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Mainstreaming gender in the EU-accession process: the case of the Baltic Republics

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Summary Since the early 1990s, the Baltic states have gone through processes of economic transition and liberalization. Although various reports give an overview of gendered impacts of these economic reforms, they fail to elaborate on the more complex relations between gender, citizenship, and social exclusion. This article explores these relations in more detail. The first decade of reforms in the Baltic states resulted in a lack of economic prospects, in particular for women from minority groups and women working in low-pay sectors. This made them increasingly vulnerable to trafficking for sexual purposes: migration to Western Europe was an attractive alternative for those without work, whether through legal or illegal migration channels. The failure to address this issue and other issues effectively cannot be attributed to the European level only. This argues that effective mainstreaming is also hampered by rapid changes in national governments, by political ideologies regarding the role of women, and by a lack of information and expertise within newly established gender-equality units.

Key words accession process, citizenship, Estonia, EU policies, gender equality, gender mainstreaming, Latvia, Lithuania, social exclusion

Résumé Depuis le début des années 90 les Etats Baltes ont entrepris des processus de transition et de libéralisation économiques. Bien que de nombreux rapports présentent une vue d'ensemble des impacts en terme de genre de ces réformes économiques, ils n'ont pas développé les relations complexes entre genre, citoyenneté et exclusion sociale. Cet article explore cette relation en détail. La première décennie de réformes dans les Etats baltes a eu pour conséquence une absence de perspectives économique en particulier pour les femmes appartenant à des minorités ethniques et travaillant dans des secteurs à bas salaires. Ceci les a rendu extrêmement vulnérable au trafic d'êtres humains: la migration vers l'Ouest constituait une alternative attirante pour celles qui n'avaient pas d'emploi, qui se soit légalement ou non. Cet échec à prendre en compte ce risque et d'autres aspects qui lui sont liés ne peut être attribué seulement à l'Union européenne. Cet article argue également que un «mainstreaming» efficace a également été gêné par les changements rapides des gouvernements nationaux, par les idéologies politiques sur le rôle des femmes et par le manque d'information et d'expertise des nouvellement établies unités d'égalité des genres.

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Transition to a market economy

During the 1990s, after the end of the Cold War, many of the Central and Eastern European Countries (CEECs) experienced a process of economic transition and liberalization. The reform process changed the nature of the economy:

These processes [. . .] changed the characteristics of the labor market from an exclusively formal and public one to one that is extremely polarized, with pre-transition formal employment in the state sector coexisting with an often highly informal emerging private market. (Paci, 2002: 12)

Despite the commendable objectives of increased economic growth and rising living standards, the first decade of reforms produced an economic reality showing a picture of increased poverty, large falls in real wages, a reduction in jobs, and a substantial increase in criminal activities. The adverse economic conditions, lack of opportunities, and increasing poverty have, in many cases, contributed to an increased incidence of alcohol abuse, domestic violence, injuries, suicides, cardiovascular and circulatory diseases, depression and mental-health problems, and problems in the domestic sphere.

Statistical reports of the 1990s show that, between 1989 and 1997, the divorce rate increased by 100 percent in Estonia, 71 percent in Lithuania, and 37 percent in Latvia. (UNICEF, 1999: 114–18). Furthermore, there are large differences in adult mortality and suicide rates between men and women in all three countries, these being much higher for men than for women (World Bank/IBRD, 2003). Also for women, the impacts cannot be ignored: the number of registered unemployed women was only 7,300 in Latvia in 1992, but this rose to 52,400 in 1997 – a sevenfold increase. In Lithuania, the increase was even more dramatic: from 3,300 in 1991 to 55,600 in 1997 (UNICEF, 1999: 142–3). Corresponding figures are not available for Estonia.

The harmonization of legislation and policies of those countries joining the European Union with EU legislation and policies meant that other reforms were also initiated. Previous studies (Marcher, 2001; Paci, 2002) indicate that public-sector reforms, legal reforms, economic reforms and a strong reduction in state welfare provisions may have a cumulative impact. These complex relationships are not always apparent in the documents on progress by the accession countries to the EU. Although various reports give a good overview of the trends and gendered impacts of economic reform in certain areas, they fail to give detailed and informed analysis of:

- the complexity of the impacts on women and men from different age groups and ethnic backgrounds, and with different legal standings (e.g. citizens v. non-citizens in Latvia and Estonia) and different social positions;
- the ways in which the political and economic power relationships have resulted in the reinforcement of gender inequalities;
- the marginalization of women and the social exclusion of other population groups in the economic and political climate;
- the constraints on mainstreaming gender in the accession process against a background of political ideologies.

This article aims to provide an initial outline of these issues, looking at the integration of gender concerns in EU enlargement and in the accession to the EU of the Baltic states. It aims to give an insight into the unanticipated gendered impacts of the economic transition processes in the Baltic countries. The article is primarily based on secondary information from previous studies; further research will be required for a more detailed analysis of the impacts of these reforms on people's livelihoods, and their perceptions of human security and citizenship.

The remainder of this article is structured as follows: first, the concept, and critiques of gender mainstreaming are introduced, fol-

lowed by an account of the accession process to the EU, and an examination of the constraints on mainstreaming gender by the EU in the enlargement process. Subsequently the article discusses progress by the Baltic states with regard to mainstreaming gender in their policies and legislation, before assessing the impact of the reforms for particular groups of women, such as younger women, women over the age of 35, and female non-citizens. The article explores how economic reforms have contributed to transnational migration and resulted in a concentration of women from the ethnic minorities in the sex industry. It raises the question of whether the mainstreaming strategy has been adequate in addressing these issues. In the penultimate section we present a 'paradox of gender mainstreaming', in which the progress in legal-institutional terms is contrasted with the lack of progress in terms of acknowledging women's diversity, and women's participation in the national reformist agendas of Latvia, Estonia and Lithuania. Based on the earlier discussion, we finally draw conclusions with regard to gender mainstreaming in the EU accession process of the Baltic states.

Gender mainstreaming, its evolution and a critique

Attention to what has come to be known as 'gender mainstreaming' is not completely new; it has emerged and evolved from earlier debates on the role of women in the development process. Moser has shown that the way in which national governments have conceptualized and addressed women's position evolved gradually from a welfare approach in the postwar period until the 1970s, to one that emphasized efficiency, equity, and empowerment in more recent times (Moser, 1993). In the welfare approach, women were seen as beneficiaries, with the emphasis on their practical needs such as health care, nutrition, and family planning.

The early 1970s saw the emergence of a new approach, referred to as the Women in Development (WID) approach. This not only called for improved education and employment opportunities, increased health and welfare services, but also for social justice (UNDP, 2003: 4). It took the view that women were not passive beneficiaries in the domestic realm, but contributed actively, through their labour, to the formal and informal economy. Some argued that specialized projects for women often failed to make women's lives better, and that the 'very act of separating women's programming from the central, mainstream programming which involved men, resulted in increased marginalization of women and their roles' (Anderson, 1990: 32). However, the WID approach was seen as failing to address critical issues of power, conflict, and gender relationships that resulted in women's subordination.

Increasing awareness of these shortcomings in the WID approach resulted in a shift to what was called the Gender and Development (GAD) approach. This started to gain importance in the early 1990s, and addressed inequalities in social relationships, in power relationships, and in men's and women's social roles in relation to development. It emphasizes that mainstream organizations are gendered in terms of their culture, rules, and outcomes and that, therefore, the decisions, policies, and resources from the mainstream are likely to neglect excluded or disadvantaged groups, including women, thereby reproducing gender inequalities and existing hierarchies (March et al., 1999: 9). Therefore, gender issues should be incorporated in the 'mainstream', and the term 'gender mainstreaming' was born, referring to the integration of gender concerns at all levels of decision making, policy formulation, and implementation throughout all governmental institutions and policies.

Within GAD, a variety of paradigms and conceptual frameworks exist. Miller and Razavi (1998) provide a comprehensive overview of the distinct features of each of these paradigms, and their study offers a comparative

analysis of the conceptual frameworks. They distinguish the Gender Roles Framework, the Triple-role Framework, the Social Relations Framework, and Feminist Economics. Jahan (1995) makes an important distinction between 'integrationist' and transformative or 'agenda-setting' approaches to gender mainstreaming. The 'integrationist' approach introduces a gender perspective into existing policy processes without challenging policy models (Jahan, 1995; discussed in Pollack and Hafner-Burton, 2000: 452). This is in contrast with the 'agenda-setting' approach, which involves 'a fundamental rethinking, not simply of the means or procedures of policy-making, but of the ends or goals of policy from a gender perspective' (Pollack and Hafner-Burton, 2000: 452).

UNDP (2003) acknowledges that many agencies have not been able or willing to adopt the transformative approach towards gender mainstreaming. The authors of this publication identify a number of key issues which hamper a more transformational development agenda (UNDP, 2003: 6). They argue that, first and foremost, in many countries the capacity for gender mainstreaming is particularly weak with initiatives constantly facing a lack of the necessary skills, inadequate resources, and weak institutions: 'The mechanisms established, from national women's machineries to the "gender focal point system" in development institutions, face not just capacity but also resource and access constraints and tend to be marginalized' (UNDP, 2003: 7). Second, and related to this, is the fact that gender is addressed in many organizations as a cross-cutting issue, with the risk that no one feels particularly responsible, and that there is a mandate but no budget for hiring staff and experts. Third, mainstreaming is difficult to achieve because of the compartmentalized way in which many national and international organizations are structured. Furthermore, the lack of conceptual clarity and consensus about the term gender is seen as another barrier to the smooth implementation of a mainstreaming approach (UNDP, 2003: 7–8).

EU enlargement: 'opportunity for progress' or 'the EU as a negligent actor'?

Although gender mainstreaming has had a much longer track record in the field of Development Studies than in European Studies, the debate on gender mainstreaming is no longer limited to developing countries. Since the early 1990s, increasing attention has been given to gender mainstreaming in Western Europe, and also in CEECs. More recently, the gender mainstreaming approach, as well as its implementation, by the European Union has itself become the subject of scrutiny (Booth, 2002; Bretherton, 1999; EWL, 2002; Hoskyns, 1996; Marcher, 2001; Pollack and Hafner-Burton, 2000; Rossilli, 2001). Pollack and Hafner-Burton (2000: 435) argue that, although gender mainstreaming had already entered the European policy agenda in 1991, 1995 was the key year for its adoption by the EU. In Europe, gender mainstreaming was defined by the European Commission as:

... the systematic integration of the respective situations, priorities and needs of women and men in all policies and with a view to promoting equality between women and men and mobilizing all general policies and measures specifically for the purpose of achieving equality by actively and openly taking into account, at the planning stage, their effects on the respective situation of women and men in implementation, monitoring and evaluation. (Commission of the European Communities, 1996: 2)

Since the early 1990s, significant progress has been made in terms of the *formulation* of new provisions, directives, and initiatives to integrate gender equality in the EU policies; for example through the community programs on equal opportunities for women and men. Initiatives have taken place in the field of external relations, in development cooperation policies, as well as in the promotion and protection of the human rights of women. The impulses

for these initiatives were provided by the European Parliament and the Council, and the provisions on gender equality in the Treaty of Amsterdam. Additionally, the introduction of stronger gender-equality provisions in new regulations for the Structural Funds has also contributed to the integration of gender equality. According to the European Women's Lobby (EWL), which monitors the progress on Gender Equality and Enlargement of the EU, these general regulations provide a 'comprehensive framework' to ensure that gender equality is integrated at all stages of the programming. Yet, they conclude that 'at this stage there are clear indications that the integration of gender equality has not been followed through at national level in the drafting and implementation of the Structural Funds programme' (EWL, 2002).

Some organizations and authors have acknowledged the general progress towards gender mainstreaming. Pollack and Hafner-Burton (2000), for example, examined evidence of gender mainstreaming in procedure and policy in five issue-areas: (a) Structural Funds; (b) Employment and Social Affairs; (c) Development; (d) Competition; and (e) Science, Research and Development. They show that the Directorates-General were most successful in achieving some results in the first three issue areas, with a concern for gender equality, social justice, and economic efficiency. They argue that during the second half of the 1990s, the EU's approach did succeed in introducing a gender perspective across these issue areas, transforming its policy from a narrow focus on equal treatment in the workplace, to an institutional commitment to mainstreaming gender across the policy process (Pollack and Hafner-Burton, 2000: 450).

The effectiveness of the EU policy in the area of gender mainstreaming has, however, also been subject to criticism (EWL, 2002; Novikova, 2002). In particular, the EU enlargement process is referred to as a missed opportunity by several authors (Bretherton, 2002; Mazey 1998; Steinhilber, 2002). Before exploring this criticism, the sections below provide a

brief overview of how gender has been integrated in the *acquis communautaire* and in the Community Framework Strategy on Gender Equality.

Gender mainstreaming and the acquis communautaire

In June 1993, the participants of the European Council meeting in Copenhagen recognized the right of CEECs to join the European Union once they had fulfilled three criteria referred to as the Copenhagen criteria. Accession required: (a) the stability of national institutions guaranteeing democracy, the rule of law, human rights, and respect for minorities; (b) a functioning market economy and the ability to compete with the market forces within the EU; and (c) incorporation of the Community *acquis* – adherence to the various political, economic and monetary aims of the European Union.

The *acquis communautaire* comprises:

- Primary law consisting of: the Treaty establishing the European Community (*Official Journal of the European Community*, 2002, C325/33), the Treaty on the European Union (*Journal of the European Community*, 2002, C325/5), the Treaty of Nice (*Official Journal of the European Community*, 2001, C80/01), and the Treaty of Amsterdam (*Official Journal of the European Community*, 1997, C340). The promotion of gender equality is one of the objectives of the European Community as stated in Article 2 of the Treaty establishing the European Community. Mainstreaming gender equality is established by Article 3 of the Treaty of Amsterdam while gender equality is further referred to in Article 13, 137.1 sub. I and Article 141 of the Treaty establishing the European Community, and in Articles 118 and 119 of the Treaty of Amsterdam.
- Secondary European law: Council Directives which derive from primary law. The integration of equal-opportunities law can be found in various directives on equal pay; equal

treatment at the workplace; equal treatment with regard to statutory and occupational social-security schemes; equal treatment for the self-employed and their assisting spouses. In addition this integration is evident in directives on: maternity leave; organization of working time; parental leave; sex discrimination; and the framework agreement on part-time work (OSI/EOWM, 2002).

- Soft law instruments, which are used to define specific priorities, to guide the national policies of the member states, and to set out strategies in the fields of employment, social policy, and gender-equality policy. This includes the European Employment Strategy, European Social Policy, and the Community Framework Strategy on Gender Equality (2001–2005) (Commission of the European Communities, 2000).
- Case law of the European Court of Justice.

The Community Framework Strategy on Gender Equality

The Community Framework Strategy on Gender Equality aims to be a comprehensive strategy ‘which will embrace all Community policies in its efforts to promote gender equality, either by adjusting their policies (pro-active intervention) and/or by implementing concrete actions designed to improve the situation of women in society (reactive intervention: specific actions)’ (Commission of the European Communities, 2000, 335 final: 3). With the Community Framework Strategy, the Commission intends to address the challenges of bringing about the *structural changes* required for achieving gender equality.

According to the Commission, equal treatment legislation is a ‘firmly established integral part’ of the *acquis*. However, the integration in EU legislation is limited to employment and social policy, and is not covered by other chapters of the *acquis*. In other words, as noted by Steinhilber, there are no binding regulations about gender equality in any of the other policy areas (Steinhilber, 2002: 2). This can be seen as

a weakness even though a number of Community programmes are established in other areas such as public health, education, and initiatives related to violence against women and trafficking in women (Marcher, 2001).

The Community Framework Strategy identified five interrelated fields of intervention: economic life, equal participation and representation, social rights, civil life, and gender roles and stereotypes. In each intervention area, the Commission has formulated a number of operational objectives and activities as non-exhaustive illustrations of the potential of the Framework Strategy (COM, 2000, 335 final: 5). Although the identified strategic areas are indeed important, the relationship between operational objectives and actions is not always convincing. For example, operational objective 3.1.3 recommends the development of strategies to encourage gender mainstreaming in all policies that have an impact on the place of women in the economy. However, none of the listed actions in the economic sphere refers to an obvious requirement: the assessment of distributional consequences of macro-economic policies and of the reallocation of property through privatization.

Apart from the flaws in the operationalization of objectives, there is a more substantial point to make. One of the main obstacles to progress on gender mainstreaming at national levels is inherent in subsidiarity and complementarity. Combating gender inequality and social exclusion is considered by the EU to be first and foremost the responsibility of member states and their national, regional, and local authorities, in cooperation with the full range of bodies involved, such as the social partners and NGOs:

Past programmes and initiatives at Community level have assisted Member States and NGOs in developing more effective gender policies. The Community however will not aim to pursue those activities, that, by reason of nature and/or extent, can be better performed at national, regional

or local level. Complementarity amongst the different Community Actions and between the Framework Strategy and Member State's activities will be ensured to avoid overlaps and to draw maximum benefit from the results obtained. (Community Framework Strategy, 2001: 5)

Although this preference for subsidiarity and complementary has important advantages in terms of efficiency and ownership of policies at national, subnational, and local level, it also carries a potential danger which other authors have also referred to:

In a multitiered EU, supranational policy is filtered through distinctive national social policy regimes, and differences in political and cultural attitudes toward social problems influence the interpretation and implementation of supranational rules. (Ostner and Lewis, 1995: 161)

Shirin Rai argues that *if* translating the message of mainstreaming gender depends on the political and socio-economic context of each national state then it becomes extremely difficult to generate an impulse which is strong enough for structural change in terms of women's empowerment and gender equality (Rai, 2002: 182). As an illustration of this, Dawson indicates that the majority of the Russian-speaking population in Latvia and Estonia remains without citizenship, and clearly outlines the impacts for non-citizens in terms of political participation:

Without the rights of candidacy and voting, the Russian population can safely be ignored by Latvia's politicians and their ability to lobby or influence political processes at the national or local level is extremely limited [. . .] Beyond elected bodies, lack of citizenship has also limited the participation of non-Latvians at all levels of public administration. Most positions in the public sector – particularly the national bureaucracy – are

restricted to citizens, thus facilitating potential discrimination against Russians across the entire bureaucratic apparatus. (Dawson, 2001: 793–4)

Mainstreaming gender in the enlargement process by the EU

Both Bretherton and Steinhilber point out that the EU has been negligent in mainstreaming gender throughout the negotiation process with candidate countries. Bretherton argues that despite the 'significant presence, unprecedented opportunity and evidence of capacity' on the side of the EU it clearly failed to achieve active incorporation of gender equality in the negotiation round. Failure by accession countries to incorporate equality provisions in the domestic legislation did not impede provisional closure of chapter negotiations (Bretherton, 2002: 5). Steinhilber (2002) comes to a similar conclusion, indicating that the very complex nature of women's rights has been marginalized or completely ignored in the enlargement process. She mentions several factors that have posed an obstacle to mainstreaming gender throughout the process. In addition to the narrow interpretation of gender equality as equal treatment in employment and labour-market policies, these factors are: (a) the procedure of the negotiations – going through the chapters and directives one-by-one; (b) the lack of indicators for assessing change and lack of criteria for progress; and (c) unequal representation of women among the actors involved in the negotiation process (Steinhilber, 2002: 3).

Steinhilber and Bretherton both comment on the lack of political commitment to prioritizing gender equality issues in the negotiation rounds. Bretherton argues that this can partly be explained by the highly complex nature of the EU policy system, the continued expansion of the *acquis*, and the number and heterogeneity of the applicant countries, placing enormous demands upon Commission officials in terms of coordination. Other internal factors have also played a role, such as the internal

fragmentation of the Commission, and rivalry among the various Directorates-General (Bretherton, 2002: 16). Nonetheless, Bretherton cautions that there are more substantial concerns involved:

In external policy generally, and in relations with CEEC in particular, values and practices associated with gender equality have been systematically marginalized – subordinated to dominant and deeply embedded neo-liberal values associated with privatization and market opening. (Bretherton, 2002: 4)

This resonates with Pollack and Hafner-Burton's assessment, as they indicate that the Directorate-General responsible for Competition uses a neo-liberal framework, and openly resists the integration of gender issues in its decision-making processes (Pollack and Hafner-Burton, 2000: 447).

National follow-ups in mainstreaming gender

The last Regular Reports on the progress of the Baltic countries towards accession were moderate to quite optimistic in terms of achievements related to measures which are conditions for the equal treatment of men and women. For example, according to the 2002 Regular Report, Latvia had made good overall progress in aligning with the *acquis*, in particular in the areas of labour law and equal treatment for men and women ('Regular Report on Latvia's Progress towards Accession', 2002: 87). Similarly, the 2002 Report on Lithuania's progress states that 'Regarding equal treatment for women and men, Lithuania is well advanced concerning transposition, implementation and enforcement. Further alignment has been achieved with recently adopted amendments to the Law on Equal Opportunities' ('Regular Report on Lithuania's Progress

towards Accession', 2002: 84). The Estonian legislation is considered to be largely in line with the *acquis* ('Regular Report on Estonia's Progress towards Accession', 2002: 77).

The pressure created by the negotiation process has resulted in the formulation of equal-opportunity legislation in Lithuania, Latvia, and Estonia; as well as the adoption of Action Plans and particular programs such as the development of a training programme on gender equality for civil servants in Latvia. It also resulted in the establishment of a number of institutions such as gender-equality units or councils in all three states, the establishment of an Ombudsman for Equal Opportunities (Lithuania), and women's committees in trade unions and the Estonian Women's Associations' Round Table (Estonia).

There are many challenges to be addressed, in particular the implementation of the commitments made during the negotiation process, and in addressing gender issues in policy areas other than labour-market policies and social policies. Gender-equality policy documents and gender-mainstreaming initiatives need powerful support in the form of policy projects at the ministerial level directed at structural change in social attitudes towards women's and men's issues, working towards legislative initiatives in the areas of family, work, and health. Certain issues and challenges that are common to the initiation of gender-equality policy and gender mainstreaming in the three Baltic countries tell us more about the realities of harmonization and access reporting. The first and foremost question is whether gender mainstreaming in Estonia, Latvia, and Lithuania is seen as part of the expansion of an equal-opportunities agenda, and whether political opportunities, mobilizing structures, and strategic framing (Pollack and Hafner-Burton, 2000: 432) exist to ensure the adoption by the three national governments of a gender-mainstreaming approach in various issue areas.

Gender policies, national machineries and women's activism: Baltic contexts

National governance in Estonia, Lithuania, and Latvia clearly manifests political preferences for the 'integrationist' approach to gender-equality policies and gender mainstreaming, adapted to the national neo-liberal modifications to the former Soviet gender contract. Feminist critiques of gendered citizenship in Western welfare regimes are problematic as a basis for a vision of mainstreaming gender in the Baltic states, because conceptualizations of citizenship in the Baltic countries are derived from different sets of experiences, legacies, practices, and exercises of political power. Formerly, the socialist provision of citizenship rights was based on total state control of citizenship since the state was the possessor of resources and power. Thus, women's disadvantages, as political, economic, social, and reproductive citizens, turned out to be problematically combined with the socialist model of citizenship. '[D]uring socialism, full-time (eight hours per day) employment and social benefits (health care, legal and social protection of motherhood, liberal legislation governing abortion and family planning, and a network of public kindergartens) were considered rights that, once achieved, could never have been lost' (Gaber, 1997: 143).

Restoration of political independence, through the revival/reconstruction of statehood and nationhood in the three Baltic states, has directly involved the revival of patriarchal gender ideologies/contracts. Motherhood was re-instrumentalized into a 'revival of the nation' discourse. This is similar to what the historian Geoff Eley argued about motherhood in welfare politics in the European national governance frameworks of the interwar period when 'maternalism was the medium of reestablishment, of reestablishing women's place in the home – not as the foundation of female emancipation [...] but as the basis of gender restoration' (Eley, 1998: 514).

The position of women in the three national labour markets has been characterized by dis-

crimination and by a strong occupational segregation: a high degree of horizontal and vertical segregation with a growing wage differential. In Estonia:

gender division of the labour market shows that men and women are engaged in different areas of activities indicating that the traditional patterns of men's and women's jobs are still prevailing. 54% of men's work is in the primary and secondary sectors while approximately 70% of women work in the service sector. (Kaljurand, 2002)

Gender asymmetry is explicit in the increasing proportion of women in part-time employment, part of the feminization of this market segment. The gender aspect, however, remains hidden in the comparative workload and pay data (Voormann, 2003).

Discriminatory practices have proliferated in the transitional labour markets:

Fighting discrimination in the labour market is difficult due to the lack of clear definition of such discrimination in labour market codes in all transition countries. In the past, this problem was less relevant due to job security. The legislative system enables *de facto* uneven treatment of men and women, as for example through specifying sex in recruitment ads. In general, while women are discriminated in the existing labour market codes, men in turn have fewer rights in family matters, especially in contacts and care for children after separation and/or divorce. (Ruminska-Zimny, 2002)

Discriminatory practices are targeted at young women who enter the labour market, and women of pre-retirement age are particularly vulnerable to recruitment into part-time jobs and to impoverishment (see following section).

The labour markets in Estonia, Lithuania, and Latvia have exposed how the 'happy marriage' of a neo-liberal economic framework and neo-conservative gender ideology is in

reality a restatement of women's political, social, and economic disempowerment through the politics of exclusion in terms of age, ethnicity, and class. The economic 'transition' processes have demonstrated that the familiar concepts of the liberal democratic state are 'neither neutral nor impartial in the way in which they operate. Instead, they work in favour of some interests and against others. One of the groups to suffer disproportionately is that of women and it is because of this that the use of mainstreaming can be justified in order to redress this balance' (Beveridge et al., 2000: 386).

The nationalist discourses of the early 1990s did not leave any room for forming influential and independent women's movements; and women's/gender studies centres were politically ghettoized in the academic communities. There is a visible lack of the women's solidarity, activism, and advocacy required to invoke the politics of structural change in terms of patriarchy and the socio-economic structures of power (Rai, 2002: 182). In the societies of Estonia, Lithuania, and Latvia, women's opportunities in the arena of political power are minimal; women's mobilizing and advocacy structures and networks are very few and marginalized to the extent that it is difficult for them to see themselves as legitimate for motivating and spurring collective actions among women. Consequently, the parity among the stakeholders that is necessary to secure a politically productive resonance between the proposed gender-mainstreaming framework on the one hand, and the relevant national institutions with their neo-liberal economic framework and their neo-conservative framework of gender ideology on the other hand, is absent.

Paradoxes of human development

Gender, citizenship, and social exclusion

The report of the Open Society Institute on 'Equal Opportunities for Women and Men in

the European Accession Process' recommends looking beyond the negotiation process and at integration into other aspects of the negotiation process (OSI/EOWM, 2002: 7). One aspect that is relevant in this respect is the position of non-citizens in Estonia and Latvia, and of minorities in all three nations. For example, a public survey conducted in Latvia (2000) shows that '24% of all respondents have suffered violations of their human rights and discrimination, with the following breakdown: 18% of Latvian origin and 31% of other ethnic origin, or 20% Latvian citizens and 33% non-Latvian citizens, or 25% men and 22% women. From those respondents who acknowledged violation of their rights, the largest group – 28% indicated their ethnic origin as a ground for the violations against them, with the following breakdown: 11% Latvians and 40% of other ethnic origin, or 17% Latvian citizens and 43% of non-Latvian citizens' (Feldhune and Mits, 2001).

By expressing their concerns about the impacts of the citizenship policies of Latvia and Estonia in the early 1990s, the OSCE, the United Nations, the Council of Europe, and the European Commission accelerated the process of addressing the issue of citizenship and protection of minorities. Apine emphasizes the important momentum and the considerable progress which all three Baltic countries have demonstrated with regard to their ethnic policies (Apine, 2001: 322). The Regular Reports on Latvia and Estonia explicitly referred to progress with regard to citizenship and the protection of minority rights. Unfortunately, they did so without paying attention to the consequences of exclusionary processes which have a particularly strong impact on women from minority groups, and which increase their vulnerability to trafficking. One of the remaining questions is whether the mainstreaming approach, by the EU and the Baltic states, is appropriate for addressing the social exclusion of particular groups such as older women and minority women.

Gendered impacts on women in different age groups

According to the European Network of the Adult Education Organizations working on women's employment issues:

... The main forms of discrimination against women in the labour market include discrimination by age, difference in salary (men's salaries are 1.4 times higher than women's), inequality in management positions, and discrimination against young women returning from maternity leave. Although illegal, job advertisements contain sex and age discrimination. Unfortunately, the Law of Equal Opportunities does not prohibit discrimination by age. (European Network of the Adult Education Organizations, 2000)

While the generation aged between 25 and 34 has been labelled as the 'generation of winners', older people, especially older women, have become the 'generation of losers' (UNDP, The Report on Gender and Human Development in Latvia, of 1999 states: 1998). The Latvian Human Development Report of 1999 states:

Many women noted how they had received discriminatory treatment from both private employers and the State Employment Service when looking for work. For example, women often reported being discriminated against because they were older than 35 or even 30. While it should also be noted that men above 50 also experienced difficulties in finding work, women often encountered additional discrimination in regards to their gender, appearance and role as a mother. (Neimanis, 1999: 16)

Research in the Baltic countries suggests that employment opportunities for women over the age of 30 are poorer than for men in the same age group (ILO, 1999; Kanopiene, 1997; Neimanis, 1999). The social position that one acquired in Estonia and Lithuania during the

1990s was correlated with both age and gender (Kanopiene, 1997; Narusk, 1996). Quantitative studies on poverty among women with children reveal that the limited employment opportunities for women over the age of 35 had a serious impact on the material conditions of their families. (Aasland, 2000; Aasland et al., 1997; Allington and Van Koesveld, 2000; Gassmann, 2000; Kanopiene, 2003; Trapenciere et al., 2000). The discrimination is especially common in the private sector where employers offer short-term contracts to young women as well as casual work to avoid maternity and child-care costs.

Gendered impacts on non-citizen women (Latvia, Estonia) and minority groups

During the pre-transition period, women, who constituted 53–4 percent of the Baltic population, had been employed in industries which were fully integrated into the Soviet economic system. With the break-up of the Soviet approach, women experienced downward social mobility in the early and mid-1990s. In particular, women from the Russian-speaking minorities, who lacked citizenship in Estonia and Latvia, faced the most severe hardships. Some of these women, who were excluded from employment in the formal economy, found jobs in the informal sectors where their rights were much less protected than in the formal economy. Their roles were marginalized to those of a mother, a low-paid employee in the local 'shadow economy', or a potential body for the lucrative sex-trafficking business into the European Union (Novikova, 2002: 8). Due to their increased insecurity and the lack of future prospects, there has been a strong growth in the number of women in the transition countries involved in the sex industry (Huland, 2001: 2). Stukulis and Wennerholm both point out that, due to the constraints on finding formal employment, there are large numbers of Russian women working as prostitutes in Riga and Tallinn (Stukulis, 2004: 221–2; Wennerholm, 2002: 12).

The lack of economic prospects and the gradual elimination from minority groups of women's social power have increased the attractiveness of labour migration to Western Europe. At the same time, the economies and welfare regimes of Western Europe and the European Community have confronted globalized competition which:

... presses down wage levels, and in certain service sectors low pay and growth of temporary work are claimed to make the domestic labour force increasingly reluctant to accept such work and rely on unemployment benefits instead. This situation creates demand for foreign labour. For citizens without work in developing or transit countries, possibility of earnings even in the low-pay sectors in the West is attractive and many of them follow the call of the markets either through legal or illegal migration channels. (IOM-Finland, 2001)

Trafficking and gender mainstreaming

The scale of trafficking, and the relationship between social exclusion or marginalization and vulnerability to trafficking, initially remained outside the scope of many policy-makers. The International Organization for Migration has estimated that between 700,000 and 2m women are trafficked across international borders (IOM-Finland, 2001). The European Conference on Preventing and Combating Trafficking in Human Beings recognized this and called upon the international community to deal with groups of particularly socially vulnerable women, especially those who were victims of trafficking in human beings, as part of the gender-mainstreaming process. (Commission of the European Communities, 2001; EU/IOM STOP, 2001).

For the Baltic countries, the issue of trafficking in human beings for sexual and other exploitation was a significant aspect of the process of preparing for membership. Since 2000, Latvia has had a special criminal provi-

sion against trafficking, which criminalizes the sending abroad of a person for the purpose of sexual exploitation. Trafficking, as reflected in the new Criminal Code, is illegal in Lithuania. In Estonia there is no specific provision against trafficking. Despite the integration of provisions into national legislation, there is a limited capacity among gender-mainstreaming agencies to address these issues, which is related to a lack of information, expertise, and coordination. Trafficking is not yet an integral part of the mainstreaming process in the national contexts:

... at first glance, there seems to be almost an over-abundance of international and European instruments and measures relating to trafficking. Yet the instruments form an incoherent strategy and there are actually a few recommendations that recur over and over again: multi-disciplinary approach, effective criminalization, proportionate penalties, protection and non-prosecution of victims. (IOM-Finland, 2001)

This, of course, raises important questions with regard to the suitability of the general institutional-legal approach towards gender mainstreaming. It is likely that the active participation in the policy-making process of individuals and organizations which represent victims is a requirement for increasing the priority given to the social and health impacts of trafficking.

Paradoxes in gender mainstreaming

The issues of women's unemployment, poverty, age, and ethnic background, which increase their vulnerability, highlight an explicit 'paradox' in gender-equality policies and gender mainstreaming as part of human development in the Baltic states. The requirement for national policy-making machineries that integrate gender equality and gender mainstreaming can be, and has been, fulfilled. However, the Baltic governments have made a

clear political choice by selecting an expert-bureaucratic model for implementing gender mainstreaming:

Under the expert-bureaucratic model, assessing gender impact is regarded as a task to be performed by specialists. Those specialists might be gender experts with specialized training as well as a sophisticated understanding of gender relations. Alternatively, mainstreaming might be seen as the prerogative of administrators. While they may be thoroughly familiar with the policy-making process and the policy area in question, they are unlikely to possess a highly developed understanding of gender relations or a proper appreciation of the exact purpose of gender impact assessment. Under the alternative participatory-democratic model a range of individuals and organizations are encouraged to contribute to any gender impact assessment. This model promotes participation and access to policy-making and emphasizes the accountability of experts and officials. (Beveridge et al., 2000: 390)

The expert-bureaucratic model reflects the 'integrationist' approach to gender mainstreaming (see 'Gender mainstreaming, its evolution and a critique' see pp. 141–2). The 'integrationist' approach (Rees, 1998; Shaw, 2000) was well attuned to the Baltic conditions as a legitimate premise for marginalizing those stakeholders with an 'agenda-setting' approach such as women's advocacy NGOs and feminist/gender researchers.

Although the national machineries formally try to build up lines of communication with women's organizations, the rather low public profile of women's advocacy organizations in all three Baltic societies, as involved stakeholders in the GE and GM processes, is noteworthy. This is in sharp contrast to the struggle for gender equality in Europe, where feminists 'played a key role in "engendering" the theory and practice of national and EU level politics' (Mazey, 1998: 334).

The national governments of Latvia, Estonia, and Lithuania have prioritized the expert-bureaucratic model, yet even this model is weakened by an absence of gender experts with specialized training and sophisticated understanding of gender relationships. What remains at the core of the implementation of the model is the absence of accountability of experts and officials for gender mainstreaming and gender impact assessment, to interested stakeholders in the field.

Gender equality/mainstreaming and 'Europeanization'

To interpret the impact of gender mainstreaming as part of the accession process, it is worth reflecting on the 'Europe' to which the Baltic states have acceded. Pringle (1998a) argues that the concept of 'Europe' is a social construction whose basis one may address by asking: first, which geographical areas are deemed to be 'European' as opposed to 'other' and by whom such are definitions set; second, whether there are some countries which are deemed to be 'more European' than others and, within specific countries, whether there are certain sections of society which are similarly deemed to be more or less 'European'. Pringle argues that attention needs to be paid to who has the privilege of definition in such situations (Pringle, 1998a). Thus, 'Europeanization' in this sense of being, or becoming, European implies a discourse succinctly expressed in Hobsbawm's remark:

Ljubljana thinks of itself as a great deal nearer the centre of civilization than, say, Skopje, and Budapest than Belgrade, and the present government in Prague does not even wish to be called 'central-European' for fear of being contaminated by contact with the East. It insists that it belongs exclusively to the West. (Hobsbawm, 1998: 3)

The definition of 'being European' is of central concern to assessing gender mainstreaming in

the accession process for several reasons. The definitional processes involved are highly political and the power relationships associated with them are deeply gendered (Yuval-Davis, 1997). Such processes of definition have material consequences for women and men, consequences that depend upon their precise social locations, one very important determinant of which is gender (Novikova and Pringle, 2004).

For the Baltic countries, it was the process of Europeanization-as-EU-enlargement that brought gender-equality policies and gender mainstreaming to post-Soviet reformist agendas. At the same time, different age, ethnic, and social groups of women – dramatically marginalized, discriminated against, and segregated in the Baltic national economies and politics – have entered the European political and economic space. ‘Being European’ as we experience it today involves transnational labour practices, and a market in transnational labour migrants from ‘accessing’ societies, that have created new intersections of agency, ideology, and politics in the post-Soviet dynamics of gender inequalities. These intersections, and the inequalities which they produce, are beyond the reach of transitional national reformist agendas.

How the transnational economy structures ‘Europe’ is an ideological issue which has been avoided in the discussions on how to negotiate at the national and supranational levels of the European Union. Yet, in terms of gender mainstreaming, attention should be given to labour and gender inequalities in transnational labour migration and domestic service, since gender hierarchies are produced and maintained in transnational circuits of labour mobilization and capital accumulation. In the Europe of today, the trans-European labour migration, with its gender hierarchies, sharply confronts the welfare-regime policies that have been the context for producing the gender-equality policies and gender mainstreaming within the national and supranational agendas of Europe and the EU.

The absence of professional arguments in gender and law and in gender and social poli-

cies, as well as a very low level of public awareness of the ideological leverages that transform the democratic challenge of gender democracy into an ‘elite’ representation of pacifying gender-equality initiatives, have eventually deprived women of political subject-position and socially equal partnerships, at least at the national level. One can only agree with Charlotte Bretherton that:

First, the increased heterogeneity of the EU will fuel concerns about the responsiveness of EU policy to the very different needs and interests of Europe’s women. And, second, enlargement will impose upon CEE women policies which do not reflect their experiences and to which they are indifferent or even opposed. (Bretherton, 1999: 133)

The consolidation of a women’s Europe has not found its way into the EU’s transnational, or the trans-west-east, agenda for gender equality. The question is whether the feminist focus on the complexity and diversity of women in the European Union and Europe generally includes CEEC and Baltic perspectives, and how women and women’s organizations in Europe see women’s diversity in its various ‘east’.

Conclusion

Gender mainstreaming is conceptualized as a horizontal policy thread running through all other agendas. In the EU accession process, however, it was repackaged as a separate ‘appendix’ required in order to join the EU. Rather than being a comprehensive policy integrated into all areas of policy intervention, this article has indicated that in the Baltic states, mainstreaming is mostly viewed as the latest management-equality tool, interpreted in reductive terms from the perspective of political actors responsible for the implementation of the *acquis communautaire*. The mainstreaming strategy was devised to address the perceived needs of women and to pre-empt

gender discrimination in the future labour market in European member states (Booth, 2002: 440). However, it has been unable to expose and address the needs of women outside the labour market and outside the formal economies of the member states, in particular those who migrated into the low-pay sectors of western European countries or who were exploited by the sex industry.

The impact of these political and cultural attitudes towards social problems on the interpretation and implementation of gender mainstreaming is inherent in the principle of subsidiarity. This article has argued that the effective mainstreaming of gender at these levels is hampered not only by events at the European level, but also by rapid changes in national governments, by political and individual ideologies regarding the role of women, by perceived threats to identity, by a lack of information, training and expertise within newly established gender-equality units, and by a lack of networking with women's organizations and activists.

This article has further argued that several aspects have not received sufficient attention in the mainstreaming process, such as the issues of women's citizenship, and the social and political exclusion of ethnic minority women. The lack of economic prospects, and the gradual elimination of women's social power in minority groups, makes such women increasingly vulnerable to trafficking for sexual purposes. This part of the 'reality' of European citizenship in the Baltic countries remains hidden behind official reports on gender mainstreaming. The question is whether mainstreaming agencies, at the national, regional, and European levels, will in the future be able to reflect the complexity and diversity of women's constituencies in the Baltic states.

The process of adapting gender mainstreaming in the Baltic state governmental agencies is important. However, it is somehow overlooked that, historically, gender equality and gender mainstreaming as operational categories within the EU have been effected by the activism of European women in politics, in

academic institutions, in grass-roots movements, in trade unions, and in personal challenges to existing inequalities. It is not the EU that is bringing gender equality to the Baltic countries; it is the whole experience of European women, with their achievements, losses, and controversies. Thus, to become a success-story, gender mainstreaming in the EU needs to incorporate the voices of women activists, experts, and the socially excluded in the new member states.

Notes

- 1 Based on the titles of: Bretherton (2002) and Steinhilber (2002).

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