



Exchange of good practices on gender equality

**Gender Impact
Assessment**
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Gender Impact Assessment in Poland

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1. Introduction

Poland has gone through major social, political and economic transformations in the last 25 years, and they have had an important impact on people's lives. For the last 25 years Polish society has experienced significant changes due to the system transformation, followed by the accession to the European Union structures. The collapse of state socialism resulted in an extensive transformation of the nature of work and labour markets, which has had an impact on the ability of households to maintain employment security, to achieve social reproduction and to sustain the social relationships centred on work. The transformation of work has led from relatively secure and singular employment in the state-owned economy to much greater labour market segmentation, employment uncertainty, instability in working time, greater casualisation, and official and hidden unemployment. Changes introduced in order to increase labour market flexibility have also been associated with instability of job tenure and considerable levels of multiple job holding. Employees' representation has also weakened as political settlements shifted and trade unions declined, giving way to more individualised employment relationships. In addition, dependency on state-owned enterprises to provide not only a monetary wage but also social amenities in kind has been replaced by greater differentials in the value of formal wages and, for those who have lost their jobs, reliance on low-wage state benefits and on informal legal and illegal income-generating activities¹.

The democratic character of Poland's new political system, as well as its market economy mechanism has been gradually revealing what the role of women in society actually means in Poland. There has been a requirement to subordinate the needs and interests of women to those of the family, the nation, and the country. Evidence on the situation of Polish women after 1989 indicates that despite all the changes in the political system the place of women in society has consistently been the subject of public discussions resulting in various decisions made by everyone but women themselves. According to Anna Titkow: "the notion of backlash seems to describe accurately the situation of Polish women after 1989, even if in Poland it did not start as a reaction against the achievements of feminism, as was the case in the United States. Rather, the backlash here refers to the reaction of men to the position occupied by women in society²." The formal attitude towards Polish women has changed one more time during the last decade. This change was due to Poland's accession to the European Union. Although the evaluation of the achievements of

¹ Stenning, Alison, Smith, Adrian, Rochowska, Alena, Świątek, Dariusz (2010), *Domesticating Neoliberalism; Spaces of economic Practice and Social Reproduction in Post-socialist Cities*. Chichester: Wiley-Blackwell, p. 81-84.

² Titkow, Anna (2001), On the Appreciated Role of Women. In: *Women on the Polish Labor Market*, edited by Mike Ingham, Hilary Ingham and Henryk Domański. Budapest: CEU Press, p. 31. As Titkow put it: "Never before have the tendencies to stop the gender equality process been so clearly presented and so rigorously realized. (. . .) It is only in the post-communist era that a clear pattern of discrimination against women has appeared" (pp. 34-35).

the EU in the area of gender equality vary³ it must be stressed that gender is present in European regulations and an effort has been made to introduce greater gender equality.

The transformations described above influence the position of women and men in the real economy. On the one hand, both women and men in Poland assume that unpaid domestic work, as well as care for family members, is performed mainly by the women in the household⁴. According to Titkow et al., it is a deeply rooted social norm. On the other hand, women successfully entered the labour market, which is one of the greatest achievements of the women's movement. As a result, women experience the double burden of work. Table 1 presents labour market indicators, disaggregated by sex.

Table 1: Labour market participation rate for women and men in Poland (%)

		Total	Women	Men
Labour market participation rate	1992	61.7	54.2	70.0
	2004	54.9	47.9	62.7
	2010	55.8	48.2	64.3
Employment rate	1992	53.3	46.0	61.4
	2004	45.1	38.5	52.2
	2010	50.6	43.4	58.6
Unemployment rate	1992	13.7	15.2	12.4
	2004	18.0	19.5	16.7
	2010	9.3	9.9	8.8

Source: Tabela 1, GUS (2011), Aktywność ekonomiczna ludności Polski IV kwartał 2010 roku. GUS: Warszawa, pp. 47-52.

Table 1 shows the drastic reduction in economic activity rates both for women and men in the period of system transformation⁵. It has to be stressed that the labour market participation rates and the employment rates are lower for women, while the unemployment rate is higher. After the collapse of the state-socialism women became the first to lose their jobs and have found it more difficult to find new work, experiencing longer periods of unemployment than men⁶. Those facts suggest that there are barriers that prevent women from the engagement in paid labour. Data shows that care obligations towards dependents are one of the barriers. As of 2010 almost 1.5 million women (16% of all women in the productive age) were not

³ See, e.g., Young, Brigitte „Disciplinary Neoliberalism in the European Union and Gender Politics”, *New Political Economy*, 5(1), 2000, pp.77-98. Walby, Sylvia (1997). *Gender Transformations*. London, New York: Routledge.

⁴ Titkow, A., Duch-Krzysztofek, D. & Budrowska, B. (2003). *Niepłatna praca kobiet – mity, realia, perspektywy*. Warszawa: Wydawnictwo IFiS PAN, p.263.

⁵ More about this see Zachorowska-Mazurkiewicz, Anna (2007), Impact of Ideology on Institutional Solutions Addressing Women's Role in the Labor Market in Poland. *Journal of Economic Issues*, XLI(2), pp. 451-459. Zachorowska-Mazurkiewicz, Anna (2008), The influence of European Integration on the Institutional Situation of Women in Labour Market in Poland. In: *Globalization and Regionalization in Socialist and Post-Socialist Economies*, edited by John Pickles. Basingstoke: Palgrave Macmillan, pp. 163-176.

⁶ Hardy, J, Stenning A. (2002) Out with the old, in with the new? The changing experience of work for Polish women. In: Smith, A., Rainnie, A., Swain, A. (eds) *Work, Employment and Transition*. London: Routledge, pp. 99-116. Cited in: (2010), *Domesticating Neo-liberalism; Spaces of economic Practice and Social Reproduction in Post-socialist Cities*, edited by Stenning, Alison, Smith, Adrian, Rochowska, Alena, Świątek, Dariusz. Chichester: Wiley-Blackwell, s. 84.

seeking employment due to family care obligations, and only 161,000 men were in the same position⁷.

2. Policy debate

Institutions that shape the situation of women in the Polish economy are influenced by system changes undertaken in 1989, ideology adopted at that time,⁸ as well as the decision to join the European Union and the actual accession. When the post-socialist transformation began in Eastern European countries there was a strong free-market orientation by the new governments. Additionally, the International Monetary Fund pushed in the same direction, and its leaders repeatedly asserted that the mixed economy model should be avoided during the “transition”⁹.

There are two major dimensions of EU integration - economic and social. The first dimension is a policy promoting competitiveness and deregulation, and the second dimension is social policy oriented to promoting social cohesion and social integration¹⁰. There is a tension between these two policy dimensions even though they were originally conceived as each necessary for the sustainability of the other¹¹. The social dimension has always been a central part of the project of the European Union, even though the establishment of this social policy has been less pronounced than intended¹².

The outcomes of macroeconomic policies adapted by Poland, with at least the lack of protest or acceptance from the EU authorities, could be summed up as follows¹³:

1. The national budget in Poland is not sensitive to gender issues, and is not subject to social discourse or oversight;
2. Unpaid services provided in households and families mainly conducted by women are not included in Poland’s national accounts. In this way women’s actual contribution to the country’s economic development is underestimated;
3. The lack of effective measures combating high unemployment eliminates women from the labour force or pushes them (often against their will) into the informal labour sector¹⁴.

⁷ Tabela 4.1, GUS (2011), Aktywność ekonomiczna ludności Polski IV kwartał 2010 roku. GUS: Warszawa, p. 185.

⁸ See Zachorowska-Mazurkiewicz, Anna (2007), Impact of Ideology on Institutional Solutions Addressing Women’s Role in the Labor Market in Poland. *Journal of Economic Issues*, XLI(2), pp. 451-459.

⁹ Chavance, Bernard and Eric Magnin (2002). Emergence of Path-Dependent Mixed Economies in Central Europe. In: *Beyond Market and Hierarchy: Interactive Governance and Social Complexity*, edited by Ash Amin and Jerzy Hausner, pp. 196-232. Cheltenham: Edward Elgar 2002.

¹⁰ Walby, Sylvia (1997). *Gender Transformations*. London, New York: Routledge.

¹¹ Ibidem.

¹² Ibidem.

¹³ Lisowska, Ewa and Anna Zachorowska-Mazurkiewicz, Anna (2007). Makroekonomia i handel. In: *Polityka Równości Płci – Raport Polska 2007*, pp. 13-23. Warszawa: UNDP.

¹⁴ Another phenomenon caused by unemployment is “forced individual enterprise.” In Poland, as well as in other Eastern and Central European countries, some businesses are founded in order to avoid unemployment. In such cases the main goal is survival, not profit (Chavance and Magnin 2002). And it is very often unqualified female workers that are creating such firms.

Nevertheless, there is the national machinery for gender equality, and even though it was changed several times together with the political composition of the governments, it has remained in place¹⁵. In early years of transition the government of 1993-97 promoted gender equality and developed a National Action Plan for Women for 1997-2000. Unfortunately the elections in 1997 brought about a policy shift, and the programme was never implemented¹⁶. The adaptations of European regulations led to the introduction of the position of the Governmental Plenipotentiary for the Equal Status of Men and Women, in 2001. The creation of this institution was promoted by the European Union and its standards. Its main task was focused on an analysis and assessment of the current situation of men and women in the country, and initiating and coordinating activities aimed at the assurance of the equal status of men and women in all areas of social life. Thanks to the efforts of the Governmental Plenipotentiary for the Equal Status of Men and Women, Poland took part in European Programmes dealing with gender issues such as the Equal Community Initiative¹⁷, and developed the second phase of the National Action Plan for Women (2003-2005). This institution, in spite of its accomplishments, was dissolved in 2005 after parliamentary elections, and the action plan was abandoned after 2005. The competencies were taken over by the Department of Women, Family and Counteracting Discrimination within the Ministry of Labour and Social Policy. In January 2010 this department was dissolved, and some of its tasks have been incorporated into the Department of Economic Analysis and Forecast. Generally the institutional base for gender equality and mainstreaming within the Ministry of Labour and Social Policy has weakened significantly, and at the moment it is dealing with only a few projects, like “Equality between men and women in economic decision making – as a tool for social change”, and the contest “I am a boss”¹⁸.

In 2008 a new institution was established – Government Plenipotentiary for Equal Treatment. The new tasks of the Plenipotentiary are now described in the 2010 act on the implementation of several European Union regulations in the field of equal treatment. The new law provides a general framework for the policy of equal treatment in Poland, and legally strengthens the office of the Plenipotentiary¹⁹. The tasks of the office are to coordinate inter-departmental activities with respect to equal treatment, counteract discrimination, and implement rules of equal treatment. Additionally, the office is to: issue opinions on proposed legislation, conduct legal analysis and evaluations, prepare policy drafts, initiate amendments if regulations do not comply with equal treatment rules, promote equal treatment, monitor equal treatment in public institutions and the public sphere, intervene, as well as cooperate with non-governmental organisations and social partners with the aim of enhancing equal treatment in different spheres of life²⁰. The Plenipotentiary for Equal Treatment draws up a National Action Plan, which was published for the years 2013-2016²¹. It is also to report annually on the implementation of this plan, as well

¹⁵ Szelewa, Dorota (2011), The policy on gender equality in Poland. Directorate-General for Internal Policies, Policy Department, Citizens' Rights and Constitutional Affairs. European Parliament.

¹⁶ Plomien, Anna (2011), Gender Mainstreaming in Poland, Exchange of good practices on gender equality, European Commission, May 2011.

¹⁷ The objective of the Equal Community Initiative is to test and promote – with international cooperation – new ways of combating all forms of discrimination and inequality in the labour market, affecting both the employed and job seekers. It is a programme financed by the European Social Funds.

¹⁸ Analizy.mpips.gov.pl/index.php/gender-mainstreaming.html

¹⁹ Szelewa, Dorota (2011), op.cit.

²⁰ www.rownetraktowanie.gov.pl

²¹ www.rownetraktowanie.gov.pl/sites/default/files/krajowy_program_dzialan_na_rzecz_rownego_traktowania_przyjety_na_rm_10.12.13.pdf

as to prepare adequate reports to international bodies. It has to be stressed that the Plenipotentiary is counteracting inequalities based on not only gender but race, nationality, religion or beliefs, political views, disability, age, and sexual orientation.

While discussing the political and institutional environment for gender initiatives, the Polish cultural context has to be presented. Poland is regarded as a Catholic country, with 90% of the population declaring themselves as Catholics. And in 2013 the Catholic Church pronounced a warning against “gender ideology”. The campaign against gender started with comments like “gender leads to the devastation of families”²². Conservative politicians have convened a parliamentary group “Stop Gender Ideology”. And there is a general lack of political will to undertake any activities connected to gender. The Council of Europe Convention on preventing and combating violence against women and domestic violence could serve as a good example here. Poland has signed the convention at the end of 2012. And a year and a half later the convention is still not ratified by the Polish parliament.

3. Transferability issues

In this section I will discuss the transferability of good practices from Austria and Finland to Poland. Gender Impact Assessment is an important tool for achievements in gender equality. GIA may involve many activities, the ones discussed in the paper are: performance budgeting in Austria, and law drafting in Finland. In Austria gender impact assessment consists of two procedures: gender responsive budgeting, and gender impact assessment within the policy-making and evaluation process. There are several objectives underlying Austrian performance budgeting including gender impact assessment: to identify existing inequalities in the provision of public goods and services (long-term fiscal sustainability), to increase transparency of the budget process, and from a gender perspective, to assess whether gender aspects are considered appropriately. Gender responsive budgeting has a very strong legal basis – the aim of effective gender equality in budgeting is anchored in the Austrian Federal Constitution, where according to Article 51(8) federal budget policy has to consider performance orientation, including effective equality of women and men, as one of its fundamental principles. In this way performance budgeting with gender responsive budgeting as its integral part became obligatory for all federal ministries since 2013. Gender impact assessment indicates how and if any new laws and projects contribute to the priorities and gender equality objectives in the Strategy Report.

Gender responsive budgeting is an important exercise. Public finances influence men and women directly and indirectly. The direct impact occurs through various types of transfers and services targeted at specific social groups. The indirect impact relates to how the budgeted use of time is structured, including the scope of free time for women and men. If the national budget limits funds for the institutional care of children, the elderly or ill, it is concurrently limiting women’s amount of free time in comparison to what men have at their disposal. Therefore, the budgetary planning process should consider the way expenditures may influence the functioning of women and men in society (in the private and public spheres), and in

²² Sierakowski, Slawomir (2014), *The New York Times*, http://www.nytimes.com/2014/01/27/opinion/sierakowski-the-polish-churches-gender-problem.html?_r=0, accessed 10 may 2014.

further perspective – on the well-being of the representatives of both sexes²³. However, when it comes to the question of transferability of Austrian good practice, there have to be certain issues raised. The first is a matter of institutional capacity. Gender responsive budgeting requires linking knowledge from the field of finance and public services with knowledge about the different life experiences of women and men. As for now gender analysis is conducted in the office of the Government Plenipotentiary for Equal Treatment, and expertise as well as financial resources necessary to conduct such analysis could be insufficient, especially as the office deals with all kinds of inequalities, not only gender. Another obstacle lies in legal regulations used in Austria, since it would be very difficult to anchor such an obligation in the Polish Constitution. Even though there have been discussions concerning the possibility to introduce amendments, only two were introduced so far. At the same time without strong legal regulation, GIA projects will not be undertaken outside of the Plenipotentiary office, in ministries and other public institutions.

In Finland GIA is based on a long-term broad political commitment to gender equality. Gender impact assessments are conducted on projects, policy programmes and budgets, the law drafting is the main focus. The legislative projects are carried out in the responsible ministry, and the mandate for drafting is given to the preparatory team consisting of civil servants. This team is responsible for the impact assessment, including the gender impact assessment. Anna Elomäki makes an important point, that the idea is to overcome gender-neutral procedures of law drafting, which may often involve a gender bias. In Finland there is no legal obligation to conduct GIAs in law drafting, but the Act on Equality between Men and Women includes a broad gender-mainstreaming obligation for public officials. Each Ministry has an operational gender equality working group, which is responsible for coordinating gender mainstreaming efforts within the ministry. In terms of procedures the aim was to make it easy to assess and feasible at the same time. The practice has been framed as part of a thorough, everyday work of government officials and as something that does not require much extra time or expertise. Thus civil servants have simple tools, such as a check list and a list of GIA questions, at their disposal. However the civil servants are not held accountable for failing to conduct GIAs, and they do not receive any additional incentives.

The Finnish good practice is more suitable for Polish reality, due to a number of its features: simplicity, low costs, and no need to extend staff in public institutions. The introduction of GIAs during the law drafting stage should not require extra costs, however the training of civil servants would be required. The simple tools used in the process are also promising, especially that the procedure is to be conducted by civil servants, who are not necessarily experts on gender. The major difference would be required in legislation needed to introduce GIA in law drafting. In the Polish context, there has to be a strong legal basis for introduction of such tools, since there is a lack of broad political commitment and resources to conduct such exercises.

Gender Impact Assessment seems to be very relevant to the Polish context, which is characterised by persisting inequalities. Both good practices presented – gender responsive budgeting and gender impact assessment in law drafting – indicate that areas that are perceived as gender-neutral, very often are gender-biased. GIA are guarantees that new initiatives will not expand existing inequalities between women and men. Nevertheless, the tools of gender mainstreaming are not a firm policy feature in Poland, and in the current political climate, with the campaign against

²³ Lisowska, Ewa, Zachorowska-Mazurkiewicz, Anna (2007), op.cit.

gender described in the previous section, transferability of GIA to the Polish institutional structure would be very unlikely.