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Justice

## Exchange of good practices on gender equality

### **Implementation of gender mainstreaming**

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## Comments paper - Estonia

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# Gender mainstreaming in Estonia

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## 1. Introduction

### 1.1. Policy and Economic Context

In Estonia, the majority of people do not identify themselves politically, and actually a small number of people have joined a political party. From other side, party politics has an impact to priorities in a coalition declaration, law making, and supervision of executive power. In the last parliamentary elections in March 2011, four political were obtained seats in the Riigikogu: Estonian Reform Party, Pro Patria and Res Publica Union, Estonian Centre Party, and Social Democratic Party. Estonia is considered one of the most liberal economies in the world. But from the other side, poor social security<sup>1</sup> and high unemployment rate<sup>2</sup> has increased a number of job-seekers abroad in recent years.

Estonia has low unionisation rate. Researchers do not believe that the Nordic model in employment relations could be possible in Estonia<sup>3</sup>. Realo (2003)<sup>4</sup> has studied contradiction between Estonians' auto stereotype of their extreme individualism and the opposing opinion held by the cross-cultural research community that sees Estonia as a collectivistic country. Realo has found that if Estonians speak about their individualism or collectivism, they seem to emphasize their being/acting alone versus being/working in groups, whereas for cross-cultural researchers the defining attributes of individualism are striving for affective and intellectual autonomy and egalitarian values versus conservatism.

The governmental rapporteur has stressed, that Gender Equality Monitor (2010)<sup>5</sup> has found that men and women have positive attitudes towards gender equality, but gender stereotypes persist<sup>6</sup>. In reality, the Monitor has found that gender equality knowledge, perception of inequalities and support to egalitarian values is still low compared with other welfare states. The most pro-equality group consists young women and the weakest support could be found among Russian speaking men.

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<sup>1</sup> Lack of savings, monthly payment for sick and elderly care can easily exceed monthly earnings or monthly pensions etc.

<sup>2</sup> Annual average of registered unemployment rate in 2010 was 12,3%.

<sup>3</sup> Opinion expressed by labour economist, Prof. Raul Eamets

<sup>4</sup> Realo, Anu (2003). Comparison of Public and Academic Discourses: Estonian Individualism and Collectivism Revisited. *Culture & Psychology*, 9 (1), 47-77.

<sup>5</sup> Vaike Vainu, Vaike; Järviste, Liina; Biin, Helen (2010). Soolise võrdõiguslikkuse monitoring 2009. Sotsiaalministeeriumi toimetised nr 1/2010. Tallinn.

<sup>6</sup> 55th Session of the UN Commission on the Status of Women. General Discussion – Statement by Estonia. New-York, February 28, 2011.

## 1.2. Gender Equality Department

Estonia has ratified the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) as a part of conventions' package in 1991 and the text was translated four years later, reporting to the CEDAW Committee has taken place eleven years later, which shows ignorance and other priorities after regaining independence. 1994 could be seen as a birth of state attention to gender issues. Estonia had a national representative in the Steering Committee for Equality between Women and Men at the Council of Europe since 1994. The Beijing conference process has brought couple of projects, research and some people together. In December 1996, the **Gender Equality Bureau** at the Ministry of Social Affairs was established. The Equality Bureau was staffed with couple of people in 1996-2004. Since 2004 there is the **Gender Equality Department** and the number of staff has increased to near ten (temporary employees of projects included), but has declined again to seven (May 2011). The Department organises gender analysis and monitoring. Gender Equality Monitors (2005, 2009) are important step forward towards informed gender equality development planning. National gender studies researchers and gender experts have high expectations in connection with the European Institute for Gender Equality (EIGE).

## 1.3. Legal framework

A main initiative by the Department was preparing a bill – Gender Equality Act, the process lasted for many years due to fall and rise during parliamentary debates. Parliamentary debates demonstrated attitudes to gender equality issues and unwillingness to adopt the bill. The **Gender Equality Act (GEA)** was adopted in April 2004 (in the eve of Estonian entering to the EU), yet this is a weak instrument in terms of both its substance and scope of application. This Act applies to all areas of social life; the Act does not apply to relations in family or private life. In the GEA the term 'gender mainstreaming' (*'soolise võrdõiguslikkuse süvalaiendamise'*) is not used, although the principle is introduced in Articles 9-11 (Chapter 3. Promotion of Gender Equality).

According to the Gender Equality Act (GEA), an independent institution of the **Gender Equality Commissioner** should be established, with a responsibility to process complaints of discrimination on the basis of gender. Actually, one year after the adoption of the GEA, the Estonian Government had not adopted a statute of the Commissioner. It can be concluded that the GEA was not implemented for a year<sup>7</sup>. After the adoption of the Equal Treatment Act, a workload of the Commissioner has widened and a name was changed in 2009. The **Gender Equality and Equal Treatment Commissioner** is an independent and impartial expert who acts independently, monitors compliance with the requirements of equality legislation, makes proposals to the Government and other agencies, gives advice and dealt with personal applications. Beside above mentioned tasks, she should also promote gender equality. Unfortunately, there are working only two persons – the Commissioner and the Advisor. Ombudman's position is held by Chancellor of Justice in Estonia.

<sup>7</sup> There was also a practical reason. On the 14th of April 2005 (a year after the GEA was adopted!), the Riigikogu made an amendment, which allowed to implement the GEA (to adopt the statute of the Commissioner) and to nominate the Gender Equality Commissioner.

The main problems with gender mainstreaming in Estonia concern:

- the lack of political will;
- the lack of a definition of the term in national legal texts;
- the lack of awareness of gender equality and structural inequality problems;
- the lack of gender mainstreaming policies and instruments; and
- the lack of a systematic approach.

## 1.4. Capacity building

Civil servants have been trained in gender mainstreaming (GM) with direct support offered by international agencies (Nordic Council of Ministries, UNDP, ILO, EU programmes etc) since 1997. In 2004-2005 the Phare Twinning Project<sup>8</sup> took place to improve gender knowledge, to train trainers and civil servants, to carry out pre-training and post-training studies. Pre-training study has found out that 70% of the respondents, significantly more men than women, were not interested in participating in gender equality training<sup>9</sup>. Post-training attitude was more positive and showed that four fifth were interested in further training on Gender Mainstreaming topics and that the assessment of nearly all (about 89%) is, that trainings are necessary for a balanced society<sup>10</sup>. Problem with trainings occur, when some occasional people from each ministry and state agency are forced to participate in training. Ministries tend to send to gender trainings people, who do not have decision making power. Turnover among young officials in the ministries is (was) high.

Local government reform has not occurred<sup>11</sup>, which is good for democracy lesson, but shows low capacity and competence in many municipalities in many areas, e.g. know-how on gender issues. County government has lost a position and has weak influence on cross-cutting issues (regional development, environmental issues, health care, planning). Good practice from Sweden has pointed out importance of gender equality plans. In Estonia such plans are not made, in spite of the legal requirements. The GEA requires from state and local government agencies promotion of gender equality, but law enforcement is weak. For example, local governments are social service providers and law requirements are followed. If there is lack of capacity, services are delegated to NGOs or bought from social workers.

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<sup>8</sup> Development of Administrative Capacity of National Authorities in the Field of Gender Mainstreaming.

<sup>9</sup> Kirch et al 2006: 27. Kirch, Marika; Kuhl, Mara; Sellach, Birgitte (2006). Capacities of the Estonian civil servants in the field of Gender Mainstreaming. Pre-training and post-training study prior and after training of civil servants. Tallinn: Estonian Ministry of Social Affairs.

<sup>10</sup> Kirch et al 2006: 71. *Ibid.*

<sup>11</sup> Altogether 226 local governments (33 towns and 193 rural municipalities), and 15 counties in May 2011. According to the GEA, state and local government agencies are required to promote gender equality systematically and purposefully. Their duty is to change the conditions and circumstances which hinder achievement of gender equality. They should take into account the different needs and social status of men and women and gender consequences of planning, strategy implementation, policies and action plans.

Laas and Lamesoo (2005)<sup>12</sup> have listed reasons for the poor performance and success in the gender mainstreaming process in Estonia:

- poor translation and introduction of the term 'gender mainstreaming'<sup>13</sup>;
- strong gender stereotypes and rigid gender roles;
- neo-conservative and national romanticist public opinion from the late 1980s;
- low awareness of shared responsibilities, partnership and equality;
- gender inequality and its basis is not acknowledged;
- sexism in society is not perceived as a social problem;
- weak networking and activism.

In 2011, the above listed reasons are still in the place, but gender roles, position of women and men in society during a life course and gendered society has been debated and gender awareness has increased. Projects for improvement of women's career possibilities, fathers' role and men's health have been introduced to wider public. Access to gender literature and policy papers, also texts on gender equality and equal treatment issues in Estonian and Russian have increased. There have been published several guidelines and manuals on Gender Mainstreaming<sup>14</sup>, EC documents are available in Estonian. Networking and activism to tackle gender inequalities have increased and gender equality advocacy is learned. Information about gender budgeting has provided in many conferences and workshops, but the method is not used. There is a gap between gender theorists and gender aware practitioners. Some actions have made as forming a network on gender equality and employment issues since 2008.

Reitelmann (2006)<sup>15</sup> lists reason why gender mainstreaming has not progressed in Estonia:

- the weak institutional mechanisms;
- lack of political will to implement principles of equality between women and men;
- the incompetence of the officials and the politicians in this area.

Low support to egalitarian values, lack of commitment and political will, are main constraints in implementing gender mainstreaming in Estonia.

<sup>12</sup> Laas, Anu; Lamesoo, Katri (2005). Gender Mainstreaming Case Studies. Work Package 6. EGG Project report (Enlargement, Gender and Governance: The Civic and Political Participation and Representation of Women in the EU Candidate Countries).

<sup>13</sup> translated as *'to dig deep and to expand'*. This is indeed a bad translation which poorly reflects its actual idea. These problems are due to the fact that there is not an exact or widely accepted Estonian translation for either the term 'gender' or 'mainstreaming'. As a result, the concept of 'gender mainstreaming' is not fully understood either by policymakers, legislators, practitioners or beneficiaries. However, a number of people, who know and accept this translation and use it in their work, has increased.

<sup>14</sup> For example, Norberg, Aili; Pajumets, Marion; Papp, Ülle; Saks, Kerttu; Uverskaja, Elviine (2006). Soolise võrdõiguslikkuse süvalaiendamise strateegia: käsiraamat, 1-107.

<sup>15</sup> Reitelmann, Eha (2006). Estonian women's organizations' statement to the CEDAW Committee. New-York.

## 2. Transferability issues

The Gender Equality and Equal Treatment Commissioner and two municipalities from Estonia (Narva and Kuressaare) have participated in international project "Equality for Local Development: Gender Mainstreaming in Municipalities in 2006-2007"<sup>16</sup>. The project has showed, that beside 3R (Representation 1R, Resources 2R, and Realia 3R) is need to strengthen implementation phase tools and there is a need for the fourth R – Rules and Norms as a 4R.

In 2005, trainings of civil servants also pointed out a need for tools. Trainees' questions started with "*Why should I learn to see through a gender lens and to do gender analysis? What does it give? I have my workload too big already. Why should be gender incorporated into plans and policies? Etc*". After these questions is asked for a real, useful and convenient tools for daily work and if this is not offered, gender knowledge stays unused. Argumentation with gender segregated statistics and data, teaching gender analysis is not enough. In Estonia, there have been several attempts to form some working group like the CIG in Belgium (interministerial and interdepartmental coordination group), but this groups have worked temporarily. Every attempt to force ministries for better cooperation is never too much. Commitment by minister herself/himself is hard to reach in Estonia, but if gender is mainstreamed into party programs and declarations, it could be possible.

Gender budgeting has explained in many courses, but it is hardly possible, that there is one municipality today in Estonia, where graduates of some gender course use 3R method or exercises gender budgeting.

For getting forward with gender equality work in Estonia, harder incentives should be applied. Hafner-Burton and Pollack (2009)<sup>17</sup> have suggested tougher measures for the equality mainstreaming within EC DGs:

- procedural requirements (naming high-level coordinators and committees);
- action programme;
- reporting requirements (annual reports etc);
- the prospect of positive and negative sanctions (naming and shaming).

Swedish discussion paper has showed importance of critical mass of people with gender knowledge with pro-equality minds. In Estonia such sufficient momentum in social system is missing.

The Swedish discussion paper states that beside academicians, there are gender experts with knowledge and experience among different kinds of professionals. This is a weakness in Estonian case that a wide spectrum of dedicated gender aware people among different specialists and areas of life is missing. Gender mainstreaming in education system and university curricula has not taken place. However, research on

<sup>16</sup> Sarv, Margit (2007). In-country experiences in promoting gender mainstreaming in municipalities. Paper presented at the International Conference "Gender Equality in Municipalities: Facts, Tools, Perspectives" Vilnius, 19-20 November 2007.

<sup>17</sup> Hafner-Burton, Emilie M.; Pollack, Mark A. (2009). Mainstreaming gender in the European Union: Getting the incentives right. *Comparative European Politics*, 7 (1), 114–138.

textbooks, women's position in SET and academy exists. Some gender studies courses are taught in Tartu and Tallinn University, some gender studies units and NGOs exist, but it not enough to encourage a change in society.

Gender test design should be integrated in a general quality test. Gender mainstreaming is not only an exercise for policy-makers and civil servants, there should be discussions and cooperation and involvement of a wider range of stakeholders and advisory body.

### 3. Policy debate

Commitment and political will is stressed in both discussion papers from Belgium and Sweden. It is extremely important in Estonian context – if law makers, politicians, and decision makers have conservative views and bear in their minds gender ideologies from the peasants' culture, they will never support nursing fathers and women's career needs. They do not support gender analysis, equality policies, related projects and gender mainstreaming. These people think that attention paid to gender equality issues is a wasting of time and resources. From other side, it is not enough to have enlightened leader, because gender mainstreaming "is based on collective relationships rather than individual grievances" (Woodward 2008)<sup>18</sup>.

Commitment and devotion is stressed also by other researchers. "Global norms such as gender mainstreaming are most likely to change politics when their realization is a matter of elite bureaucratic self-interest." (Hafner-Burton and Pollack 2009: 130)<sup>19</sup>. Hafner-Burton and Pollack state that „comparative studies suggest that domestic mainstreaming programs are not uniformly disappointing but vary considerably in effectiveness and that statutory requirements are a significant element in successful programs“. Woodward (2008) has stated that the EU enlargement process may apply for alternative approaches in Gender Mainstreaming strategy, one of them is a diversity approach. Also mobility and open labour markets mix cultures and values. Western countries with successful Gender Mainstreaming experience could be really frightened to lose what was gained.

Estonia should tackle gender stereotypes. Views from the Gender Equality Department express a need for the further work and specific means to pursue gender equality<sup>20</sup>. Some examples have mentioned like innovative awareness raising campaigns for young people, job seekers and other special groups. The mindset and awareness on gender equality of women and men, girls and boys, should be addressed. The Department has commissioned a thorough study and develops steps to reduce a gender pay gap in Estonia. Gender pay gap has been studied, findings have been introduced to a wider public and tackling the gender gap is explained.

Estonia has gained a success with anti-violence action program, entrepreneurship courses in schools, promotion of women's entrepreneurship through different measures like resource centres, village centres, mentoring circles etc.

In discussion paper from Belgium was said that a law on Gender Mainstreaming is an ambitious one. If to think about long lasting parliamentary debates on gender equality

<sup>18</sup> Woodward, Alison E. (2008). Too late for gender mainstreaming? Taking stock in Brussels. *Journal of European Social Policy*, 18(3), 289-302.

<sup>19</sup> Hafner-Burton at al (2009).

<sup>20</sup> 55th Session of the UN Commission on the Status of Women. General Discussion – Statement by Estonia. New-York, February 28, 2011.



bills, opposing opinions on gender quotas, it could be predicted really hard process for Gender Mainstreaming Bill and hot parliamentary debates. From other side, legal basis gives a direction and forces to study the issue.

A first step planned in the law refers to the integration of gender within governmental declarations and policy notes. This would be useful social development tool for liberal Estonia. Gender experts consider that political will and commitment is one of the key preconditions for any gender mainstreaming process. Understanding that from acceptance to the enactment of change is a long way.

It was said that funding was not a crucial success factor In Sweden. In Estonian case funding is important, because many people do not have savings and without monthly income they could not make any voluntary work.

Swedish experiences with 3R and 4R, also using the METS as a tool in development work sounds good, but in Estonia these methods could be applied after some homework in the society. The SALAR program sounds unreal and impossible to transfer. Sometimes it is more realistic to learn from poorer countries, like the Grameen Bank (micro-credit scheme) idea in Bangladesh introduced by Mohammad Yunus.