Gender equality and EU-enlargement:
A comparison of the Czech Republic and Slovakia
Table of Content

1 Introduction ................................................................................................................. 3
2 EU, enlargement and gender equality ................................................................. 3
3 Candidate countries, gender equality and accession period .............................. 4
4 Accession programmes ..................................................................................... 5
5 Czech Republic and Slovakia before accession .................................................. 6
6 Czech Republic: equal opportunities? ............................................................... 7
  6.1 Political level ........................................................................................................ 7
  6.2 Civil society .......................................................................................................... 7
  6.3 Labour market ..................................................................................................... 7
  6.4 Projects ................................................................................................................ 7
7 Slovakia: equal opportunities? ........................................................................... 8
  7.1 Political level ........................................................................................................ 8
  7.2 Civil society .......................................................................................................... 8
  7.3 Labour market ..................................................................................................... 8
  7.4 Projects ................................................................................................................ 9
8 EU and gender equality projects ........................................................................... 9
9 Future of gender equality in the new member states ........................................... 9
10 Future of gender equality on the level of the EU ................................................ 10
11 Conclusion ........................................................................................................... 11
12 Bibliography ........................................................................................................ 12
1 Introduction

The European Union (EU) has frequently declared gender equality to be one of the fundamental principles of modern democracy and of the EU. This paper will discuss how the EU placed emphasis on the practical application of this principle in the candidate countries during the accession period (1996 – 2004). The effectiveness of the pre-accession measures of the EU in the area of gender equality in the Czech Republic and Slovakia will be examined. In what sense were the norms of EU-gender equality not only formally, but also substantially implemented?

The candidate countries could join various programmes to fund gender equality projects, but there was no umbrella strategy of the EU during accession in the area of gender equality, consequently, fewer improvements than expected were achieved.

Representatives from Slovakia and Czech Republic now occupy two prominent positions dealing with gender equality at EU-level: Vladimir Špidla, former Prime Minister of the Czech Republic, is now the European Commissioner for Employment, Social Affairs and Equal Opportunities. Anna Zaborska, former member of the Slovak parliament, is now head of the Committee of Women’s Rights and Gender Equality at the European Parliament. Therefore, in order to forecast what direction the EU will take in the area of gender equality, a good indicator can be the analysis of their achievements back home before accession.

2 EU, enlargement and gender equality

The biggest enlargement of the European Union since its foundation took place on May 1\textsuperscript{st} 2004. Ten countries became new members of the European Union after a long period of preparation, changes and assessments. Before accession, the candidate countries had to fulfil several criteria, the so-called Copenhagen Criteria, to be able to become EU-members. The Copenhagen Criteria encompasses the following:

- The political criterion: institutional stability, a democratic and constitutional system, protection of human rights as well as respect and protection of minorities.

- The economic criterion: a functioning market economy and the capacity to withstand competition within the EU-common market.

\footnote{Before 1993, the European Union was called the European Community. For continuous reading I will refer to it throughout the text as EU as the EC is now part of the EU.}
The "Acquis-criterion": the capability to fulfil the responsibilities and aims of an EU-member state, which means the implementation of the “Acquis communautaire”, the common EU-legislation, about 80 000 pages of legislation (Federal Government of Germany 2003, p.1) into national legislation.

For the first time, a comprehensive accession strategy by the EU was in place to help the candidate countries to implement these criteria, especially the “Acquis-criterion”. The acquis communautaire had been divided into 31 chapters, topics ranging from legislation on agriculture to legislation on environment and the free movement of people and many others.

Since the EU is not only an economic union but also a union of common values, chapter 13 Social and Labour Affairs\(^2\) includes legislation referring to gender equality. This is formulated in nine directives\(^3\) with the main focus on gender equality in the labour market. Even though gender equality is only a small part of all of the criteria which have to be fulfilled, it was stated several times that without equal rights for women and men and the mechanisms to implement these rights accession was not possible (Europäische Kommission 1998, p.30; Europäische Kommission 1999, p.30). This makes it clear that the EU had to have some impact during the accession period on gender equality in the candidate countries.

3 Candidate countries, gender equality and accession period

The wish to be part of the European Union led to the need for change in the area of gender equality. The EU’s commitment to gender equality was seen as strong because of its existing legislation and proclamations:

The motivation to gain access to the European Union (EU), in the context of the Union’s strong commitment to structures of gender equality, has been important to many transitional democracies in the CEE region (Jezerska 2003, p. 180).

\(^2\) Chapter 13 Social and Labour Affairs encompasses the following topics: labour law, gender equality, anti-discrimination measures, health and security, social security, employment, public health, founding of institutions on the basis of the acquis (Europäische Kommission 2003).

\(^3\) The tenth existing directive to gender equality (improvement of the directive 76/207/EEC: equal treatment of men and women in relation to work, training, promotion and conditions at work) is only to be implemented until 2005 in all EU member states (Ketelhut 2003, p. 287).
This forced politicians to deal with gender equality, especially legislation in that area and it increased women’s expectations of the influence of the EU in CEE-countries:

Women from accessing countries (…) have great hopes associated with joining the EU. Most of all they hope for the introduction of democratic mechanisms, which would allow for implementing gender and economic justice on the national levels (Lohmann 2002, p.1).

Furthermore, NGOs could use the existing EU-legislation and prescriptions of the EU as a tool to put pressure on politicians to change things:

If we as women’s activists from NGOs are talking to them, we do use the EU as a very strong lobbying tool (because without the international pressure – mainly from the EU – our politicians wouldn’t even think about it)” (Marksová-Tominová 2002, p.1).

Transformations took place on several levels. The most important change was the implementation of EU legislation into national legislation. Several countries, among them the Czech Republic and Slovakia, had to pass whole new Labour Codes to encompass the EU-legislation, which then included new legislation, e.g. legislation against sexual discrimination on the labour market. All ten new member states closed, that means implemented, chapter 13 of the acquis communautaire before accession. The positive influence of these legal changes is emphasised widely by people working with gender equality.

On the institutional level many changes also took place (Employment & Social Affairs 2001, p.8). Several countries had to create new institutions to deal with gender equality and gender-mainstreaming. For example, in the Czech Republic a Government Council for Equal Opportunities was created to help shape gender equality policy, in Slovakia a subsection for equal opportunities in the Ministry of Labour and Social Affairs in the Slovak Republic was created for the same purpose. The creation of these institutions was important on the way to EU-accession to be able to work actively for the achievement of gender equality.

4 Accession programmes

Even though the legislative and institutional changes are the base for the achievement of gender equality, other measures are needed to achieve active application of the new legislation and to be able to reach gender equality. Looking at the accession programmes and
the Community Programmes opened to candidate countries it was evaluated if any “real”, i.e. active, implementation of gender equality had taken place.

The accession strategy consisted of three main financing instruments:

- **Phare**: focused on the implementation of the Acquis and preparation for the Structural Funds, the most important support programme of the EU for candidate countries.

- **ISPA**: preparation of the cohesion funds and support of traffic and environmental projects.

- **SAPARD**: support of rural development and the adoption of the common agricultural policy.

With the accession programme Phare gender projects could be funded. The candidate countries could also already join EU-Programmes like the 4th Framework strategy of the EU to further gender equality (1996 – 2000), which was open to all candidate countries. The Czech Republic, Slovenia, Hungary, Lithuania and Romania participated (Europäische Kommission 1999, p.30). The 5th Framework strategy continued from 2001 - 2005. The Programme’s purpose is to promote gender equality, in particular by providing assistance and support for the Community framework strategy. The Programme co-ordinates, supports and finances the implementation of horizontal transnational activities following the Community framework strategy on gender equality. Another programme was the EQUAL Initiative, which is focused on tackling discrimination and inequalities in the labour market. The Czech Republic joined this programme as the first candidate country in 2001 and implemented one gender equality project under it which was aimed at the reconciliation of family and professional life.

5 Czech Republic and Slovakia before accession

The separation of Czechoslovakia into the Czech Republic and Slovakia in 1993 was important for the development and building of democracy in the two countries. However, the split-up slowed down the developments in the area of gender equality (Čermáková 2000, S.10). Under the authoritarian government Mečiar’s in Slovakia until the change of government in 1998 opening up to the European Union and democratisation came to a standstill. Nonetheless, the Czech Republic continued to apply for EU-membership and continued to transmit EU-demands, also in the area of gender equality.
6 Czech Republic: equal opportunities?

6.1 Political level
At the government level there existed little gender equality. For example, in 2000 the cabinet consisted only of men (Europäische Kommission 2001, S. 24). To raise awareness and to get more women into politics, Jana Volfová founded a female shadow cabinet; unfortunately, without any major improvement in the participation of women in politics. In 2002 two out of 17 members of the cabinet were women (11, 8%).

6.2 Civil society
In 2003, according to the Ministry of Labour and Social Affairs, there were about 55 NGOs dealing with gender equality, often financed from abroad. This shows that civil society is developing since 1989 and gender equality is also an important topic for NGOs.

6.3 Labour market
The participation of women in the labour market in the Czech Republic is relatively high, even higher in some of the old EU-member states. In the year 2002, 51 percent of women worked and 69 percent of men (Marksová-Tominová 2003, p. 17). Nonetheless, there was a gender pay gap; in 1999 women earned on average only 73.2% of the wage men earned. The female unemployment rate has risen since 1993. 1993 the unemployment rate on the whole was 3.5 percent, in 2003 already 7.3 percent; for men 5.9 percent and for women 9.0 percent. (Europäische Kommission 2004, p. 69).

6.4 Projects
Gender equality in the general public was accelerated in the Czech Republic by the socialist government and socialist policies. Vladimir Špidla, Minister of Labour and Social Affairs from 1998 – 2002, was known as gender-sensitive. When he was minister, the Czech Republic took part both in the EQUAL Initiative and the Medium Term Community Action Programme for equal opportunities for women and men (1996 – 2000). Three projects were implemented during that period: training of ministry officials (EuroProfis), publishing of brochures (Czech Women’s Union) and an international conference (Agentura Gaia). In total, 180 000 Euros were given, and all projects were considered to have been successful. In 2002/2003 a twinning project with Sweden in the area of „Improvement of the public institutional mechanism for applying, enforcing and monitoring equal treatment for men and women“ was implemented. Gender Focal Points, responsible for gender-mainstreaming, exist in each ministry since 2003. The Czech Republic also took part in the 5th Framework strategy for gender equality (2001 – 2005) (aims: awareness raising measures, analysis and evaluation,
transnational cooperation) but only with one project, a conference (Ministry of Labour and Social Affairs) which was scheduled to take place before accession but actually took place at the end of 2004. Further projects in the area of gender equality were implemented by NGOs. Projects in the area of gender equality continue to be implemented also after accession.

7 Slovakia: equal opportunities?

7.1 Political level
Slovakia suffered a setback because of Mečiar’s authoritarian rule and the following two consecutive conservative governments. During 1998 – 2002, the Minister of Labour and Social Affairs from SDL, a left-wing party, facilitated the implementation of gender equality projects, e.g. the Matra-project (cooperation with Netherlands in the area of equal opportunities). In the current cabinet no women are present. In parliament 19.3 percent of the members are women.

The only political party who appear to have a clear-cut party programme in the area of gender equality are the Christian Democrats (KDH) who strongly support the traditional role of women. They only have 8 percent in parliament, but have a big influence, for example the department for equal opportunities and against discrimination is now renamed department of family and gender policy.

7.2 Civil society
After 1990, a number of women’s NGOs was founded (Chaloupková 2002, p. 2). About 30 Slovak women’s NGOs formed a coalition, Association Forum 2000, which became the Slovak representative at the European Women’s Lobby. The Forum aims, among other topics, for better representation of women on the political level (p. 4).

7.3 Labour market
The employment rate of women is close to the EU-average. 48 percent of women are active in the labour market. 2003, the wage of women was 75 percent of the wage of men. 2002, the unemployment rate was 18.5 percent on the whole; 18.4 percent of men and 18.8 percent of women were unemployed (Europäische Kommission 2004, p. 69). Women stay longer unemployed than men. If they have work they earn less than men since they work more often in low-paid jobs.
7.4 Projects

The Czech Republic made far more use of the possibility to withdraw funds from the EU in the area of gender equality than Slovakia. Before accession, Slovakia only took part in one EU-gender equality programme, the 5th Framework Strategy for gender equality (2001-2005): in 2002, one international conference on „Human and Citizenship Rights of Women in Slovakia“ was organised and one brochure was published.

8 EU and gender equality projects

The EU did not ask for a comprehensive gender strategy or the implementation of gender mainstreaming in every sector during the accession period (Steinhilber 2002, p.4).

It is mentioned everywhere, that whilst distributing money from the EU funds, the organisations (distributors) have to pay attention to gender issues. But for example in the Czech Republic these funds are distributed by Czech organisations, which do not pay attention at all (…). The result: from the funds which are being distributed in the candidate countries (…) very small amount goes to the women’s projects! (Marksová-Tominová 2002, p.1).

There was no pressure on behalf of the EU to actively implement gender equality. However, the EC-Delegations could put emphasis on this issue. In 2002 the EC-Delegation in the Czech Republic urged the Czech Republic, to make gender equality a priority since there was not a single woman in the cabinet. Nonetheless, the main focus was on the economic and legislative changes. It was up to the candidate countries to propose gender-projects and to take part in the EU-programmes. Despite the accession period being a good opportunity, gender-mainstreaming was not introduced or implemented during the accession process (Steinhilber 2002, p.4). There was no real pressure or demand on behalf of the EU to implement gender-mainstreaming before accession. It is now being slowly introduced in the former candidate countries, for example in Slovakia and the Czech Republic. Slovakia started a Twinning project with France and Germany for the introduction of gender mainstreaming (2004 -2005) on the level of the Ministry of Labour and Social Affairs.

9 Future of gender equality in the new member states

On the level of the new EU-member states, the situation concerning gender equality is not yet clear. On the one hand, the argument of the upcoming accession to the EU can no longer be used to force politicians to change anything. EU-accession funding for projects and NGOs
will stop. On the other hand, the new member states can now join all EU-programmes like DAPHNE (programme against violence against women) or the European Structural Funds. Furthermore, legislation in the new member states is up to EU-standard. What is missing now is active implementation of this legislation. It has to be promoted publicly so that people know of their rights and are willing to fight for them.

The judicial system is not working very well in some countries, for example in the Czech Republic it can take very long to get a judgement, and so further improvement is needed. Civil society, e.g. NGOs in the area of gender equality, is not yet financially sound enough to survive without foreign funding. Without foreign support, projects which have been initiated and newly created NGOs might not be able to continue; governments only slowly accept their responsibility in that sector.

10 Future of gender equality on the level of the EU

On the level of the EU, especially the European Commission, the direction in the area of gender equality is not yet clear. The former Greek Commissioner for Labour and Social Affairs at the European Commission, Anna Diamontopolou, followed a very active and progressive understanding of gender equality. The new Commissioner for Labour, Social Affairs and Equal Opportunities, Vladimir Špidla, former Prime Minister of the Czech Republic, is known as gender-sensitive in his home country. So far, he has been following his predecessor and his own policies back home. A new proposal for a directive on gender equality in the supply of goods and services has been adopted and it has also been decided that from 2007 – 2013 a new EU gender institute will operate.

On the other hand, the Committee of Women’s Rights and Gender Equality at the European Parliament is being chaired by Anna Zaborska, a member of the Christian Democratic Party from Slovakia, known as ultra-conservative in her country. Zaborska's appointment was met with dismay by women's organisations in her home country of Slovakia. The Slovak Alliance of Women said she was not suitable to lead the committee for the simple reason that "she does not promote women's rights" (Stephenson 2005, p. 1). After large opposition to her appointment it seems that she has kept a low profile so far. Therefore, the progressive work of the European Parliament in that area has not been slowed down, but new initiatives have not been taken.
11 Conclusion

Gender equality has been an important topic on the agenda of the EU, also during accession. It was tried to implement gender equality by soft measures like the Framework Strategy on Gender Equality which the candidate countries could join. Nonetheless, in the future a more comprehensive strategy on gender equality for further accessions would facilitate the work of the EU in this area and would show that gender equality is treated seriously. It has been shown, with the cases of the Czech Republic and Slovakia, that what happens on the nation state level influences European politics. Špidla, who furthered gender equality in his country, also follows this policy as European Commissioner. Zaborska, who was very conservative in her country, is not furthering innovations and new policies in the area of women’s rights. Furthermore, analysing the past accession and what happened in the area of gender equality is important both for further accessions and for the future policy of the EU in the area of gender equality. With further accessions ahead, it is unclear what direction the EU policy on gender equality will take. Now, with a conservative majority on the European level, it will be harder to implement innovations and projects.
12 Bibliography


