



Advocacy Card

Addressing Gender Equality and Women's Empowerment in EC' Pre-accession Assistance to Montenegro

**International Gender Policy Network
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INTRODUCTION

The European Union (EU) has made commitments to promote gender equality and women's empowerment outside its borders. As stated in the "2006-2010 Roadmap for Equality Between Women and Men", "Gender equality is a goal in itself, a human right and contributes to reducing poverty. The EU is a key player in international development efforts and adheres to internationally recognised principles such as the Millennium Development Declaration and the Beijing Platform for Action (BPfA). It has reaffirmed gender equality as one of the five key principles of the development policy in the European Consensus on development."¹ Although the EU's different levels of commitment provide third countries with opportunities to address gender inequalities on their domestic soil, challenges remain to bring these commitments into effect.

Civil society organizations point at the gap between policy and practice: an overview of the European Commission's annual work, legislative programmes and policy strategy documents reveals a limited integration of gender concerns.² Furthermore, the participation of civil society organizations (CSOs) and mainly women's groups in policy discussion and formulation lacks a clear mechanism, despite the obligation of EU institutions to support a political dialogue with them.³ As an active promoter of gender equality, the International Gender Policy Network (IGPN) intends to engage in a dialogue with the Commission's Delegations in the countries of Eastern Europe, South-eastern Europe, Caucasus and Central Asia in the matter of the upcoming revision of the country and regional strategy documents (Country Strategy Papers, Regional Strategy Papers, Multi-annual Indicative Planning Documents). The IGPN has taken the opportunity of the midterm-review and the annual review of the country/regional strategy documents to highlight the weaknesses of development cooperation and pre-accession assistance in terms of gender concerns, and to advocate for improvements.

Within the framework of this advocacy activity, the IGPN has prepared twenty two Advocacy Cards for individual countries linked with IGPN, and one common Regional Advocacy Card. The aim of this advocacy work is to remind the European and national representatives of their policy commitments. The Advocacy Card for EC pre-accession assistance to Montenegro firstly provides an overview of EU's commitments to gender equality and women's empowerment. Secondly, the strategy document for Montenegro is examined in the context of the EU's commitments to gender equality. Next, an assessment of gender issues in EC's assistance to Montenegro is presented. Finally, recommendations are proposed to the actors involved in various degrees in the preparation of the strategy document: the EU officials, national government and civil society organizations.

¹ A Roadmap for equality between women and men 2006-2010, *European Community*, (COM 2006) 92 final, p. 9, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0092:FIN:EN:PDF>

² Who decides? Gender mapping the European Union's policy and decision-making in the areas of development, external relations and trade, *WIDE*, 2007, p. 10
<http://62.149.193.10/wide/download/WHO%20DECIDES%20def.pdf?id=547>

³ For more information see Chapter 2 in Who decides? Gender mapping the European Union's policy and decision-making in the areas of development, external relations and trade, *WIDE*, 2007
<http://62.149.193.10/wide/download/WHO%20DECIDES%20def.pdf?id=547>

COMMITMENTS TO GENDER EQUALITY AND WOMEN'S EMPOWERMENT

- ❖ A commitment to gender equality is reflected in a number of politically and legally binding documents of the EU and EC (Treaty of Amsterdam, Maastricht Treaty, Charter for Fundamental Rights of the EU, Convention on the Elimination of all Forms of Discrimination against Women [CEDAW], Beijing Declaration and Platform for Action, Millennium Development Goals).
- ❖ The promotion of gender equality outside the EU is outlined as the number 6 priority area of the **2006-2010 Roadmap for Equality between Women and Men** (Commissions' Communication). This priority is further detailed as follows: 6.1 Enforcement of EU legislation in acceding, candidate and potential candidate countries and 6.2 Promotion of gender equality in the European Neighbourhood Policy (ENP), external and development policies. The key actions taken by the Commission will include monitoring and promoting gender mainstreaming and specific measures in the ENP, EU external relations and development policies, at policy dialogue and programming levels (Regional/Country Strategy Papers and Poverty Reduction Strategy Papers); at implementation level, particular attention will be devoted to gender mainstreaming in the new aid modalities (budget support and sector programmes).
- ❖ In terms of the EU development cooperation policy, the crucial policy framework for promoting gender equality is the European Consensus on Development, agreed upon in 2005 by the European Commission, the Council and the Parliament, and the representatives of the member states, where gender equality is defined as a cross-cutting issue.⁴ Furthermore, the **2007 Commission Communication on "Gender Equality and Women's Empowerment in Development Cooperation"** is the first step towards a coordinated European approach to promoting gender equality and empowering women through development cooperation.⁵
- ❖ Related to the 2007 Commission Communication is the document "Conclusions of the Council of the EU and of the Representatives of the Governments of the Member States", also known as the **Council Conclusion**. One of the conclusions is the following: "The Council recognizes the Commission's and the Member States' specific responsibility to support developing country partners in eliminating discrimination and gender inequality by increasing visibility and accountability on gender equality and women's empowerment in development cooperation and to promote and engage in an enhanced political dialogue at all levels, including the highest political level, which incorporates gender equality explicitly as a central theme."⁶
- ❖ In line with these documents, the EU has supported a **twin-track approach: gender mainstreaming** (mainstreaming gender issues into all aspects of development policy) and **specific measures** aimed at socioeconomic and political empowerment of women.

⁴ "EU Policy Framework for Promoting Gender Equality," *European Commission*, http://ec.europa.eu/development/policies/crosscutting/genderequ_en.cfm

⁵ Ibid.

⁶ Conclusions of the Council of the EU and of the Representatives of the Governments of the Member States meeting with the Council on Gender Equality and Women's Empowerment in Development Cooperation, *Council of the European Union*, 15 May 2007, <http://register.consilium.europa.eu/pdf/en/07/st09/st09561.en07.pdf>

GENDER IN THE STRATEGY DOCUMENT FOR MONTENEGRO

Preface to the Strategy Document

The aim of the EU's overall assistance to Montenegro, an EU potential candidate country, is to support the country's progress towards reaching the Copenhagen accession criteria and to prepare the country for possible future EU membership. For candidate or potential candidate countries, EC's programmes and financial assistance are formulated in the Instruments for Pre-accession Assistance (IPA).⁷ The EC's strategic planning document under the IPA is the Multi-annual Indicative Planning Document (MIPD). Another important document is the Accession Partnership (AP) with an annual report called Progress Report, which monitors and assesses achievements of the country during the year.

The strategic areas of the MIPD 2007–2009 are covered by five components: Transition Assistance and Institution Building, Cross-border Cooperation, Regional Development, Human Resources Development, and Rural Development. Gender equality is considered a horizontal issue in the strategy documents. Potential candidate countries receive assistance through components I and II of the IPA. The MIPD is issued for a three year rolling period and is reviewed on an annual basis.

Analysis of the Document from a Gender Perspective

The MIPD 2007-2009 for Montenegro mentions gender equality as a cross-cutting issue: "Equal opportunities and non-discrimination will be respected as regards gender as well as minorities at the programming and implementation stage, particularly in relation to socio-economic support programmes." (MIPD, p. 8) Nevertheless, even though gender equality is introduced as a cross-cutting issue in the document, there are many instances when gender questions could be further elaborated, particularly in reference to education, employment, and problems of vulnerable groups, among others.

The 2007 Progress Report highlights achievements and deficiencies in the area of gender equality. According to the report, although the Law on gender equality adopted in July 2007 explicitly provides for gender equality and positive discrimination, it does not clearly address the principle of equal pay. The report further states that "The government office for gender equality continued its information and communication activities on various gender equality issues. In practice little progress has been made on improving protection from gender-based discrimination, in particular on the labour market, and many women remain unaware of their rights. Preparation of anti-discrimination legislation reflecting the two EU directives in this field needs to be stepped up. Domestic violence is a cause for concern and, apart from an NGO campaign combating violence against women, there is no indication of further action nor of improvements to the legal framework. There are no restrictions, but no positive action is envisaged on gender equality in parliament either. There are currently nine women members of parliament (out of a total of 81)." (p. 14)

DIALOGUE WITH THE EC DELEGATION⁸

In August 2008, the IGPN made inquiries concerning the review of the MIPD; however, no concrete information was provided either by the Delegation or desk officers in Brussels. According to officials of the DG Enlargement, specific projects on the subject are foreseen in the coming years under IPA. The officials say that there are regular consultations with CSOs, including with women's rights organization, active in the country. Montenegrin CSOs are in

⁷ In January 2007, IPA replaced a series of EU programmes and financial instruments for candidate countries or potential candidate countries, namely PHARE, PHARE CBC, ISPA, SAPARD, CARDS and the financial instrument for Turkey

⁸ Information in this section has been obtained through email communication of IGPN with the EC Delegation and desk officers in Brussels

general active in drafting strategic documents or even draft legislation. The EC Delegation has received valuable input for the Progress report 2008 from NGOs dealing with gender mainstreaming, women and children's protection and LGBT (Lesbian, Gay, Bisexual, and Transgender/Transsexual) rights.

The officials add that the EC Delegation (ECD) to Montenegro has very recently been set up and prior to that, gender mainstreaming issues were followed by the Agency for Reconstruction (EAR). The government office for gender equality got informal EC comments on the draft law on gender equality before its adoption. Furthermore, ECD representatives participated in numerous events related to the gender equality in Montenegro. The officials add that although the EAR did not have specific projects in the field of gender equality, it respected the obligation of mainstreaming gender equality in all sectors and at all phases of project cycle management.

IGPN'S ASSESSMENT OF GENDER ISSUES IN THE EC'S ASSISTANCE

In the past years, Montenegro has established a legal and institutional foundation for gender equality issues; yet, many shortcomings still exist which prevent further achievements in the area of gender equality and women's empowerment. Although foreign support, including the EC's pre-accession assistance, has been flowing into the country to help with political and socioeconomic reconstruction, gender equality has been overshadowed by other priorities. Also, traditions remain an obstacle as they continue to have an impact on gender relations in Montenegro. In its decade long social crisis, Montenegro has witnessed an intensive revival of patriarchal values and, consequently, women in Montenegro must face obstacles such as high unemployment, high illiteracy rates and low participation in decision-making structures.⁹

Gender is considered a cross-cutting issue in the EC's assistance; however, it is difficult to find out whether the realized activities have had an impact on gender equality, as there is no gender disaggregated data available to measure the impact on men and women. Evaluation from a gender perspective of the European Agency for Reconstruction projects was conducted about two years ago, but the findings are expected to be open to public only in the near future. Overall, it can be said that gender has been treated in quite a formalistic and limited way. To have gender as a cross-cutting issues is not enough to bring real changes, as gender tends to be mentioned as a formality in one sentence of a project, without giving further attention to it.

In Montenegro, the most problematic gender concerns are domestic violence, the position of women in the public sphere, gender-based discrimination and trafficking in human beings. Although domestic violence is qualified as a criminal act according to the new Criminal Code passed in 2004, there is a noticeable general acceptance of domestic violence and it is regarded as a "private matter."¹⁰ The gender inequalities situation varies across the country; the most problematic areas are the rural ones with higher unemployment and deeply rooted patriarchal traditions. Furthermore, the feminization of poverty is notable from the following figures: according to a survey done in 2004 for the government's Gender Equality Office, only 8% of home owners, 6% of car owners, and 1% business/company owners are women, and, according to this survey, women do not have any savings.¹¹ According to the NGO Women's Forum, women in Montenegro own only 1% of all private property.¹²

In order to bring Montenegro closer to European integration, these problems need to be addressed more intensively in the EC's pre-accession assistance. Gender equality is both

⁹ Bending the Bow: Targeting Women's Human Rights and Opportunities, *Open Society Institute*, 2002, p. 87

¹⁰ Gender Assessment for Serbia and Montenegro, *USAID*, 2002, p. 14

http://pdf.usaid.gov/pdf_docs/PDACG119.pdf

¹¹ Ibid., p. 16

¹² Ibid.

a question of basic human rights and at the same time it is a prerequisite to progress as it is closely connected with the overall development of the country.

RECOMMENDATIONS

Recommendations to the EU:

- To deliver on its promises to international gender agreements
- To support the development of comprehensive national policies followed by sufficient funding, based on clearly formulated indicators, effective monitoring and evaluation of the approximation and implementation of the policies and projects, in accordance to already set EU policy for gender equality and specifics of the national context
- To strengthen the EC's internal gender capacity (Gender Desks and Gender Focal Points)
- To follow the twin-track approach, and besides having gender equality as a cross-cutting issue, encourage specific projects on women in calls for proposals (to have a budget line for gender-related activities)
- To strengthen and build the capacity of women's NGOs to act as watch dogs for the implementation of gender policy
- To help ensure the financial sustainability of women's NGOs
- To increase the transparency of political dialogue with civil society in partner countries by setting the minimum standards for consultation of the local stakeholders which will be applied during the process of the development of internal policies and the national programming of IPA (6 weeks consultation, targeting NGOs with gender expertise based on established standards etc.)
- To consider appropriate alternatives to the existing implementation of the concept of gender mainstreaming which proves to be ineffective

Recommendations to the National Government:

- To deliver on its promises to international gender agreements
- To address gender concerns on the level of policy as well as practice
- To give special attention to funds allocation to women's organizations and their initiatives aimed at addressing women's issues
- To ensure gender expertise of the national administration

Recommendations to the CSOs

- To lobby the national government to significantly strengthen the efforts towards achieving gender equality and women's empowerment
- To build alliances with other women's organizations in order to strengthen the impact of their advocacy and lobbying activities
- To engage in an active dialogue with the EC Delegation in Montenegro
- To provide shadow reports to the government reports on gender equality commitments
- To monitor gender issues in the EC's development cooperation
- To advocate for inclusion of projects that specifically target gender issues, apart from having it as a cross-cutting issue

Contacts:

Maja Kovacevic

mkovacevic@osim.org.me

International Gender Policy Network

www.igpn.net