



# Exchange of Good Practices on Gender Equality

## Gender Impact Assessment

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Comments Paper –  
The former Yugoslav Republic of Macedonia

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# Gender Impact Assessment in the former Yugoslav Republic of Macedonia

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## 1. Introduction

### 1.1. Overview of the Legal Background and Strategic Policy

The Constitution of the Republic of Macedonia includes the gender equality as a principle since its adoption in 1991 (articles 9, 54, and 110). The first National Plan for Gender Equality was enacted by the Government in 1999, after the Beijing Declaration of 1995. An important step for gender equality was made in 2006 when the Law on Equal Opportunities of Women and Men was passed by the Parliament. This law did not contain provisions for gender impact assessment, or for gender responsible budgeting. However the law laid out a general groundwork for gender equality and, in smaller part, for gender mainstreaming, as well as for establishing an institutional network for dealing with gender issues within the central and local government institutions. The National Plan for Gender Equality (2007-2012) which was a strategic document of the Government, endorsed by the Parliament, also did not contain any detailed provisions for introducing gender impact assessment. According to the Ministry of Labour and Social Policy (MLSP) gender responsive budgeting was first promoted in 2008 when several pilot activities were implemented to raise awareness among relevant state holders.<sup>1</sup>

Significant legislative changes were introduced when a new Law on Equal Opportunity for Women and Men was passed in 2012. Among other changes to the legal framework, the Law now includes general provisions for gender impact assessment. Article 11.3 of the Law stipulates that: “The state administration bodies are obliged to incorporate the principle of equal opportunities for women and men within their annual reports”.<sup>2</sup> According to the Macedonian civil society organisation Akcija Zdruzenska, the law stipulates clear and unambiguous obligation of legislative, executive and local authorities to systematically introduce the equal opportunities in creating, implementing and monitoring budgeting policies.<sup>3</sup> The gender responsive budgeting is therefore a relatively new tool in Macedonia.

In an effort to supplement the legal obligation stemming from the Law, in July 2012 the Government has adopted a Strategy for Introducing Gender Responsive Budgeting (2012-2017). The Strategy aims to “adjust the existing processes for planning and budgeting of the policies and programmes of the budget beneficiaries, taking into account the different implications for women and men”, and also to: “strengthen the institutional mechanisms and capacity building that are required for

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<sup>1</sup> “The Strategy for Introducing Gender Responsive Budgeting in the Republic of Macedonia (2012-2017)”, Skopje: *Ministry of Labour and Social Policy*, 2013, p. 7.

<sup>2</sup> “Law on Equal Opportunities for Women and Men”, *Official Gazette of the Republic of Macedonia*, No. 6, 2012 from 13.01.2012.

<sup>3</sup> “Implementation of the Strategy for Introduction of Gender Responsible Budgeting 2012-2013”, provides more analysis. Skopje: *Akcija Zdruzenska*, December 2013, p. 7.

incorporation of the gender perspective in the creation of policies and programmes and related budgets.”<sup>4</sup>

Apart from laying out the general objectives and goals for gender impact assessment through gender budgeting, the Strategy also contains the explanatory notes of the essence and importance of gender aware budgeting, and explanation of the relevant terminology. Furthermore, it explains in details the timeline for forming the budget in the Republic of Macedonia in general terms and what needs to be done ideally to introduce gender aware budgeting in the process. The document contains a timeframe with planned activities, explained in some detail.

It is worth mentioning that the Law on Budgets of 2012 (as well as the specific law with which the 2014 budget was passed) *does not* contain any provisions for differentiation by gender and should be harmonised, through amendments. The only inclusivity principle in this Law is related to “appropriate and just” inclusion of representatives of national minorities for employment in state institutions (article 51.4).<sup>5</sup>

In January 2013 the MLSP has prepared a Strategy for Gender Equality (2013-2020) which continued the previous National Plan (2007-2012) and which was adopted by the Parliament.<sup>6</sup> This Strategy foresees gender responsive budgeting.

## 1.2. Institutional Background

Institutionally, development of the gender related aspects is spearheaded by the Department for Equal Opportunities (DEO), which was formed within the Ministry of Labour and Social Policy (MLSP) in 2007 (and was restructured from the previous Unit for the Promotion of Gender Equality from 1997). In last few years, the DEO organised number of public debates and trainings with relevant state holders. According to the DEO, such trainings also include the topic of gender responsible budgeting. The trainings are organised in cooperation with international organisations and in 2013 six such trainings were held with the representatives of the municipal and state authorities.<sup>7</sup>

In terms of laying the ground for successful introduction of gender impact assessment, the DEO and the MLSP have produced a number of strategic documents and manuals, in order to increase education and understanding of the gender responsive budgeting. These documents include the “Strategy for Introducing Gender Responsive Budgeting in the Republic of Macedonia” (2012-2017), “Assessment Analysis of the Budgetary Processes and Reforms in the Budget Policies from the Aspect of Gender Equality” (2013), a manual for “Gender Responsive Budgeting for the Administration” (2013), as well as brochures and leaflets.

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<sup>4</sup> “Strategy for Introducing Gender Responsive Budgeting in the Republic of Macedonia (2012-2017)”, p. 7 and 8. [http://www.mtsp.gov.mk/WBStorage/Files/strategija\\_budxet\\_eng.pdf](http://www.mtsp.gov.mk/WBStorage/Files/strategija_budxet_eng.pdf)

<sup>5</sup> “Law on Budgets”, Ministry of Finance of Republic of Macedonia, *Official Gazette of the Republic of Macedonia*, No. 64, 2012. <http://www.finance.gov.mk/files/u6/5.pdf>

<sup>6</sup> [http://www.mtsp.gov.mk/WBStorage/Files/strategija\\_rodova\\_april.doc](http://www.mtsp.gov.mk/WBStorage/Files/strategija_rodova_april.doc) (in Macedonian).

<sup>7</sup> Interview with Ms. Mirdita Saliu, Ministry of Labour and Social Policy (MLSP), conducted on 25 April 2014.

In addition to the Strategy for Gender Equality (2013-2020), the MLSP has also produced an Action Plan for Gender Equality for the period 2013-2016 containing several strategic aims, including gender impact assessment and gender responsible budgeting.<sup>8</sup>

There is a standing Committee on Equal Opportunities of Women and Men in the Parliament, consisting of 12 members and 10 deputy members. Although with a mandate to address a wide variety of gender related issues and propose and review legislative and strategic initiatives, the activity of this committee was in principle limited to holding meetings and seminars. For example, this committee hosted a seminar “The Parliament as a Key Factor in Gender Budgeting”, conducted in April 2012, three months after the new Law on Equal Opportunities has already been adopted.

Before the 2013 budget was proposed, the government identified four pilot institutions (the MLSP, the Ministry of Health, the Ministry of Agriculture, Forestry and Water Economy, and the Employment Agency) to include the gender responsive budgeting in their budgetary process as well as output indicators, disaggregated by gender. Akcija Zdruzenska observed that by June 2013 this obligation was partially implemented by the Ministry of Agriculture, which chose a specific programme for financial aid in rural development, for 2013.<sup>9</sup> This exercise was repeated for the 2014 budget with the same pilot institutions. However, there is no public information available to determine if the pilot institutions have fulfilled their duties and, on the contrary, the government document that explains and details the 2014 budget does not contain any information on gender disaggregated output indicators. In addition, the DEO has not received any feedback from the Ministry of Finance on the outcome of the pilot projects.

### 1.3. Statistics and Economic Indicators

The official statistic should be considered as an important tool for input parameters for various institutions when and if proposing their part of the gender responsive budget. There is limited information on data segregation by gender and the primary source is the State Statistical Office (SSO).

One comprehensive document that exists (in its sixth edition), published by the SSO in 2012, contains several important pieces of information in the fields of general population statistics, education, communication, labour market, social welfare and justice. As a striking example, this document states that the activity rate of women (in 2011) was only 44.7%, compared to activity rate of men, 68.8%.<sup>10</sup>

According to a research from March 2013 conducted by two academic researches,<sup>11</sup> in many areas where quantitative analysis exists, Macedonia is still below the EU average, such as in women’s economic independence, equal pay and women’s participation in the decision making process.

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<sup>8</sup> National Action Plan for Gender Equality (2013-2016): <http://www.mtsp.gov.mk/WBStorage/Files/napre.doc> (in Macedonian).

<sup>9</sup> “Implementation of the Strategy for Introduction of Gender Responsible Budgeting 2012-2013”, p. 14.

<sup>10</sup> “Women and Men in the Republic of Macedonia, 2012”, State Statistical Office, Republic of Macedonia, Skopje, 2012, p. 67.

<sup>11</sup> Mickovska-Raleva Ana, Dimitrijevska Tamara, “Gender Equality in EU: How Does Macedonia compare?”, *EU Policy Briefs*, No. 5, March 2013, p. 7. <http://www.crpm.org.mk/?p=10893>

## 2. Policy Debate

### 2.1. Difficulties in Implementation

According to the Department for Equal Opportunities (DEO), the Republic of Macedonia leads on the Balkans with the implementation of gender sensitive budgeting, due to the fact that the MLSP is attempting to implement the gender budgeting on the national level.<sup>12</sup>

However, the 2014 budget did not contain input or output indicators related to gender.<sup>13</sup> In its assessment, Akcija Združenska notes that “(T)he readiness of the government and the institution to secure the equality among men and women is expressed through production of legal documents, strategic and action plans and introduction of mechanisms/bodies on the national and local level which, however, are inefficient since the implementation/action is in large measure conditioned on financial means made available from the international institutions/organizations”.<sup>14</sup> For example, even the Strategy for Introducing Gender Responsive Budgeting was produced after being financed by the UN WOMEN.<sup>15</sup>

Although the DEO has held a series of consultative sessions and trainings, and produced strategic documents and manuals for the representatives of other ministries in how to include gender responsive budgeting in their budget drafts, the relevant guidelines and tools that the ministries follow in preparing their share of the national budget are prepared by the Budgets and Funds Department of the Ministry of Finance (with the General Secretary of the Government also playing an active role). This creates a potential for an unwanted possibility that the commitments made by the authorities for gender responsive budgeting remain only declarative and not engaged more forcefully in the near future, especially having previous experience of the slow-moving implementation of gender programmes.

The DEO considers it a success that the budget guidelines (for the so-called budget circular) contains a sentence about the output indicators as follows: “*The Ministry of Finance stresses that the budget users must determine output indicators for each program and development sub-programs. For the chosen program, in respect to the gender analysis, the indicators must also be separated by gender*”.<sup>16</sup> It remains to be observed if the budget for 2015 will contain any such indicators.

Related to this, one of the aims of the “Strategy for Introducing Gender Responsive Budgeting (2012-2017)” is adoption of the unified methodology for gender based budget analysis to be prepared by the MLSP and which needs to be agreed upon by the state and local authorities. To support this process, an inter-departmental working group (WG) comprising 26 representatives (also including members from the civil society) was created in 2012. The creation of this working group is regarded as a step in a positive direction. However, there are two substantial issues with the

<sup>12</sup> Interview with Ms. Mirdita Saliu, Ministry of Labour and Social Policy (MLSP), conducted on 25 April 2014. According to Ms. Saliu, one of the problems that the DEO faces is lack of understanding of government and local institutions that gender budgeting does not foresee a set of separate budgets, but that the whole budget needs to be adapted in a gender aware sense (from the same interview).

<sup>13</sup> The 2014 budget is available at: <http://www.finance.gov.mk/files/BUDZET%202014%20FINALNA%20VERZIJA%2019.12.2013.pdf>

<sup>14</sup> “Implementation of the Strategy for Introduction of Gender Responsible Budgeting 2012-2013”, p. 6.

<sup>15</sup> Ibid, p. 7.

<sup>16</sup> [http://www.finance.gov.mk/files/u6/NASOKI\\_ZA\\_BUDZETSKI\\_CIRKULAR\\_ZA\\_2014.doc](http://www.finance.gov.mk/files/u6/NASOKI_ZA_BUDZETSKI_CIRKULAR_ZA_2014.doc)

activity of this WG: it does not seem to have resources to implement its activities, and it remains unclear in which way (i.e. through which instrument) the recommendation made by the WG could be reflected in the decisions and decrees of the Government. The preparation of this methodology was started in April 2013 and was supported by UN Women (according to the *Akcija Zdruzenska* comprehensive report),<sup>17</sup> but although the methodology was completed by December 2013, as of April 2014 it was still not signed by the Minister of the MLSP. If and when adopted, it will need to be approved by the government. It is considered that the adoption of this methodology is a crucial and decisive step for definitive introduction of gender responsive budgeting.

It can be concluded that there is a declarative intention to introduce gender responsive budgeting and, more broadly, various measures to increase the equal opportunities in relation to gender, and harmonisation of the gender legal framework in accordance with the EU legislation, however, there is a risk that the lack of political will to implement may prolong the implementation.

## 2.2. Transparency and Inclusiveness

One of the most significant problems that the public and various stakeholders are facing, is the lack of transparency and accountability of public institutions. In general, the Government is not providing sufficient and detailed information neither about the budgetary planning nor the expenditures. Also of note is that there is a general lack of oversight of the activities of the executive branch by the Parliament, which also appears to be the case in terms of basic legislative and strategic provisions in terms of gender equality.

The Law on Access to Information of the Public Character contains regulations to provide access of the public to the work of the public institutions. However, according to the Association for Emancipation, Solidarity and Equality of Women in the Republic of Macedonia (ESE) the public has a limited access to public information and the institutions have a practice of not publishing information on their work, by their own initiative.<sup>18</sup>

According to *Akcija Zdruzenska*, the civil society organisations in general are not active in any way in the implementation of the Strategy, apart from monitoring.<sup>19</sup>

## 3. Transferability Issues

With the adoption of the Strategy for Introducing Gender Responsive Budgeting (2012-2017), the Republic of Macedonia became one of more than 60 countries that have a responsibility to apply gender impact assessment.<sup>20</sup>

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<sup>17</sup> Implementation of the Strategy for Introduction of Gender Responsible Budgeting 2012-2013", provides more analysis. Skopje: *Akcija Zdruzenska*, December 2013, p. 14.

<sup>18</sup> "Fiscal Transparency and Accountability of Public Institutions", *ESE: Association for Emancipation, Solidarity and Equality of Women in the Republic of Macedonia*, December 2013. Available at: <http://www.esem.org.mk/index.php/rezultati/11-rezultati/99-rezultati-fiskalna-transparentnost-i-otchetnost-na-javnite-institucii.html>

<sup>19</sup> "Implementation of the Strategy for Introduction of Gender Responsible Budgeting 2012-2013", p. 9.

<sup>20</sup> "Strategy for Introducing Gender Responsive Budgeting in the Republic of Macedonia (2012-2017)", p. 8.



There is a possibility that the 2015 budget will be prepared at least partially taking into account the gender responsive budgeting, in case the Government approves the proposed unified methodology, which would then be used as a tool by the state and local level budget users. These users will then have a de-facto obligation to report on successfulness and impact of the implementation, to be used as feedback for the preparation for the budget of the following year. If this is adhered to, this feedback will represent an important tool for the gender impact assessment, but will also prove itself as an indispensable reporting mechanism.

Although the MLSP has a leading role in coordination of governmental and local institutions in terms of gender impact analysis, they have no authority in making the other institutions to implement the developed strategies. The gender responsive budgeting is mentioned in the Law for Equal Opportunities, however it appears this is not sufficient. The DEO is of the opinion that the more immediate impact would be accomplished if the Law on Budgets is amended to include gender responsive budgeting.<sup>21</sup> A possibility that such measure could be introduced in the Constitution, such as in Austria, is not being considered.

According to Akcija Zdruzenska, the DEO did not have enough resources required for implementation of actions foreseen in the strategy. This led to the situation in which considerable amount of key activities foreseen in the action plan for 2013 were not implemented.<sup>22</sup>

It is important that the DEO has enough resources to conduct their activities. However, the implementation of DEO's activities was entirely dependent on donations of the international organisations, including UN Women, OSCE and development agencies until 2013. For the first time, in 2014 budget, the DEO received some resources from the state budget for their activities.<sup>23</sup> Apart from making a concrete difference in the possibility to realise programmes, this can also be seen as a motivational factor.

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<sup>21</sup> Interview with Ms. Mirdita Saliu, Ministry of Labour and Social Policy (MLSP), conducted on 25 April 2014.

<sup>22</sup> "Implementation of the Strategy for Introduction of Gender Responsible Budgeting 2012-2013", p. 26.

<sup>23</sup> Interview with Ms. Mirdita Saliu, Ministry of Labour and Social Policy (MLSP), conducted on 25 April 2014.