



THE EUROPEAN COMMUNITY OF PRACTICE ON
GenderMainstreaming



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in cooperation with



Position paper on the preparation of the Structural Funds programming period 2014+

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The European Community of Practice on Gender Mainstreaming is a community dedicated to integrating the gender dimension into the European Social Fund (ESF) programmes (2007-2013) in relation to the EU 2020 strategy. The goal is that gender mainstreaming shall be an integral part of future ESF management at the end of the network's lifespan – from planning, programming, implementing to monitoring and evaluation. Find out more on www.genderCoP.eu

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1. Executive Summary

The outline and main content of this position paper are as follows:

- The paper starts with an introductory section with reflections on how a gender perspective is relevant in relation to the current economical crises; then
- a gender perspective on the development in the European labour market is discussed and the existing framework for gender mainstreaming in the Structural Funds is provided;
- it is shown that there is a real risk that cutbacks are made - especially in gender equality policies - during economic downturns and that this poses a threat in itself to all European recovery strategies;
- it is also shown that women are particularly at risk in employment policies that have no gender perspective and that women are overrepresented in the growing field of precarious work all over the EU.

The Gender-CoP base-line study of the state of the art of implementation of the Gender Mainstreaming strategy in the ESF in the Member States, shows:

- that a coherent approach to gender mainstreaming is missing and that there are implementation problems that need further attention at both EU and Member State level,
- that the ESF key actors need support (structures) in all phases of implementation of gender mainstreaming into the ESF/Structural Funds; and
- that there is no common standard in terms of analysis, setting objectives and indicators, implementation, monitoring and evaluation on EU and Member State level for integrating the EU dual gender equality approach into the ESF/the Structural Funds.

The preparation of the upcoming Structural Funds period is discussed in the following section showing that;

- a gender perspective is missing or fragmented in the *EU2020 strategy*, in the *Integrated and employment policy guidelines* and in the *Cohesion report*;
- there is no conformity between the preparatory documents so far and the *Strategy for equality between women and men 2010-2015*.

The recommendations made by the Gender-CoP are thereafter outlined and explained. In short, they consist of the following points:

- Create a Gender Mainstreaming “infrastructure”
 - Permanent support structures must be developed at both national (including regional and local) and EU level to support implementation of Gender Mainstreaming as a strategy.

- A coherent approach must be ensured and also mechanisms for learning and collaboration:
 - A network of Gender Mainstreaming Contact Points in the MAs should be set up and coordinated by the European Commission
 - Thematic learning networks should be established at both EU and national level (may be regional and local)
 - A high level group on Gender Mainstreaming in the Structural Funds should be established by the European Commission
 - Collaboration and learning between the ESF and the ERDF/Cohesion Fund, should be strengthened with the aim of creating synergies between the funds

- Apply Gender Budgeting methods

- Ensure the use of a European Standard on Gender Mainstreaming in the Structural Funds

- The standard should be supported by a EU training programme for Structural Funds actors at both EU and national level

- Ensure a clear focus on gender in the monitoring and evaluation processes

In the last section an outline of recommendations for the Structural Funds Regulations is presented in order to ensure that Gender Equality and Gender Mainstreaming will become binding requirements for all phases of implementation post 2014.

The Gender-CoP is currently working on more detailed recommendations on support structures and evaluation to be integrated into the European Standard on Gender Mainstreaming in the Structural Funds that is being developed by the network.

2. Background

The preparation of the Structural Funds programming period post 2014 has begun. At present the political and financial foundations for the next programming period of the Structural Fund are prepared.

Through this position paper, the European Community of Practice on Gender Mainstreaming (Gender-CoP)¹ asks the European Parliament, the EU Commission and the Member States to coherently anchor gender equality and gender mainstreaming in the preparatory work for the next Structural Funds period. The provisions and practices on gender equality policy of the current and the strategies, reports and budget discussions for the new programming period published so far are a matter of concern because gender equality and gender mainstreaming only have a marginal status which is shown in several recent evaluations by the European Commission and also in the base-line study carried out by the Gender-CoP in 2010.

In this position paper, the Gender-CoP stresses the need for a coherent integration of gender equality and gender mainstreaming in all planning steps and documents for the next Structural Funds programming period, as well as not least, in the multi-annual financial framework of the EU.

Gender in times of economic crises

Equality between women and men is a requirement for a European Union of growth, prosperity and solidarity in an equal and democratic society.² Gender Equality is usually put forward as a “*fundamental right, a common value of the EU, and a necessary condition for the achievement of the EU objectives of growth, employment and social cohesion*” (European Commission website)³. Even though there are some positive trends towards a more gender-equal society and labour market, gender inequalities persist. The current economic crisis has also raised concerns that the achievements in gender equality are at risk and that the effects of the recession will put greater pressure on women. (COM(2009)694 final p.3)

¹ The ESF Gender Mainstreaming Community of Practice is a learning network set up by the EU Commission. The network supports Managing Authorities and intermediary bodies within the European Social Fund to make better use of the Gender Mainstreaming strategy in improving the implementation of the ESF priority axes.

² Gender Equality in the European Social Fund 2007-2013, DG EMPL

³ In the Amsterdam Treaty in 1997, promotion of gender equality was assigned – and ratified by all Member States - as one of the fundamental tasks of the EU. Through the Amsterdam Treaty a requirement was introduced to eliminate inequalities and to promote gender equality in all activities. It also inserted a new article allowing the EU to take measures tackling all forms of discrimination based on sex, alongside a number of other grounds (articles 2, 3, 13 and 141). In the field of equal treatment between women and men, today, in 2010, 13 European Directives have been adopted. These are legally binding for EU Member States, and all members must incorporate them into their national legislation. (Gender Equality law in the European union (2008), EU Rules on Gender Equality: How are they transposed into national law? (2009).

It is evident that gender issues are often put on hold in times of cutbacks and economic restraint. Gender Equality initiatives are, when this happens, implicitly viewed as a *cost* which can be postponed. Sometimes gender equality is even seen to *hinder* economic growth, since it is often viewed in a short term cost perspective (Smith and Bettio 2008). This is deeply problematic given the vast evidence to the contrary.

The economic case for Gender Equality

When working to increase gender equality in the labour market, it is important to focus on individuals, organisations and macro-developments. Cutting back gender equality policies in times of crises is sometimes an effect of an economic understanding of the effects of gender equality initiatives which is too narrow and too short-term. A different perspective considers an “economic case” for gender equality instead of only a short-term “business case”. Compared to the business case, the economic case for gender equality has a wider scope since it is not limited to the boundaries of a single organisation. It goes beyond simply counting the evidence for gains for an individual organisation or companies. Needless to say that there is a lot of evidence pointing at positive outcomes on an organisational level and of course for individuals, but they are often measured and analysed in the short-term.

An economic case for gender equality focuses on the relevance for gender equality policies at a more aggregated level. It provides a perspective that is long-term and not short-term. The importance for strong gender equality policies as one part of economic growth strategies can be shown in many different areas including: employment rates, pay offs of investments in education, flexible work force, social inclusion, utilization of unpaid work, fiscal benefits, fertility rates etc.⁴ This is necessary in order to deal with the major European challenges resulting from existing inequalities, such as the current demographic challenges of an ageing population, shrinking workforce, and falling fertility rates.

The current economic crisis is severe and adds to already existing problems. The members of the Gender-CoP are convinced that all “exit strategies” must be built on a proper analysis of existing inequalities in order to not rebuild the economy based on the same (unequal) structures or, even worse, to make them worse.

Not just any job – but a decent job

Working with a gender perspective in labour and growth strategies includes raising the proportion of women in the workforce as one strong objective. Reaching this target involves working on gender segregation on the labour market, reconciliations issues and barriers to women’s entrepreneurship, but it also means dealing with discrimination and harassment problems and work-related health problems that are caused by poor working conditions and

⁴ Mark Smith and Francesca Bettio (2008), Analysis note: The economical case for gender equality, *EGGE – European Commission's Network of Experts on Employment and Gender Equality issues*, full text; http://www.se2009.eu/polopoly_fs/1.17998!menu/standard/file/ECO-CASE-final.pdf

unhealthy working environments. It is important to recognise the need for both individual and institutional approaches, working on both the “supply” and the “demand side”.⁵

It is also important to recognise the necessary steps to be taken in order to create jobs for both women and men that have acceptable working conditions and a salary that grants economic independence, both aspects being clearly gendered. Recent years have show growing levels of “precarious work” in Europe and an overrepresentation of women in these kinds of employment conditions. This means that women in some cases are entering the labour market into jobs which are not in line with the EU objective of an independent economic existence⁶. Precarious work means jobs that are insecure, temporary, with poor working conditions and a salary that makes it impossible to become economically independent. This endangers the overall aims of Gender Equality policies in the EU and is fueling problems such as the Gender Pay Gap.⁷ Gender inequalities in the labour market must be handled in a holistic manner. This means that the impact of other policies such as care for children or the elderly have tremendous effects on the situation of women and men on the labour market.

European Pact for Gender Equality (2011-2020)

With the [European Pact for Gender Equality \(2011-2020\)](#) published in March 2011 the Council of the European Union underlines that a new impetus is needed in the joint work for gender equality, particularly in order to reaffirm and support the close link between the Commission’s Strategy for equality between women and men 2010-2015 and “Europe 2020”: the European Union's Strategy for jobs and smart, sustainable and inclusive growth”. With the new pact the Council reaffirms its commitment to fulfill EU ambitions on gender equality as mentioned in the Treaty and in particular to:

“close the gender gaps in employment and social protection, including the gender pay gap, with a view to meeting the objectives of the Europe 2020 Strategy, especially in three areas of great relevance to gender equality, namely employment, education and promoting social inclusion in particular through the reduction of poverty, thus contributing to the growth potential of the European labour force.” (p.3)

In particular this should lead to specific measures when it comes to governance, implementation and monitoring and it is concluded that “The relevant aspects of this Pact, and of the Commission's annual reports on “Equality between Women and Men”, should be taken into account in the mechanisms of the Europe 2020 Strategy as appropriate.” (p.5)

The Council also underlines the commitment to the strategy of gender mainstreaming and states that it should be used to reinforce governance by integrating the gender perspective into

⁵ Rubery, Jill, Grimshaw, Damian and Figueiredo, Hugo (2005), How to close the gender pay gap in Europe: towards the gender mainstreaming of pay policy, *Industrial Relations Journal* 36:3, 184–213

⁶ The European Commission’s Strategy for equality between women and men 2010-2015, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52010DC0491:EN:NOT>

⁷ Rubery, Jill, Grimshaw, Damian and Figueiredo, Hugo (2005), How to close the gender pay gap in Europe: towards the gender mainstreaming of pay policy, *Industrial Relations Journal* 36:3, 184–213

all policy areas (p. 5) and by ensuring that gender equality effects are taken into account in impact assessments of new EU policies (p.5).

Gender Mainstreaming in the Structural Funds

Gender Mainstreaming is, together with specific measures on gender equality, the main strategy for implementing Gender Equality objectives in the Community policies anchored in the Amsterdam Treaty⁸. The objective clarifying that the European Structural Funds should contribute to gender equality has existed in Community legislation since 1988. But, already in 1977, the European Social Fund financed vocational training and employment schemes for women as part of its general policy. A specific measure on the promotion of equal opportunities for women and men on the labour market was proposed in the Council Regulation of 1988 under Objective 3 of the European Social Fund.⁹

Today Article 16 of the General Regulation – laying down general provisions for the Structural Funds (2007- 2013) – states that the Member States and the Commission shall ensure that equality between women and men, non discrimination and the integration of the gender perspective is promoted during the various stages of implementing the Funds.

This is further specified in various provisions of the ESF Regulation. Article 2 refers to the promotion of gender equality. Article 3 mentions specific actions to enable progress for women in employment and the reduction of gender-based segregation in the labour market, including addressing the roots of the gender pay gap, to reconcile work and private life, including access to care for children and other dependants. Article 6 requests Member States to promote, in their Operational Programmes, gender equality and equal opportunities and to include a description on how this is organised throughout the policy cycle, i.e. in preparation, implementation, monitoring and evaluation. In addition, Article 10 contains an obligation for Member States to report on the implementation of gender mainstreaming and of any gender specific action.

⁸ The Community's mainstreaming obligation was (1999) reinforced by the Amsterdam Treaty which elevated it in the hierarchy of the sources of law to Treaty level and extended its material scope to all areas covered by Community competence. Under Article 2 EC, the Community shall have as its task to promote equality between men and women. Article 3(2) EC states that in the context of the activities referred to in Article 3(1) EC carried on for the purposes set out in Article 2 EC: 'the Community shall aim to eliminate inequalities, and to promote equality, between men and women.' In the Equal Treatment Directive as amended in 2002 (Recital 4 of Directive 2002/73/EC) these Treaty provisions are summarised as follows; "Equality between women and men is a fundamental principle, under Article 2 and Article 3(2) of the EC Treaty and the case-law of the Court of Justice. These Treaty provisions proclaim equality between women and men as a "task" and an "aim" of the Community and impose a positive obligation to "promote" it in all its activities." Article II-23 of the draft Constitution for the EU provides that equality between men and women must be ensured in all areas, including employment, work and pay. Article III-3 puts an obligation upon the Member States to integrate the aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation when defining and implementing all the policies and activities referred to in Part III of the draft Constitution. (Nielsen, Ruth 2005 " Discrimination and equality in public procurement", Law Department, Copenhagen Business School)

⁹ Braithwaite, Mary (2000), Mainstreaming Gender in the European Structural Funds, Paper prepared for the Mainstreaming Gender in European Public Policy Workshop, University of Wisconsin-Madison, October 14-15 2000, full text; <http://eucenter.wisc.edu/conferences/gender/braith.htm>

The gender equality commitments of the Treaty and the provisions in the ESF Regulation are obligations, which ask for a material and not a symbolic response in the ESF Programming, and should also not be seen as an "optional extra".

Gender Mainstreaming as a strategy to achieve gender equality addresses systems and structures and is complementary to specific gender equality measures and initiatives to fight and compensate discrimination from the past. Both are necessary to deal with inequalities and discrimination on the labour market in order to create future fair and secure conditions for both women and men.

ESF and ERDF are complementary

The Gender-CoP has so far mainly worked with gender mainstreaming within the ESF. However we believe that there is a need for a holistic approach to narrow the European Gender gaps and to create smart, sustainable and inclusive growth. We therefore view the ERDF and the Cohesion Fund as necessary complements to the ESF and we support the idea that developments in most areas of the EU2020 strategy demand an approach that includes both people and structures. This is especially true when a gender perspective is applied since there is no political area or subject that is gender neutral. The Gender-CoP is in favour of a stronger collaboration between key actors responsible for planning and implementation of the funds both at a European and a national level.

Experiences from the current Funding period

Several evaluations have been conducted in recent years by the Commission on the implementation of the gender perspective in the funds. As part of its work, the Gender-CoP has also recently carried out a study on the state of the art of Gender Mainstreaming in the Structural Funds. The main results from the study are that;

- Many interesting initiatives and approaches to Gender Mainstreaming exist but there is no coherence and no common “standard” on how to implement Gender Mainstreaming in the planning and implementation steps of the EU institutions and in the Managing Authorities of the Member States.
- There is an overall lack of coherence with EU Gender Equality strategies and objectives.
- The implementation gap is substantial – the importance of Gender Mainstreaming is recognised in theory but not always in practice and a gender perspective is especially lacking at the policy level where many ESF objectives are seen as gender-neutral.
- The link from policy (analysis, objectives and targets) through implementation and monitoring to results and evaluation is missing and there is a lack of mechanisms ensuring sustainability. In many cases no permanent structures to

implement Gender Mainstreaming have been developed and no coherent strategies on how to mainstream gender are being developed.

- Many Member States implement the strategy mainly in the final stage of the ESF process – at project level.
- Gender Mainstreaming needs: clarity, commitment, steering, support, monitoring and guidance which is often weak or missing.
- Gender Mainstreaming is the strategy to reach Gender Equality, but what is meant by Gender Equality is seldom made clear in the implementation processes.

The framework of the Structural Funds 2014+

Europe 2020 Strategy

In June 2010 the European Council adopted the Europe 2020 Strategy. It is a continuation of the Lisbon Strategy implemented between 2000 and 2010 and has been launched together with the flagship initiatives:

- Digital agenda
- Innovation union
- Youth on the move
- Resource efficient Europe
- An industrial policy for the globalisation era
- An agenda for new skills and jobs
- European platform against poverty

EU 2020 constitutes the strategic framework for the next Structural Funds programming period. Supporting the belief that *sustainable growth* requires agreement to an agenda that puts *people* and *responsibility* first, we, the founders of the European Community of Practice on Gender Mainstreaming, are convinced that one of the most sustainable and effective ways to do this is to take a gender perspective into account in the new EU2020 strategy (see the Gender-CoP's position paper on the EU 2020 strategy). However, it is worrisome that none of the Flagship Initiatives is based on a Gender Impact Assessment. None of the Flagship Initiatives includes gender equality policy goals. Although gender equality issues are referred to in some very isolated cases, the Flagship Initiatives are far away from a coherent integration of gender equality and gender mainstreaming.

Integrated and employment policy guidelines

The Europe 2020 Strategy is formulated in the integrated guidelines for the foundations of the economic policy and the guidelines on the employment policies:

Whereas Part I of the guidelines on economic policy does not refer to gender equality and gender mainstreaming at all, the employment guidelines 2010-2014 of October 2010 stipulate: *"A visible gender equality perspective, integrated into all relevant policy areas, is therefore crucial for the implementation of all aspects of the guidelines in the Member States."*¹⁰

By way of gender equality policy focus, the guidelines for employment policies of the Member States provide for an increase in labour market participation of women and men (guideline 7), combating segregation of the labour market, inactivity and gender inequality (guideline 7), equal pay (guideline 7), work-life balance (guideline 7), overcoming gender stereotypes (guideline 8), support for women in scientific, mathematical and technological fields (guideline 8) as well as promotion of social inclusion and combating poverty with special attention to women (guideline 10).

There is, however, a lack of the overarching goal of economic independence of women and men emphasised in the EU Gender Equality Strategy and a coherent integration of the dual approach in terms of gender equality as an important prerequisite to the transfer to the follow-up documents (Structural Fund regulations, national reform programmes, national strategic framework plans and nation/regional operational programmes).¹¹

Cohesion report

In November 2010 the [5th report on economic, social and territorial cohesion of the EU Commission](#) was submitted with recommendations for the forthcoming Structural Funds period from 2014. Within the framework of a [public consultation procedure](#), the Member States and Regions, but also EU-wide non-government organisations (NGOs) and lobby organisations, had an opportunity to submit comments to the Commission which are integrated into the final report.

The Gender-CoP drafted a [comment](#) paper on the integration of gender equality and gender mainstreaming into the cohesion report which identifies the marginal status of the gender equality policy approach of the EU in the cohesion report, the almost exclusive reference to achieving the 60% employment quota of women (Lisbon goal) and the lack of any link to the Gender Equality Strategy of the EU.¹²

¹⁰ http://www.gendercop.com/wp-content/uploads/2011/05/complet_en_barroso___007_-_europe_2020_-_en_version1.pdf

¹¹ "EU2020 – Gender Mainstreaming and the path to sustainable growth", The European Community of Practice on Gender Mainstreaming, Position Paper, www.gendercop.eu

¹² http://www.esf-gleichstellung.de/fileadmin/data/Downloads/Aktuelles/Consultation_-_Fifth_Progress_Report_on_Economic_and_Social_Cohesion.pdf

EU Strategy for equality between women and men 2010-2015

The new [EU strategy for equality between women and men 2010-2015](#) adopted in September 2010 is not linked politically and financially to the strategic planning of the structural and cohesion policy.

There are indications in the Strategy that the dual gender equality approach - ..."The actions proposed follow the dual approach of gender mainstreaming (meaning the integration of the gender dimension in all policy areas) and specific measures..." - and the planned measures are to be implemented in all EU support programmes after 2013 too and that this will be visible in the next multi-annual financial framework of the EU.

However, in none of the documents available so far to prepare the next Structural Funds programming period, e.g. also not in the national reform programmes submitted by the Member States since mid-April 2011, are there any indications of conformity with the requirements formulated in the Gender Equality Strategy.

For this reason the Gender-CoP has elaborated proposals which are to contribute towards sustainably integrating gender equality and gender mainstreaming into the new Structural Funds Regulations currently being drafted by the EU Commission.

They will be presented in June/July 2011 together with the next multi-annual financial framework (MFF) since the funds are part of the EU Budget 2014-2020. The commencement of negotiations of the European Parliament and the Council about the budget and the regulations is scheduled for September 2011 and the final adoption is to take place at the end of 2012.

3. Recommendations

Create a Gender Mainstreaming “infrastructure”

One of the most important aspects of Gender Mainstreaming is to carry out gender analysis in order to understand how gender is relevant to different policy areas and to take appropriate measures to ensure that policy outcomes are contributing to a more gender equal society. The process to include a gender perspective in the various steps of a policy process must be coherent, from analysis to setting targets and indicators, to implementation strategies and monitoring and finally, evaluations. To mainstream gender into the day-to day work of formulating and implementing policy initiatives is an ongoing process and not, as sometimes misunderstood, a one-off effort. In order to ensure sustainable change and development processes, it is important to apply simultaneously top down and bottom up strategies. This means to secure an effective “chain” with active ownership, effective steering mechanisms, competent leadership and engaged participants. To ensure sustainable (long lasting and not short term) effects, it is necessary to ensure mechanisms for organisational and personal learning as an ongoing process and also to facilitate collaboration between actors from different organisations and across different sectors.¹³

It is therefore crucial to ensure that permanent support structures are in place both at national (as well as on regional and local) and European level. In the evaluation conducted by the European Commission, one of the recommendations is to ensure permanent support structures in all Member States. It is stated that “the presence of an established form of ‘gender-equality infrastructure’ within the ESF is crucial, especially considering the great challenges of mainstreaming practices.” (REF, p.161). Support structures can provide the necessary knowledge and know-how, organisational mechanisms for learning and platforms for exchange and collaboration. Together with active steering and committed teams they form the basis of gender mainstreaming.

Ensure a coherent approach

Besides permanent support structures, a holistic and coherent approach is necessary in order to strategically work with gender inequalities in the labour market. European and national policies can be opportunities but also “eyes of the needle” through which a gender perspective must pass through both within EU institutions and at national level.¹⁴ There is a risk that the gender perspective is “lost in translation” during the implementation phase of the Structural Funds in the Member States. Previous experiences have shown this to be the case in both the ESF and the ERDF where a gender perspective is sometimes given attention in policies but not in practical implementation.

¹³ Brulin, Göran and Svensson, Lennart (2011), Att äga, styra och utvärdera stora projekt, Studentlitteratur

¹⁴ Pollack, Mark A., and Emilie Hafner-Burton, 2000. "Mainstreaming Gender in the European Union," in *Journal of European Public Policy*, Vol. 7, No. 1

At European level we recommend that the European Commission should set up a network of Gender Mainstreaming Contact Points within the MAs. The Network of GM contact points could act as key agents to gather information and experiences with regard to the implementation of GM in the ESF across Europe, to ensure a close information exchange with the European Commission.

We also recommend that thematic networks are established both at European and national level. These groups can consist of both actors from ESF and ERDF. This network can provide the opportunity for dedicated practitioners to exchange experiences and learning on the complex issues of integrating a gender perspective into the existing procedures of the ESF and to support the “translation” of Gender Equality objectives into operational procedures. These persons can become the motor of a European network of dedicated people sharing a common vision: integrating gender equality into the policy cycle of the European Structural Funds.

The Gender-Cop also recommends that a high level group on Gender Mainstreaming in the Structural Funds will be set up by the European Commission. A high level group will ensure the necessary “high level support” that is a fundamental factor of successful implementation of Gender Mainstreaming.

Apply methods for Gender Budgeting

The existing procedures and bodies dealing with budget issues should include gender experts or processes in these. A strategic and a step-by-step approach for Gender Budgeting must be followed. Concrete tools or methods should be used by all budget administrators. For example by following a [model for gender budgeting](#) suggested by the Advisory Committee on Equal Opportunities for women and men.

A European standard for Gender Mainstreaming in the Structural Funds

Most EU policies are not implemented through legislation, but through the “open method of coordination”. This means that the Member State has a lot of freedom to national adjustments in sensitive policy areas, one example being social policies. “Peer pressure” and soft regulations are instead used as policy instruments. The open method of coordination means that personalities, political processes and lobby and pressure groups will have a large impact on the development of equality politics both within EU institutions and on the national level.¹⁵

On an organisational level a coherent and comprehensive approach is necessary in order to prevent inconsistencies and to ensure the integration of a gender perspective in all stages of policy processes, from planning to evaluation. This means that to carry out a gender analysis or to do a one-day gender training are good initiatives but do not count as gender mainstream-

¹⁵ Rubery, Jill (2002), "Gender Mainstreaming and Gender Equality in the EU: the impact of the EU employment strategy." *Industrial Relations Journal* 33(2002) : 500-522

ing in themselves. Gender mainstreaming incorporates a number of policy instruments working on different levels on an organisation, combining top-down and bottom up approaches.¹⁶ It is also necessary to link gender mainstreaming strategies to the overarching goals of Gender Equality in order reach the main goal.¹⁷

The need to make Gender Mainstreaming practices more pragmatic is emphasized in the recent evaluation (ESF) of its implementation in the Member States. From the evaluation; “Gender mainstreaming, in its turn, should be characterized by greater pragmatism either in Regulations or in Guidelines. In other words, the application of gender mainstreaming could be fostered by making its implications more explicit at both the strategic and implementation levels. This could be done by suggesting that the implementation of gender mainstreaming (to the whole program) implies that a positive contribution to gender equality must be explicitly specified and actually provided. This contribution could be ensured through more pertinent and more detailed characterization of the objectives and instruments (strategic level) and/or by defining appropriate project requirements, which should be declined differently according to the types of actions involved (implementation level)“.

In response to the findings of the evaluations and other studies, and also the baseline study on Gender Mainstreaming in the Structural Funds drawn up by the network, the Gender-CoP members have decided to produce an European standard (guidelines) on how to implement a gender perspective in all phases of ESF Management – from planning, programming, implementing to monitoring and evaluation and to produce a training and capacity building programme to strengthen the capacity to implement Gender Mainstreaming according to the standard. The standard can be used as a soft policy mechanism, encouraging benchmarking and learning between Member States. It will also serve as a basic and minimum foundation for gender mainstreaming developments in relation to the situation and needs in each Member State.

It is the recommendation of the network that the use of the standard should be advocated by the European Commission and that financial support for a European training similar to the initiative by DG Research¹⁸ on Gender training and the standard for Gender Mainstreaming for both Commission officials and at national level should be provided.

¹⁶ Rees, Theresa. (2005). Reflections on the Uneven Development of Gender Mainstreaming in Europe *International Feminist Journal of Politics* 7(4): 555–74, Walby, S. (2005). Gender Mainstreaming: Productive Tensions in Theory and Practice *Social Politics: International Studies in Gender, State & Society* 12(3):321-343, Mc Nutt, Kathleen (2010), “An Integrated Approach to Gender Equality: From Gender-Based Analysis to Gender Mainstreaming”, *JSGS Working Paper Series*

¹⁷ Rao, Auruna och Kelleher, David, (2005), “Is there life after gender mainstreaming?” *Gender and Development Vol. U. Nr. 2, juli 2005*, Mc Nutt, Kathleen (2010), “An Integrated Approach to Gender Equality: From Gender-Based Analysis to Gender Mainstreaming”, *JSGS Working Paper Series*

¹⁸ See “Gender in Research” training program from 2010, DG Research

Evaluation and monitoring

In order to ensure successful implementation it is important to have a clear focus on gender in the monitoring and evaluation processes in the coming Structural Funds period.

In order to make monitoring adequate it is important to a) make all indicators gender sensitive and b) to develop specific indicators for gender equality objectives and c) make all data sex-disaggregated. It is important to keep in mind that the categories “women” and “men” are not uniform and measures should be taken to examine other variables such as age, ethnic origin, disability etc in order to improve the quality of the analysis.

The principle of the EU dual gender equality approach must be followed and should guide the evaluation processes so that the focus is on both a) evaluation of the impact of gender mainstreaming on general objectives and b) of specific gender equality objectives. Both types of evaluation should depart from (use as evaluation criteria) an analysis of how the gender equality objectives “match” existing gender inequalities and b) evaluation of the implementation of gender mainstreaming as a strategy, guided by gender budgeting.

Recommendations for the Structural Funds Regulations

In many Member States and Regions shortcomings have been identified in respect of the ESF and in particular the ERDF concerning the implementation of gender equality and gender mainstreaming (gender equality dual approach of the EU).

The sporadic, unsystematic "considerations" of gender equality and gender mainstreaming remain without any impact if they are not included – coherently – from the analysis via a definition of goals, implementation, follow-up (monitoring) and evaluation on all levels of the planning and implementation process of the Structural Funds. Gender indicators do not make sense if the monitoring does not provide any gender differentiated data or only insufficient data in that respect. The following proposals – mentioned by way of example – concerning the new regulations have been elaborated on the basis of the currently valid General and ESF Regulation.

GENERAL REGULATION

The currently applicable General Regulation on the EU Structural Fund does not contain any provisions and requirements on Gender Mainstreaming.

The General Regulation (1083) has only a few concrete references to equality between women and men (in a direct relationship with non-discrimination – in the statement of reasons (Section 30) and in Article 16), references to the involvement of women institutions within the context of "partnership" and the appropriate participation of women NGO. Article 66, arrangements for monitoring, refers to statistics broken down by sex ("where the nature of the assistance permits").

General recommendations for the new draft Regulation

- The new Regulation contains provisions which ensure that gender equality and gender mainstreaming are explained in detail in the follow-up documents (e.g. NSRF, OP) and are integrated as a transversal topic into all relevant documents.
- Gender equality and anti-discrimination are approaches and tasks which need to be separated from one another.
- The derivation of the equality of women and men from the Amsterdam and Lisbon Treaty must be visible and clearly identified as an obligation for all procedural steps and contents of the Structural Fund cycles.
- Statements on the consistent and systematic application of the Gender Mainstreaming Strategy must be added under the respective chapters and separately within the framework of the conditions for programme planning. The current requirements are merely described in a rudimentary manner in the Annexes to the Regulation.

In the new General Regulation on the implementation of the EU Structural Funds from 2014 at least the following sections, based on the current Regulation (EC) No. 1083/2006 OF THE COUNCIL of 11 July 2006) should include provisions on the integration of gender mainstreaming and/or gender equality aspects:

TITLE I

CHAPTER I SCOPE AND DEFINITIONS

- Emphasis on the binding character of the coherent implementation of gender mainstreaming and specific measures (dual gender equality approach)

CHAPTER II OBJECTIVES AND MISSIONS

- Reference to legal foundations (Amsterdam and Lisbon Treaty) and hence an obligation for all Member States

CHAPTER IV PRINCIPLES OF ASSISTANCE

Programme planning

- Emphasis on the mandatory consistent and systematic approach at the implementation of gender mainstreaming and gender equality in the operational programmes (analysis, objectives and indicators, strategy, implementation, operationalisation and monitoring and assessment, based on gender differentiated data and with reference to the gender equality goals of the EU – see the new Gender Equality Strategy 2010 – 2015)

Equality between women and men and non-discrimination

- Clear delimitation to anti-discrimination
- References in terms of content to the EU Gender Equality Strategy (e.g. economic independence of women and men, no increase in employment quota by precarious employment relationships, calculation of the employment quota in full-time equivalents)

CHAPTER V FINANCIAL FRAMEWORK

- Information on the specific earmarking of funds for GM and gender equality (budget for the implementation of gender mainstreaming and budget for specific measures in favour of women or men as well as budget for support structures) and introduction of gender budgeting as an obligation for all OP

TITLE II STRATEGIC APPROACH TO COHESION

CHAPTER II NATIONAL STRATEGIC REFERENCE FRAMEWORK

CHAPTER III STRATEGIC FOLLOW-UP

- For the two Chapters the double strategy must be integrated (gender equality and gender mainstreaming/dual approach)
- Clear reference to the EU Gender Equality Strategy and its objectives
- Stronger operationalisation of the goals based on gender analyses and elaboration of indicators

TITLE VI MANAGEMENT, MONITORING AND CONTROLS

- Within the framework of administration mainly the consistent anchoring of gender mainstreaming/specific actions in all relevant documents must be ensured.
- Follow-up: see partnership and continuous reporting about activities on GM and gender equality
- Coherent Integration of gender equality and mainstreaming/specific actions and gender budgeting results into the annual implementation reports

For the amendment of the **Implementation Regulation**: the monitoring systems should not be based on project-related aggregates but include real participation data, individual data sets (participants) with the corresponding characteristics (e.g. age) and features (age levels) should be generated in order to permit differentiated assessments.

ESF REGULATION

The currently valid ESF Regulation contains a series of provisions on the implementation of gender equality and gender mainstreaming, in particular in Article 6 of the Regulation. Nonetheless amendments from a gender equality perspective, which refer above all to the coherent (consistent) integration of the strategy into all planning and implementation phases of the ESF preparation, implementation and assessment, are necessary:

Proposals concerning amendments to the ESF Regulation

Article 2: Tasks

(2)"...In doing so, the ESF shall take into account the relevant priorities and objectives of the community in the fields of (...) promoting equality between women and men and non-discrimination."

New Proposal: In doing so, the ESF shall systematically implement the gender equality policy double strategy of the EU in all phases of the ESF cycle (analysis, objectives and indicators, strategy, implementation, operationalisation as well as follow-up and assessment, based on gender differentiated data and with regard to the gender equality goals of the EU – see also the new Gender Equality Strategy 2010 – 2015).

Article 3: Scope of assistance

iii) Consistent consideration of gender equality ***in all ESF priorities, targeted measures to achieve the gender equality policy goal of economic independence of women and men,*** to improve access to employment, increase the sustainable participation and progress of women in employment and reduce gender-based segregation in the labour market, including by addressing the root causes, direct and indirect of gender pay gaps;

Article 4: Consistency and concentration of support

(5) Evaluations undertaken in relation to ESF actions shall also assess the contribution of the actions supported by the ESF to the implementation of the European Employment Strategy ***as well as the European Gender Equality Strategy 2010 – 2015*** and to the community objectives in the fields of social inclusion, non-discrimination and equality between women and men, and education and training in the Member State concerned.

Article 6: Gender equality and equal opportunities

The Member States ***and the EU Commission*** shall ensure that operational programmes include a ***mandatory*** description of how gender equality and equal opportunities are implemented in the preparation, implementation, monitoring and evaluation of operational programmes. Member States shall promote, as far as this has not yet been the case, a balanced participation of women and men in the management and implementation of operational programmes at local, regional and national level, as appropriate.

ERDF Regulation

Article 16 of General Regulation (EC) No1083/2006 explicitly covers three gender equality and equal opportunity obligations: the promotion of equality between women and men, the integration of the gender perspective and non discrimination and accessibility for disabled persons. The Gender CoP is convinced that it is important to maintain focus on the different parts of the regulation in relation to gender eg. 1) promotion of equality between women and men; 2) the integration of the gender perspective and 3) non-discrimination (and of accessibility which also have many gender implications).

The evaluations of the implementation of Article 16 have however shown that the introduction of the regulation has had many positive effects but that there is a need to strengthen the processes of implementation. We recommend that the regulations will be altered and that the content be more in line with the ESF-regulation.

The Gender CoP recommends for ERDF 2014+ that Article 16 should state that:

The Member States and the Commission shall ensure that equality between men and women and the integration of the gender perspective is a binding principle during the various stages of planning and implementation of the Funds (gender perspective in analysis, objectives and indicators, implementation, monitoring and evaluation).

The Member States and the Commission shall take appropriate steps to strengthen the implementation of the EU dual gender equality approach and to prevent any discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the various stages of implementation of the Funds and, in particular, in the access to them. In particular, accessibility for disabled persons shall be one of the criteria to be observed in defining operations co-financed by the Funds and to be taken into account during the various stages of implementation.

We also recommend that a cross-financing option with regard to both funds will be developed as a way to strengthen the implementation of Gender Equality objectives and to create synergies between the funds.