



Discussion Paper



| Beiträge zur **Summer School 2010**

Promoting Equal Opportunities for Women and Men in the Czech Republic: Real Effort or Window Dressing Supported by the European Union?

Petr Pavlik

Harriet Taylor Mill-Institut für Ökonomie und Geschlechterforschung
Discussion Paper 11, 11/2010

Herausgeberinnen

Miriam Beblo

Claudia Gather

Madeleine Janke

Friederike Maier

Antje Mertens

**Discussion Papers des Harriet Taylor Mill-Instituts für Ökonomie und
Geschlechterforschung der Hochschule für Wirtschaft und Recht Berlin**

**Herausgeberinnen: Miriam Beblo, Claudia Gather, Madeleine Janke,
Friederike Maier und Antje Mertens**

Discussion Paper 11, 11/2010

ISSN 1865-9608

Download unter Publikationen: www.harriet-taylor-mill.de

This Discussion Paper documents a contribution to the

Summer School 16-23 July 2010

**at the Harriet Taylor Mill-Institute (HTMI) of the
Berlin School of Economics and Law:**

**Wehre is EU Gender Policy Going? Balance and Perspectives in
the Field of Employment and the Labor Market**

The summer school based its theme days on:

- Development of employment and social policies in the EU,
- Employment and equal opportunities considering the Scandinavian Model,
- Employment and equal opportunities in the New Member States of Middle and Eastern Europe,
- The concept of discrimination in the legal norms of the EU and the extension of non-discrimination principles to other social features,
- Strategies and lobbying of gender equality political players,
- Gender dimensions of the present economic and financial crises. Speakers from European and national research contexts presented their recent work.

The summer school was funded by the *Deutsche Forschungsgemeinschaft (DFG)* and by the *Berliner Chancengleichheitsprogramm (BCP)*.

Organized by Dr. Ingrid Biermann and Prof. Dr. Friederike Maier.

Further information: www.summerschool.harriet-taylor-mill.de.

Promoting Equal Opportunities for Women and Men in the Czech Republic: Real Effort or Window Dressing Supported by the European Union?

Petr Pavlik

Author

Ing. Petr Pavlík, Ph.D. is currently the director of the Institute of Masters Studies and a member of the Department of Gender Studies of the Faculty of Humanities, Charles University, Prague.

Abstract

The Czech Republic has almost 12 years of experience with promoting equal opportunities between women and men, five years as a member of the European Union. It can therefore serve as a good example of ups and downs of the process in the new member states. In my speech, I shall briefly recapitulate the history of equal opportunities efforts in the Czech Republic against the backdrop of the usual indicators (e.g. women's employment, unemployment, gender pay gap, political participation etc.). I shall also discuss the EU's performance and (dis-)interest in the situation in the new member states. As the title suggests, I shall argue that government's efforts to promote equal opportunities for women and men are half-hearted and have minimal impact on the women's condition. The EU does little to nothing to help bring a real change.

The concept of equal opportunities¹ for women and men had no relevance for the Czech government before 1998 since gender equality was supposedly one of the cornerstones of socialism. Things did not change also during the first years after the fall of the Iron Curtain. While various „women”² non-governmental organizations tried to put gender inequalities on public agenda since the early 90s, politicians and state bureaucrats paid no attention to their efforts. This was despite the fact that the Czech Republic signed the United Nations' Convention on the Elimination of All Forms of Discrimination against Women as already as in March 1982.

The change came in the end of 1998. However, the reason was not a genuine interest in equality, rather it was directly related to a prospect of joining the European Union (EU). Since then, we can trace a history of government's equal opportunity efforts which I shall briefly sketch in this paper. Concretely, I shall first provide basic information about gender inequalities in the Czech Republic. Then, I shall outline the main twists and turns of efforts of the successive Czech governments to build an adequate institutional mechanism to support promotion of equal opportunities. Finally, I shall also look at the impact of the EU along the way.

Footnotes:

- ¹ While I prefer „gender equality” as a broader concept, the government usually uses „equal opportunity”. I shall, therefore, use the government's language when it is appropriate.
- ² By this I mean NGOs advocating women's human rights, organising women's education, carrying out equal opportunity projects, or lobbying on behalf of women.

Table of Contents

1 Selected gender inequalities.....	1
2 Building an institutional mechanism	3
3 Other actors.....	10
4 Results of equal opportunity efforts.....	13
5 The role of the EU.....	15
6 References	20

1 Selected gender inequalities

As far as gender inequality is concerned, the Czech Republic is a fairly good example of the post-communist country. On the more positive side, communism left behind high rates of women employment (2007: 49.8 %¹) and women were able to enter practically all professions, including the proverbial tractor driver. On the negative side, women had to pay for these advances by carrying the double burden of paid work and household/family duties². Their predicament has been made so much more difficult in the situation when the childcare system underwent a significant dismantling under the supervision of „liberal” right-wing governments during the first half of the 90s. While there were 1,313 day-care centers in 1989 in the Czech Republic, their number dropped to mere 62 by 2001 (i.e. 95.3% decrease)³. Over the same period, the number of kindergartens decreased by 21% (Czech Statistical Office, 2002b). Responsibility for caring for elderly family members also falls disproportionately on women.

It is also not surprising to learn that the gender pay gap was gradually widening after 1989 to stabilize around 25 % in 2007. It is telling that we see the highest pay gaps between those who are university educated (33 %), who are on the top positions (36 %), and in the most dynamic fields (finance 48 %)⁴.

Women’s unemployment rate was 6.7 % compare to men’s 4.2 % in 2007. Both women and men’s unemployment numbers have kept increasing during the last two years, but the rate of increase has been consistently higher for women⁵. There are also 20% more women among the long-term unemployed than there are men and gender is an important variable in the unemployment of fresh graduates.

¹ Zeny a muzi v datech (2008).

² Men share as little as 5% of housework (Cermakova et al., 2000).

³ According to official statistics of the Institute of Health Information and Statistics of the Czech Republic.

⁴ Ibid.

⁵ One should be also cautious when interpreting official data since they probably underestimate rates of women’s unemployment. This is because women’s strategies of dealing with bad job market, such as extending parental leave, tend to make some forms of female unemployment invisible to official statistical methods.

The Czech labor market is both horizontally and vertically segregated with women prevailing in sectors and positions with lower average salaries. With respect to horizontal segregation, women dominate in sectors such as health (80 % women: 22,316 CZK) or education (75 %: 22,978 CZK). These can be compared with traditionally „male” sectors such as power engineering (20 % women: 28,212 CZK), mining (11 %: 27,993 CZK) or military (9 %: 24,604 CZK). Within individual sectors, women tend to work in occupations with the lowest salaries such as nurses, cashiers or cleaning staff.

Horizontal segregation works also with respect to representation of women in private and public sectors. Generally, women are underrepresented in the private sector and overrepresented in the public sector where salaries are usually lower. A similar pattern can be observed among self-employed (27.6 % women) and entrepreneurs (22.6 %). On the other hand, women make up for 69.5 % of „helping family members”⁶.

Finally, horizontal segregation can be observed also within individual occupations. For example, while there are 54.5 % women physicians in the Czech Republic, they dominate among pediatricians (70.4 %) or practical physicians for children and youth (86.7 %). On the other hand, men dominate in more prestigious (and better paid) fields such as surgery (85.6 %), neurosurgery (87.7 %) or cardiosurgery (86.1 %)⁷.

The impact of horizontal segregation is further augmented by vertical segregation. Men take most of top positions in any social hierarchy. In 2007, their share in the group „lawmakers and senior managers” was 65.7 %. Women, in turn, prevailed in the group „lower administrative staff” (75.6 %)⁸. In education, men have four times better chances that they become school principals than women who make up 75 % of teachers.

Under the Czech retirement scheme, all these factors influence the amount of money women and men have to their disposal in the last years of their lives. Women make up 56 % of all pensioners and their pensions are on average 20 % lower than those of men⁹. In 2005, 80 % of women received pensions

⁶ Rocenka statistiky trhu prace 2009.

⁷ Zdravotnicka rocenka Ceske republiky 2008.

⁸ Zeny a muzi v datech (2008).

⁹ Zivot zen a muzu 2007.

lower than 7,599 CZK, while 94 % of men got more than 7,600 CZK. The same patterns apply to disability pensions.

Similar patterns apply to practically all social spheres. For example, women's participation in politics has dramatically decreased after 1989. Whilst the communist observed about 30% women's share on the parliamentary level, representation of women in the Parliament is today 22 %¹⁰, in the Senate 17.2 % and in the European Parliament 18.8 %¹¹. On regional and municipal levels we see similar numbers: 17.6 % and 19.5 %, respectively¹².

The list of statistics could continue, but the presented figures hopefully demonstrate the basic point: gender inequality is a basic structural feature in the Czech society.

2 Building an institutional mechanism

As was already mentioned, Czech post-communist governments showed no interest in gender equality before 1998. Only when the government led by the Czech Social Democratic Party mounted effort to join the EU it became clear that some steps would have to be taken also in this area. With this in mind, the Ministry of Labor and Social Affairs was charged with coordinating a state-wide equal opportunity policy and outlining its concrete form¹³.

Therefore, the minister of labor and social affairs, Vladimir Spidla, established a Division for Equality of Men and Women (DEMW) in the Ministry's Department of Foreign Affairs in February 1998. Originally, it was to be staffed with three people, but the number was expanded to five in 2002. The employee turnover has been quite high and no previous gender training or experience with promoting gender equality has been required of new staff.

¹⁰ However, it was only 15.5 % after the 2006 elections. In 2010, voters rebelled and used en masse the system of preference votes which changed positions of women on candidate lists. That is if it was left up to politicians the number would be much lower.

¹¹ *Volby do Evropskeho parlamentu* (2009).

¹² *Pro společnost s vyrovnáním zastoupením* (2008).

¹³ The immediate reason was the need to elaborate a *National Report on Implementation of the Beijing Platform for Action* which was due. However, more important motivation was the mentioned need to comply with *acquis communautaire* in order to meet the EU pre-accession criteria.

From the beginning, the DEMW has not had any policy instruments to enforce the equal-opportunity agenda even within its own Ministry, not to speak of the state administration overall. Its success has been dependent entirely on personal contacts and the goodwill of friendly staff from other ministries. This was amplified by the fact that the DEMW was located on the lowest institutional level and in the Department that was not responsible for any concrete substantive-policy area.

The lack of effective policy instruments was further augmented by the lack of financial resources as none were earmarked for advancing gender equality by the DEMW until 2002 and since then, only small amounts have been allocated sporadically¹⁴.

Still in 1998, the first head of the DEMW, Stanislava Horska, drafted an action plan for promoting gender equality in the Czech Republic Priorities and Procedures of the Government in Promoting the Equality of Men and Women (Priorities). The Priorities are updated and expanded on yearly basis. The government's performance with respect to set goals is „evaluated” each Spring in Summary Reports on Implementing the Priorities and Procedures of the Government in Promoting the Equality of Men and Women (Summary Reports).

The Priorities are supposed to spell out strategic goals of the gender policy and detail concrete measures to be implemented¹⁵. However, they do not represent a unified policy framework for elimination of gender inequalities since many key areas/problems have been neglected¹⁶, individual policy measures have been formulated arbitrarily and no gender analyses and/or research have entered into the policy making process so far¹⁷.

¹⁴ The largest amount of about € 106,500 was allocated in 2005, i.e. roughly 0.001 % of the Ministry's budget.

¹⁵ Originally, they were inspired by the *Beijing Platform for Action* (PAC) (e.g. Ministry of Labour and Social Affairs 2005), but closer look reveals no clear connection between the two.

¹⁶ For example women and poverty, the girl-child, women and the media, sex industry, equal treatment of gays, lesbians and transgender people.

¹⁷ See Pavlik 2004a; 2007a; 2008a. There has been some effort to improve the document in 2009, but it was change for worse as a number of measures relevant for the whole government was significantly reduced and individual ministries were assigned only one specific priority. The *Priorities* for 2010 returned to the earlier format.

Similar point can be made about the Summary Reports which could be best described as an incoherent exercise in window-dressing up until 2009. While things improved a little in the last Summary Report thanks to sustained pressure from civil society¹⁸, a number of objections leveled against the Summary Reports over the years by NGOs and academics still hold true. For example, the 2009 Summary Report does not provide information about finances allocated for gender equality, indicators of performance are defined too narrowly, and the process of implementation of the equal opportunity policy is not addressed at all.

The main problem of both the Priorities and the Summary Reports is, however, that they are just an empty exercise to appease the EU and to occupy a handful of Gender Focal Points (GFP). The government and key policy makers surely do not feel that the Priorities have any relevance for them. Needless to say that government's strategic documents¹⁹ are not gender mainstreamed and gender equality is mentioned only in passing if at all²⁰. Gender equality is never included among set goals, strategies or priorities (unlike for example regional development, environmental issues or development of tourist industry).

Before 2004, the DEMW's focused on implementation of the *acquis communautaire*, i.e. harmonizing the Czech law with the European law. This effort was quite successful mostly thanks to the „accession” argument, i.e. implementation of the *acquis* was the fundamental precondition for the accession. However, the most progressive law in the books is worthless if it is unenforceable. This is the current state of affairs with respect to the gender

¹⁸ This sorry state of affairs has prompted experts from the non-governmental sector and academia to elaborate alternative *Shadow Reports on Equal Opportunities and Equal Treatment of Women and Men*. Two were published so far (Pavlik 2004b; 2007b; 2008b). The documents offer a critical evaluation of the situation in the various sectors and performance of the government and relevant NGOs. They document that the actual state of matters does not, by far, correspond to the relatively optimistic tone of the government's *Summary Reports*.

¹⁹ E.g. the *National Employment Action Plan*, the *National Innovation Strategy*, the *National Plan for Support and Integration of Citizens with Physical Disabilities* or the *State Information and Communication Policy*.

²⁰ The *National Development Plan* and the *National Social Integration Policy* are exceptions since they contain discussions of equal opportunities and mention gender inequalities throughout.

equality legislation in the Czech Republic²¹. This can be demonstrated for example by a negligible number of anti-discrimination lawsuits²². Those few which were brought up have been routinely mishandled by uninformed judges²³.

In order to coordinate the equal opportunity policy, the DEMW initiated establishment of the Inter-Ministerial Commission on Equal Opportunities of Men and Women in 1998. However, since there was no gender expertise in individual ministries, the commission proved to be useless. The Government's Council for Equal Opportunities of Women and Men (CEOP) was therefore created in December 2001. The CEOP was supposed to be chaired by the Minister of Labor and Social Affairs and its members should represent individual ministries on the deputy minister level, social partners, NGOs and equal opportunity experts²⁴. The Minister of Labor and Social Affairs and the First Deputy Prime Minister at the time, Vladimír Špidla²⁵, became the first chair. Currently, the CEOP is still headed by a Commissioner for Human Rights, Michael Kocáb²⁶.

The CEOP's administrative backing came originally from the Ministry of Labor and Social Affairs as it was provided by the DEMW. In 2007, the DEMW²⁷ was moved to the Government's Office when equal opportunities were included in the portfolio of a newly created position of the Minister for Human Rights. This happened because the Green Party as a member of the new right-wing governing coalition wanted to promote equal-opportunity policy. The Gov-

²¹ Furthermore, subsequent developments of the Czech legislation sometimes collided with previous efforts. For example, the new Labor Code that replaced the old law into which gender equality provisions had been incorporated during the pre-accession process refers in these matters to the Antidiscrimination Law (AL). The AL which was supposed to come to force before the Labor Code (2006) was passed after some struggle in 2009; i.e. employees were not protected against discrimination based on sex for almost three years and the Czech Republic did not comply with the Directive 2006/54/ES.

²² See Havelkova 2007, 2008.

²³ Ibid.

²⁴ I am one of the two experts.

²⁵ He was appointed a European Commissioner for Employment, Social Affairs and Equal Opportunities in 2004.

²⁶ He was originally appointed as a Minister for Human Rights and Equal Opportunities, but after the fall of the right-wing government in the Spring 2008 he was demoted.

²⁷ The DEMW was originally incorporated as the CEOP's secretariat, but later was again established as the DEMW.

ernment's Office was selected because the Minister did not have his/her own ministry. The question remains what will happen with the CEOP and the DEMW when the next government is appointed because it does not include the Minister for Human Rights. It seems likely, however, that the CEOP will continue to function in some capacity.

As a government's advisory body, the CEOP does not have any policy instruments to enforce implementation of equal-opportunity policies²⁸. It can discuss various issues and recommend measures to the government, but it has no real power. This is augmented by the fact that appointed deputy ministers have little knowledge of gender issues at best. It would be nice if the CEOP could function as a training seminar, but deputy ministers seldom show up for classes. Instead, they have been sending their subordinates with no decision making power. Overall, the CEOP's impact seems negligible, but it surely looks good in reports for the EU and the United Nations (UN).

In 2001, another part of the institutional mechanism was put in place as each ministry was supposed to appoint a so called Gender Focal Point (GFP)²⁹, i.e. a person responsible for promoting equal-opportunity policy within the given ministry. Each GFP is supposed to devote at least a half of his/her working time to gender equality issues. Their responsibilities include, for example, drafting ministerial priorities (analogous to the Priorities), reporting to the DEMW about a ministry's performance and organizing gender education.

However, the appointment of GFPs has not made much difference either. To begin with, the majority of the appointees had no knowledge of gender issues and within the first year, at least four of the GFPs left their jobs. With respect to educating the GFPs, NGOs had to step in and give them basic training financed by the Fridrich Ebert Stiftung.

²⁸ The CEOP did not have any working committees until 2007 when two committees were established: a Committee for Prevention of Domestic Violence and a Committee for Harmonization of Working, Private and Family Life. In 2008, another two committees were created: a Committee for Equal Representation of Women and Men in Politics and a Committee for Institutional Provision of Equal Opportunities for Women and Men (I am a chair of the committee).

²⁹ It took some ministries (e.g. Foreign Affairs, Regional Development or Industry and Trade) more than three years to do so.

Further, GFPs are supposed to devote to coordination of the equal-opportunity policy within their respective ministries at least a half of their working time which is usually not the case. Also, all of the GFPs are the lowest level state employees, i.e. they have no tools to effectively promote or enforce the equal-opportunity policy. They also get a little support from their superiors³⁰. In fact, while no one would say it openly, some fear that promoting gender equality too vigorously may spell problems for their future careers. Not surprisingly, an overwhelming majority of them go with the flow and play the window-dressing game as their respective ministries want them to. There are exceptions of very active GFPs, but they are the exceptions that confirm the rule³¹.

Finally, there has been no official platform for the GFPs to exchange experiences and get mutual support in their tricky position until 2008. This was because the former head of the DEMW, JUDr. Zelenkova, refused to play a leading role on the issue.

With the adoption of the Antidiscrimination Law³² in the Fall 2009, the ombudsman³³ was charged with responsibility to act as a gender equality body conformable with Directive 2006/54/ES on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast). So far, there are no visible results of his work in the area of gender equality. As a priority for 2010, he selected discrimination based on age³⁴. The selected institutional arrangement has also been criticized by gender experts³⁵ who point out that it does not conform to requirements of Directive 2006/54/ES. For example, it is highly doubtful that the office of ombudsman would be able to conduct independent surveys concerning discrimination.

³⁰ See Asklöf 2003.

³¹ The GFPs in the Ministry of Interior are a good example. With the help of NGO activists, the first one succeeded in making violence against women one of the talked about social issues which led to passing of some important pieces of legislation. The current GFP, Eva Ferrarova, is very active in motivating regional and local authorities to promote equal opportunities for women and men.

³² *Law on equal treatment and legal measures for protection against discrimination No. 189/2009.*

³³ The politically correct version „ombudsperson“ is unknown in the Czech context.

³⁴ Motejl 2010, p. 23.

³⁵ See e.g. Havelkova 2007, 2008.

The last governmental body which was concerned with implementation of equal-opportunity policies was the Government's Council for Human Rights (CHR), which is responsible for monitoring implementation of the CEDAW. Its Committee on the CEDAW included representatives of state administration (often GFPs), NGO representatives and a gender expert from academia³⁶. However, while the committee advanced several recommendations to the Council for Human Rights, only a few were accepted and sent to the government. Overall, the CHR impact was negligible. In 2007, the Committee was dissolved and the agenda was supposed to be served by the CEOP.

There is also a standing Commission for Equal Opportunities in the Parliament since 2002³⁷. However, its activities are mostly limited to organizing conferences in the Parliament, which its members usually do not attend in great numbers, and exchanging information about European initiatives.

The governmental level is one thing, regional and municipal levels are something quite different. As the survey of regional and municipal offices³⁸ performed in the Fall 2009 showed, there is almost no institutional support available on the two lower levels. Concretely, only 5 % of offices indicated that someone is concerned with equal-opportunity issues as a part of his/her job. Of those, 75 % were regional offices. Only in 9 % of cases, sustained attention is allegedly devoted to equal opportunities. On the other hand, 58 % of offices explicitly declared no interest in the issue area³⁹. Only 4 % of offices indicated that they had any priorities concerning equal opportunities, 8 % implemented a project in the area, and none applied gender mainstreaming. Other usual methods (gender budgeting, gender auditing, gender impact assessment etc.) are virtually unknown to relevant actors. Overall, it is evident that equal opportunities are seriously considered only by a handful of regional offices and the capital city Prague.

³⁶ I joined the Committee in April 2003.

³⁷ It was originally established as the Commission for Family and Equal Opportunities and divided in two commissions in 2006. It seems that they will be again joined together in July 2010.

³⁸ See Pavlik 2010. The survey included 200 regional and municipal offices selected via random stratified sampling.

³⁹ It is worth noting that 10 % of them blatantly stated that they see no point in equal opportunities and refused to participate in the survey on this ground.

This sorry state of affairs is no doubt because those responsible for promoting the equal-opportunity policy have traditionally ignored these levels. According to JUDr. Zelenkova, long-time head of the DEMW: „[...] these matters fall exclusively within the competence of regions. The government cannot order the regions to do anything in this respect”⁴⁰. However, her assertion has been contradicted in the last two years by activities of GFP at the Ministry of Interior, Eva Ferrarova. In collaboration with Gender Studies, she launched, for example, a yearly competition Office of the year „Half to Half” – Respect for Equal Opportunities which is intended to motivate regional and municipal offices to take interest in equal opportunities of women and men.

To sum up, the institutional mechanism supporting implementation of equal-opportunity policy is rather weak and inefficient. This was recognized already in 2003 when Swedish experts were invited to evaluate standing structures and propose improvements⁴¹. However, their recommendations are catching dust in some drawer in the office of the DEMW head. In fact, immediately after the Swedish experts finished their work, it was announced: „[T]he institutional and legal arrangements for ensuring equal opportunities for men and women are very good in the Czech Republic”⁴² and for the first time since 1998, it erased from the Priorities its long-term goal to „improve the institutional mechanism to secure equality for men and women”.

3 Other actors

While the state was slow to acknowledge any problems with respect to equal opportunities, civil society actors started to address the issue soon after the fall of communist rule. This comes as no surprise as it is a well established fact that „women” NGOs play a key role in promoting gender equality. They first raised questions about a situation of women and men in the society and pointed to violations of women’s human rights. Today, they are still the lead-

⁴⁰ She offered this memorable insight at the meeting of the CEOP on 18th January, 2005.

⁴¹ A PHARE twinning project (the Czech Republic – Sweden) „*Improving the Public Institutional Mechanism for Introducing, Enhancing and Controlling the Promotion of Equal Opportunities for Men and Women*” (Asklöf et al. 2003).

⁴² Ministry of Labour and Social Affairs 2004: 4.

ing voice for gender equality, the initiator of new activities and the executor of the overwhelming majority of gender equality projects.

While there was only one women-NGO – Czechoslovak Union of Women – before 1989, some 70 exist today. The first ones were founded as early as 1992 (Gender Studies, ProFem). Concretely, the best-known of them, Gender Studies, was officially founded on 24th August, 1992 (it was originally named Gender Studies Foundation). ProFem was launched in January 1994.

Since then, many others were founded covering issues ranging from violence against women (Electra, ROSA, Koordona – an association of organizations against domestic violence, ProFem) and trafficking in women (La Strada) through promoting the right of women to choose the method, place and type of obstetric services (Aperio) to advocating equal opportunities in the labour market (Gender Studies, Czech Helsinki Committee) and equal representation in politics (Forum 50%). However, „women” NGOs struggled with little or no financial support from the government up until 2004 (see below). The support had to come from abroad (e.g. Heinrich Böll Stiftung, Open Society Fund Prague or Ford Foundation).

The Czech Woman Lobby was founded in 2005 and unites 23 NGOs that pursue women’s rights in the Czech Republic. It openly subscribes to feminism and its main activities involve lobbying, media campaigning, monitoring gender inequalities and providing expert base to the government and other actors⁴³.

Beside NGOs, there are also several academic units actively pursuing gender issues in the Czech context. The Gender & Sociology department of at the Sociological Institute of the Czech Academy of Sciences carries out research in various gender issues since 1990. It is mainly focused on gender aspects of private life, labor market and other gender-related social inequalities and their feminist critique.

⁴³ See www.czlobby.cz.

The historically first Department of Gender Studies⁴⁴ in the post-communist countries at the Faculty of Humanities at Charles University in Prague is since 2005⁴⁵:

Offering the opportunity for a systematic academic study of theoretical and methodological tools for researching and exploring gender issues in historical perspective, with a consideration of cultural and ethnic aspects of a given topic. Currently, FHS UK offers a M.A. program in Gender Studies with a long-term goal of broadening the program by a study on a Ph.D. level as well. In addition, the department also offers a range of gender related courses on the B.A. level, open to all interested students at FHS UK and other schools and universities.

Members of the Department pursue in their academic and activist work various aspects of gender equality.

A Gender Centrum is a student and alumni union at the Faculty of Social Studies at Masaryk University in Brno, which is loosely tied to a bachelor program Gender Studies. The program is based on sociology, but it also incorporates other impulses from social sciences and humanities.

Finally, the National Coordination Centrum – Women and Science at the Sociological Institute of the Czech Academy of Sciences was founded by a group of young feminist activists headed by Marcela Linkova under the EUPRO programme supporting international co-operation in R&D based on a grant call opened by the MEYS for 2001. It „aims to contribute to shaping gender discourse in R&D, to shaping science policy and human resource policy in the Czech Republic, especially with respect to the position of women in science⁴⁶.” It succeeded for example in convincing major funding organizations (GA CR and AS CR) to change some of their grant application criteria to help young researchers reconcile work and private life.

As far as the government is concerned, the policy has been to help and listen only to NGOs and academic actors that deliver services that the government is accountable for, but fails to provide or to those that have special connections to individual state bureaucrats. In other words, the approach has been selective and non-transparent. Even then, the support has been modest.

⁴⁴ The Department was preceded by the Centrum of Gender Studies at the Faculty of Philosophy. However, increased hostility from the faculty leadership led to its transfer to the Faculty of Humanities. See Pavlik 2005.

⁴⁵ See www.fhs.cuni.cz/gender .

⁴⁶ See www.zenyaveda.cz.

Truly activist women's NGOs, which subscribe to feminist principles and which focus on the key issues such as power sharing, are routinely left out of the loop. The situation has changed somewhat after joining the EU and availability of money from the European Structural Funds, but it is no less problematic (see below).

4 Results of equal opportunity efforts

If one was to ponder seriously results of 12-year effort to promote equal opportunities in the Czech Republic he/she might easily succumb to despair. No visible changes of gender arrangements in the Czech Republic can be traced in almost all areas of social life. Occasional positive developments can be rarely attributed to the government's efforts. They seem to be rather results of wider social forces and processes. However, some things have changed.

The most visible changes pertain to violence against women in general and domestic violence in particular. The legislation in this area was improved significantly allowing, for example, for the eviction of the violator from the household for ten days. Also, human trafficking and protection of sexual workers have been relatively high on the agenda. And of course, a number of public information campaigns was carried out and pilot projects focused on building interdisciplinary teams combating domestic violence have been under way. It should be noted though that the main driving force behind these developments have been „women” NGOs active in the area, most notably ProFem, ROSA or La Strada.

The issue of women in politics has also seemed to catch attention of the public, thanks no doubt to the tireless effort of activists from Forum 50 % and Gender Studies. Their struggle brought fruits in the 2010 elections when voters used in sufficient numbers the institute of preference votes to move a number of women candidates from the end of candidate lists all the way to parliamentary seats. Journalists reacted predictably and started to publish various „Miss-of-the-Parliament” or „Best-Dressed-Women-Representative” lists. The leading coalition politicians elected three women to the four-person leadership of the Parliament which was hailed as the coming of the Era of

Women. However, at the same time, they put together all male government to show who will actually run the show⁴⁷.

Harmonization of work and family time is also becoming an issue. However, it is not driven by equal opportunity concerns, but by a shortage of places in kindergartens in the time when there has been an unexpected surge of birth rates. As was mentioned earlier, the pre-school care system was significantly reduced in the early 90s. This turned out to be a problem when strong population cohorts started to have children during the last decade and politicians tend to respond to voices from middle class.

Nonetheless, one has to conclude that there is little to show for those 12 years of efforts. Considering the situation in the Czech Republic, this has been mainly because no politician with any leverage has ever made equal opportunities his/her agenda. Surprisingly, the most progressive party in this respect seems to have been the Communist Party with its quota system on candidate lists and active participation in the Parliamentary Commission for Equal Opportunities.

The Green Party claimed that equal opportunities were a key issue on their agenda, but when they got to govern in the last government most of their promises evaporated. With respect to the social policy, the Green Party representatives yielded to a neoliberal agenda of the right-wing government which they took part in. This was perhaps one of the reasons why they fell out of favour with voters and failed to get in the Parliament in the 2010 elections.

The Czech Social Democratic Party which put equal opportunities first on the agenda has fared no better. While it has had gender equality in its 2010 election program, it has by far the worse record when it comes to a share of women among its elected representatives (8.9 %, the second worse the right-wing Civic Democratic Party: 17 %). According to party leaders⁴⁸, the reason was that women were not placed on the top of candidate lists because the party leadership expected much better election results and assumed that

⁴⁷ The mentioned appointments also served well to weaken the opposition.

⁴⁸ They are also experts on sending dubious gender messages to the public. For example, the former head of the party, Jiri Paroubek, divorced two years before the 2010 elections his 28-year wife to marry a 21-year younger Petra Kovacova who had worked as his translator.

women would get elected from lower positions. In case of this party, neither did happen.

5 The role of the EU

Considering the dismal record of the Czech Republic when it comes to promoting equal opportunities for women and men, one has to ask what the EU has done about it in light of its claim that: „Gender equality is 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 cohesion⁴⁹?” In other words, how could such a visible failure go unnoticed by responsible EU officials?

First though, we can mention some positive effects of the EU membership. It was already mentioned that the Czech law has benefited significantly from harmonization with *acquis communautaire*. However, in the area of anti-discrimination law, it seems to be far ahead of the Czech population which does not seem to understand concepts such as equal treatment, sexual harassment or discrimination based on sex. In other words, anti-discrimination principles seem to be far ahead of social demand and social consciousness of the Czech public.

Some positive effects have been also connected with the European Structural Funds. They represent a vital source of finances for social development of the new member states which should, in theory, include also gender equality. In fact, financing from the European Structural Funds is supposed to be contingent on meeting gender equality requirements⁵⁰ (using Gender Mainstreaming, carrying out gender audits, pursuing gender equality as the horizontal priority). Some resources should be also specifically earmarked for gender equality (particularly the European Social Fund – ESF).

The Czech government’s approach has been to finance gender equality efforts virtually exclusively from the ESF. In accordance with the EU guidelines, a fraction of the finances have been even allocated for gender equality pro-

⁴⁹ *A Roadmap 2006.*

⁵⁰ *COUNCIL REGULATION (EC) No 1083/2006.*

jects, which were carried out almost exclusively by „women” NGOs. This worked fairly well up until 2007 when a number of projects were carried out and several „women” NGOs were able to support their activities this way. This significantly contributed to increased media visibility of gender issues. However, as the right-wing coalition took over in 2007, the resources started to dry up or rather, they have been used to support different priorities than gender equality⁵¹. As a result, some well-established NGOs had to close down⁵² or significantly scale down their activities because other resources also disappeared as foreign foundations decided that the Czech Republic had become a standard democracy after joining the EU.

One of the most outrageous examples of changed priorities was handling of a call for projects in the area *1.2 Equal opportunities of children and pupils, including children and pupils with special education needs* which was announced by the Ministry of Education, Youth and Sports in May 2009. None of 67 project accepted for financing was in the area of equal opportunities for women/girls and men/boys. Also, none of the „women” NGOs or academic units active in the area was able to get a share of 32 million EURO allocated for the call. Most of the money went to project focused on the Roma issue and children with disabilities⁵³.

However, the overwhelming majority of resources from the European Structural Funds were not used to promote gender equality anyway, i.e. they helped petrify existing gender arrangements (inequalities). As I wrote already in 2008⁵⁴:

⁵¹ The new conservative Minister of Labor and Social Affairs, Petr Necas (Civic Democratic Party), went as far as officially declaring on web pages advertising calls for projects that „feminist and other ideology driven NGOs should not apply for projects”.

⁵² For example Zaba na prameni (A Frog on the Well) which focused on gender equality in education.

⁵³ When the CEOP inquired about the call the Ministry officials asserted that only two gender projects were submitted, but they did not meet evaluation criteria. No attempt was made to consult the call with „women” NGOs or encourage them to submit projects.

⁵⁴ See Pavlik 2008c, p. 200.

To begin with, the government elaborated five programme documents⁵⁵ required for getting a share of the EU money. Since it specified that only one of them, the Operation Programme of Human Resources Development (OP HRD), is highly relevant with respect to equal opportunities, the rest of the OPs are supposed to have only a „weak linkage” or „no linkage” to equal opportunities (Ministry of Regional Development 2006). Therefore, recipients of support from these OPs do not have to have any goals oriented to equal opportunities and no indicators of their achievement. They also do not have to perform a gender audit of their respective organisations. In many cases (measures labelled „no linkage”), they do not even have to analyse the impact of their project on equal opportunities. In other words, the government ignores Article 6 of the Council Regulation No. 1083/2006⁵⁶.

It is also safe to assume that even projects for which equal opportunities were highly relevant have rarely addressed gender equality⁵⁷:

Since there is little gender expertise in the Czech Republic to begin with, there are good reasons to assume that gender equality requirements are addressed only formally in the overwhelming majority of project application. Judging from personal experience, the managing authority focuses in its monitoring on formal aspects (number of pages of documents, travel expenses etc.). Again, this is not surprising given the lack of knowledge of gender issues.

Implications of the inflow of EU money are also not only positive. One can, for example, observe „professionalization” of NGOs which sometimes start to remind of businesses rather than civil society actors. Another problem is dependence on the EU money which will start to dwindle soon. We should also keep in mind that the few gender equality projects mentioned above follow the priorities set by the EU and the Czech government, i.e. they are mostly focused on the labor market. It is, therefore, difficult for NGOs involved with issues like women’s representation in the political life to support their activities from EU financing. They have to be very inventive to fit their projects to the set criteria or they have to sacrifice their goals and priorities in order to survive.

This brings us to the opening question: „What is the Commission’s response to its gender equality policy being so blatantly ignored?” The succinct answer seems to be: „The Commission does not care.” It was surely very slow to act

⁵⁵ They are the Common Regional Operation Programme, the Operation Programme Industry and Business, the Operation Programme Infrastructure, the Operation Programme of Human Resources Development and the Operation Programme Agriculture.

⁵⁶ *COUNCIL REGULATION (EC) No 1083/2006.*

⁵⁷ See Pavlik 2008c, p. 200.

when the Czech government did not implement *Directive 2006/54/ES* in 2005 as was stipulated. It took another four years before the Antidiscrimination Law was passed and a gender equality body was established with no visible response from Brussels.

What is more important, the Commission is passive with respect to the use of the European Structural Funds. It is hard to believe that responsible EU officials do not know about marginalization of gender dimension in the overwhelming majority of projects financed with the EU money even though there is no publicly acknowledged monitoring of these issues by the Commission. The Czech authorities have made an attempt to do some evaluation, but there are good reasons to be cautious about their effort. First, one can be sceptical about any type of self-evaluation especial if it involves the use of money. Second, the evaluation concerned only projects explicitly focused on equal opportunities for women and men. No evaluation of other types of projects was carried out.

A good example of how self-evaluation works offers a call for Evaluation of Projects Focused on Equal Opportunities for Women and Men in the Labor Market and Harmonization of Work and Family Life launched by the Ministry of Labor in August 2008. First, it was stipulated in the call that an agency who would be awarded the project had to deliver the final report in just three months (November 2008)⁵⁸. This did not give enough time for serious evaluation of significant number of projects. Second, the agency which was awarded the project did not have any previous expertise with gender issues and had to hire outside experts. Given the short time line, a number of established experts probably refused to participate. This was at least the case of this author. Even then some recommendations were made based on the evaluation, but they were never implemented in real life. Overall, the whole stunt seemed to be again more about window-dressing than about a serious attempt to evaluate implementation of equal opportunities.

However, the lack of monitoring by the Commission speaks for itself and it continues to baffle all of us who used to hope that the EU would bring new standards and new culture. However, evidence is easily available for any one

⁵⁸ *Zadavaci dokumentace 2008.*

who wants to know. Based on it, the Commission would have to stop EU financing at once if it would have respected its own regulations⁵⁹.

Such a signal would be hard to ignore by Czech politicians, but the Commission does not act and, therefore, it condones petrification of gender inequalities in the Czech Republic.

This might seem to be a harsh assessment of the EU role in promoting gender equality in new member states, but it is a matter of principle. I firmly believe that if you look away when gender inequalities are perpetuated and ignore your own policies you could hardly expect a favourable evaluation.

⁵⁹ Consider also COUNCIL REGULATION No 1260/1999.

6 References

- A Roadmap for equality between women and men 2006-2010, 2006. Brussels: Directorate-General for Employment, Social Affairs and Equal Opportunities
- Asklöf, Cecilia, 2003: *Assessment Report: Improvement of the Public Institutional Mechanism for Applying, Enforcing and Monitoring Equal Treatment for Men and Women*. Twinning project: CZ 2001/IB/SO-01. Prague: Ministry of Labour and Social Affairs
- COUNCIL REGULATION (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds*
- COUNCIL REGULATION (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999*
- DIRECTIVE 2006/54/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast)*
- Havelkova, Barbara, 2007: Pravo a rovnost muzu a zen [Law and Equality of Men and Women]. In: Pavlik, Petr (ed.): *Stinova zprava v oblasti rovneho zachazeni a rovných příležitostí žen a mužů 2006*. Praha: Otevřená společnost, o.p.s., p. 30-44
- Havelkova, Barbara, 2008: Pravo a rovnost muzu a zen [Law and Equality of Men and Women]. In: Pavlik, Petr (ed.): *Stinova zprava v oblasti rovneho zachazeni a rovných příležitostí žen a mužů 2008*. Praha: Otevřená společnost, o.p.s., p. 32-49
- Ministry of Regional Development, 2006: *Manual horizontalnich priorit Ramce podpory Společenství* [A Handbook of Horizontal Priorities of the EU Support Framework]. Prague: Ministry of Regional Development
- Ministry of Labour and Social Affairs, 2004: *Souhrnná zprava o plnění Priorit a postupu vlády při prosazování rovnosti mužů a žen za rok 2003* [Summary Report on Implementation of Priorities and Procedures of the Government in Promoting the Equality of Men and Women in 2003]. Prague: Ministry of Labour and Social Affairs
- Ministry of Labour and Social Affairs, 2005: *Souhrnná zprava o plnění Priorit a postupu vlády při prosazování rovnosti mužů a žen za rok 2004* [Summary Report on Implementation of Priorities and Procedures of the Government in Promoting the Equality of Men and Women in 2004]. Prague: Ministry of Labour and Social Affairs
- Ministry of Labour and Social Affairs, 2007: *Souhrnná zprava o plnění Priorit a postupu vlády při prosazování rovnosti mužů a žen za rok 2006* [Summary Report on Implementation of Priorities and Procedures of the Government in Promoting the Equality of Men and Women in 2006]. Prague: Ministry of Labour and Social Affairs
- Motejl, Otakar, 2010: Zprava za čtvrté čtvrtletí 2009 [Report for the fourth quarter of 2009]. Brno: Kancelář veřejného ochránce práv
- Pavlik, Petr, 2004a: Priority a postupy vlády při prosazování rovnosti mužů a žen: kritické čtení [Priorities and Procedures of the Government in Promoting the Equality of Men and Women: Critical Reading]. In: Pavlik, Petr (ed.): *Stinova zprava v oblasti rovneho zachazeni a rovných příležitostí žen a mužů 2004*. Praha: Gender Studies, o.p.s., p. 10-20

- Pavlik, Petr (ed.), 2004b: *Stinova zprava v oblasti rovneho zachazeni a rovných příležitostí žen a mužů 2004* [Shadow Report on Equal Opportunities and Equal Treatment of Women and Men 2004]. Praha: Gender Studies, o.p.s.
- Pavlik, Petr, 2005: O stěhování oboru aneb gender a moc v praxi [Moving a discipline: gender and power in real life]. In: Knotkova, Blanka (ed.): *Rocenska Centra genderových studií*. Praha: Centrum genderových studií, p. 40-44
- Pavlik, Petr, 2007a: Souhrnné zprávy o plnění Priorit a postupu vlády při prosazování rovnosti mužů a žen v roce 2003 a v roce 2004: kritické čtení [Summary Reports on Implementation of Priorities and Procedures of the Government in Promoting the Equality of Men and Women in 2003 and 2004: Critical Reading]. In: Pavlik, Petr (ed.): *Stinova zprava v oblasti rovneho zachazeni a rovných příležitostí žen a mužů 2006*. Praha: Otevřená společnost, o.p.s., p. 10-20
- Pavlik, Petr (ed.), 2007b: *Stinova zprava v oblasti rovneho zachazeni a rovných příležitostí žen a mužů v roce 2006* [Shadow Report on Equal Opportunities and Equal Treatment of Women and Men 2006]. Praha: Otevřená společnost, o.p.s.
- Pavlik, Petr, 2008a: Souhrnné zprávy o plnění Priorit a postupu vlády při prosazování rovnosti mužů a žen [Summary Reports on Implementation of Priorities and Procedures of the Government in Promoting the Equality of Men and Women]. In: Pavlik, Petr (ed.): *Stinova zprava v oblasti rovneho zachazeni a rovných příležitostí žen a mužů 2008*. Praha: Otevřená společnost, o.p.s., p. 10-23
- Pavlik, Petr (ed.), 2008b: *Stinova zprava v oblasti rovneho zachazeni a rovných příležitostí žen a mužů 2008* [Shadow Report on Equal Opportunities and Equal Treatment of Women and Men 2008]. Praha: Otevřená společnost, o.p.s.
- Pavlik, Petr, 2008: Equal opportunities for all? Gender politics in the Czech Republic. In: Baer, Susanne and Hoheisel, Miriam (eds.): *Between success and disappointment: Gender equality policies in an enlarged Europe*. Berlin: Humboldt-Universität zu Berlin, GenderKompetenzZentrum, p. 191-205
- Pavlik, Petr, 2010: Analýza stavu rovných příležitostí pro ženy a muže ve vybraných úradech samosprávy [An analysis of state of equal opportunities for women and men in selected local-government offices]. Praha: Ministerstvo vnitra
- Pro společnost s vyrovnaným zastoupením žen a mužů ve veřejném životě, 2008. Praha: Fórum 50 %.
- Rocenska statistiky trhu práce 2009*, 2009. Praha: Český statistický úřad.
- Zadávací dokumentace pro předkladatele nabídek Evaluace projektů zaměřených na rovné příležitosti pro ženy a muže na trhu práce a sladění pracovního a rodinného života* [Terms of reference for Evaluation of Projects Focused on Equal Opportunities for Women and Men in the Labor Market and Harmonization of Work and Family Life], 2008. Praha: Ministerstvo práce a sociálních věcí
- Volby do Evropského parlamentu konané na území České republiky ve dnech 05.06. - 06.06.2009* (2009). Praha: Český statistický úřad
- Zdravotnická ročenka České republiky 2008*, 2008. Praha: Ústav zdravotnických informací a statistiky ČR
- Ženy a muži v datech*, 2008. Praha: Český statistický úřad
- Život žen a mužů, 2007*. Praha: Český statistický úřad

In der Reihe Discussion Papers des Harriet Taylor Mill-Instituts für Ökonomie und Geschlechterforschung der HWR Berlin sind bisher erschienen:

Discussion Paper 2007

Friederike Maier
The Persistence of the Gender Wage Gap in Germany

Discussion Paper 01, 12/2007

Discussion Papers 2008

Madeleine Janke und Ulrike Marx
Genderbezogene Forschung und Lehre im Fachgebiet Rechnungswesen und Controlling

Discussion Paper 02, 05/2008

Claudia Gather, Eva Schulze, Tanja Schmidt und Eva Wascher
Selbstständige Frauen in Berlin – Erste Ergebnisse aus verschiedenen Datenquellen im Vergleich

Discussion Paper 03, 06/2008

Miriam Beblo, Elke Wolf
Quantifizierung der betrieblichen Entgeltdiskriminierung nach dem Allgemeinen Gleichbehandlungsgesetz. Forschungskonzept einer mehrdimensionalen Bestandsaufnahme

Discussion Paper 04, 11/2008

Discussion Papers 2009

Wolfgang Strengmann-Kuhn
Gender und Mikroökonomie - Zum Stand der genderbezogenen Forschung im Fachgebiet Mikroökonomie in Hinblick auf die Berücksichtigung von Genderaspekten in der Lehre

Discussion Paper 05, 06/2009

Katherin Barg, Miriam Beblo
Male Marital Wage Premium. Warum verheiratete Männer (auch brutto) mehr verdienen als unverheiratete und was der Staat damit zu tun haben könnte

Discussion Paper 06, 07/2009

Vanessa Gash, Antje Mertens, Laura Romeu Gordo
Women between Part-Time and Full-Time Work: The Influence of Changing Hours of Work on Happiness and Life-Satisfaction

Discussion Paper 07, 12/2009

Elisabeth Botsch, Friederike Maier
Gender Mainstreaming in Employment Policies in Germany

Discussion Paper 08, 12/2009

Fortsetzung und Angaben zum Bezug der Discussion Papers nächste Seite.

Fortsetzung und Angaben zum Bezug der Discussion Papers:

Discussion Papers 2010

Julia Schneider, Miriam Beblo

Health at Work – Indicators and Determinants. A Literature and Data Review for Germany

Discussion Paper 09, 05/2010

Beiträge zur Summer School 2010

Gerda Falkner

Fighting Non-Compliance with EU Equality and Social Policies: Which Remedies?

Discussion Paper 10, 10/2010

Beiträge zur Summer School 2010

Petr Pavlik

Promoting Equal Opportunities for Women and Men in the Czech Republic: Real Effort or Window Dressing Supported by the European Union?

Discussion Paper 11, 11/2010

Die Discussion Papers des Harriet Taylor Mill-Instituts stehen als PDF-Datei zum Download unter der Adresse www.harriet-taylor-mill.de zur Verfügung. Siehe dort Publikationen, Discussion Papers.

Harriet Taylor Mill-Institut der
Hochschule für Wirtschaft und Recht Berlin
Badensche Straße 52
10825 Berlin
www.harriet-taylor-mill.de