasons discussed in the first part of this document. In order to guarantee the constant training for coordinators, the law could be amended to be more specific (e.g. how many times per year they must occur) and the revision of the National plan could include the thematic propositions for the training programme.
- For the time being, there appears to be no manuals for integration of gender policies in general departmental policies (no data is available, if there is some limited documentation). Such manuals could be produced, through international aid in expertise to tackle the issues of gender mainstreaming and gender budgeting.
- The balance representation of men and women is transferable best practice, since the law stipulates that in each institutional body or commission at least 40% of the underrepresented gender. In order to finally fulfill the legal requirement, the relevant institutions (mainly DPEO) should actively investigate into this aspect of gender equality.
- In Macedonian governmental design there is no Ministry of equal opportunities. Having the under-resourced state apparatus, an organization reshuffle which would bring such ministry into existence to my view is not politically feasible at present. The head of the DPEO does not have a political function, which is good, but therefore is limited in its influence. One possible way to include gender policy in the highest government policy, I would suggest, is to introduce a portion of the gender mainstreaming portfolio to one of the four deputy prime-ministers in the government, or to one of the three “ministers without portfolio” (political oversight and political responsibility for gender mainstreaming and public outlook).
- The ministries must have clear gender based policies developed for their human resource departments.
- Gathering on the gender-disaggregated data is almost non-existent in the state and local government bodies. A way to transfer this best practice, but also an existing legal obligation would be to introduce pilot projects in one or more ministries and municipalities, with clear guidelines and oversight.
- The problem of the shared duties of coordinators in ministries and municipalities is an inherent one, as they have dual functions. Usually, the core employment of these coordinators is not related to gender mainstreaming. This problem is difficult to solve not only since it has significant budgetary implications, but also due to the fact that employing a person to deal only in gender mainstreaming, would be sidelined unless they are hired as senior ministerial officials. Perhaps a better way to solve this issue, I would suggest, is to share the strategy and policy aspects of the gender portfolio with ministers’ counsellors, which are political positions and to always insure a direct link between such counsellors and the coordinators.
- The gender issues to be addressed in the society and therefore, also in the public services (albeit to a lesser extent) cannot be rooted out with a simple but substantial

technique which would consider the problem at hand mainly with a cross-cutting approach. The institutions should be strengthened to first do two of the following things: Improve the legal framework, and ensure the full implementation of the law. In other words, Macedonia should aim to improve the transversal model before attempting to tackle the integrated model.

- The tools needed to perform “gender tests” are not elaborated. The first step is to create methodology, with domestic and foreign expertise, introduce it as a pilot project, perhaps in the MLSP and then to introduce the elaborated methodology in the National Plan.
- The National Plan includes provisions on gender budgeting, but they are quite generic. The specific money is foreseen only for the activities of the DPEO, health of women, domestic violence, and fighting human traffic (meaning only damage-control mechanisms). In future, specific funds (both extra-budgetary and coming from the main budget) should be allocated and channelled for the needs of training, production of tools and resources (such as the gender test), etc., in order to finally initiate the process of gender mainstreaming.

### 3. Policy debate

- As a country in transition with low economic growth, the Republic of Macedonia does not allocate sufficient funds for full implementation of the EU standards of gender mainstreaming.
- There persists a traditional role of men and women (especially in rural areas and in some ethnic communities). “Discriminatory customs, traditions and stereotypes are widespread and undermine women’s basic rights.”<sup>16</sup>
- One third (31.1%) of the citizenship live below poverty line, and this especially effects women. The employment is characterized by an unfavorable gender structure. The employment rate for women in the Republic of Macedonia as of March 2010 was 38.6%.<sup>17</sup>
- The participation of women in political life remains low at almost all levels. The Law on Equal Opportunities prescribes that all public institutions should aim to increase participation of less represented gender “to a minimum of 40 per cent” (Article 6). Although this provision appears to be encompassing any state institution, the governmental cabinet does not follow this provision, as only 2 ministers (Ministry of Interior and Ministry of Culture) out of 22 are women. But, it should be noted that the gender composition of the parliament and local governing councils is streamlined more by the Election Code for proportional elections, rather than by this provision. The Election Code requires that each party lists at least every third candidate representing the less represented gender on the list and as a result, 32.8% per cent of the parliament is comprised of women MPs (2008).
- Trafficking in women, in particular internal trafficking from eastern to western Macedonia is an underlining problem. The women appear victims of all kinds of violence (including the freedom of free marriage, as arranged marriages are common

<sup>16</sup> The FYR of Macedonia 2010 Progress Report, op. cit. p. 18.

<sup>17</sup> Large proportions of the inactive women are living in rural areas (74%), with primary (or less) education (67%).

among the Roma, Albanian and Turkish population). From the total of known adult offenders in 2009, 90.4% were men. Vulnerable categories of women include Roma, multiethnic, female workers in bankruptcy firms, and unemployed women. Roma women and girls suffer from both racial and gender discrimination, and Roma completion rate of prime school is 44.6%.

- The number of enrolled pupils in the primary and secondary schools shows relative gender balance. The phenomenon of girls leaving schools during primary education is evident with Roma, Albanian and Turkish population and in the rural areas.
- Anti - abortion campaigns are being lead since 2007 and they should be seen in the following context: the Government is leading an aggressive campaign for the multi-children's family (in some cases promoting the traditional and patriarchal values); The representatives of the Orthodox Church often publicly advocate against the unfavorable nativity rates (power of the religious institutions is being increased, the biggest one is the Orthodox Church); Campaign to promote religious education in the formal educational system persists, even after the Constitutional Court's decision to null the respective legal provisions; Governmental aid aimed at families with more children in the municipalities with the low nativity rate (predominantly in ethnic Macedonian municipalities), etc.
- In one high school textbook homosexuality has been described as a disease. A framework Law on anti-discrimination has been enacted in 2010. However, the Law does not recognize sexual orientation as a ground for anti-discrimination.
- Gender stereotypes and sexism in the media is of a great concern, there were several cases of extreme misogyny and hate speech towards women, and the Broadcasting Council seems to lack the capacity to address these concerns.
- One female detainee (an employee of the A1 television, charged on the grounds of financial corruption) in February 2011 had a miscarriage while in pre-trial detention. EU progress report suggested that the treatment of vulnerable prisoners is not satisfactory in 2009 (2009: 17), and that such a treatment continued to be deficient in 2010. (2010: 17).