



Advocacy Card

Addressing Gender Equality and Women's Empowerment in EC Development Cooperation with Moldova

International Gender Policy Network

November 2008



Project Development Cooperation and Gender funded by the Presidency Fund

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 developing 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) due to take place in 2009. The IGPN has taken the opportunity of the midterm-review of the country/regional strategy documents to highlight the weaknesses of development cooperation 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 Report. The aim of this advocacy work is to remind the European and national representatives of their policy commitments. The Advocacy Card for EC development cooperation with Moldova firstly provides an overview of EU's commitments to gender equality and women's empowerment. Secondly, the Country Strategy Paper for Moldova is examined in the context of the EU's commitments to gender equality. Next, an assessment of major gender issues in Moldova is presented. Finally, recommendations are proposed to the actors involved in various degrees in the preparation of the Country Strategy Paper: 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

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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 COUNTRY STRATEGY PAPER FOR MOLDOVA

Preface to the CSP

The Country Strategy Paper (CSP) is the EC's main programming tool which sets the policy objectives and priorities of the EC's assistance to a particular country over a given period of time. The CSPs consist of five main sections: EC cooperation objectives; the partner country's national policy agenda; assessment of the political, economic and social situation; assessment of past and ongoing EC cooperation; and the EC response strategy. Gender equality issues should be reflected in each section of the CSP.⁷

The CSPs are drafted on the basis of a dialogue between the EC Delegation and Brussels, the Member States' embassies, government ministries and civil society in the country.⁸ In relation to gender issues, each delegation has a Gender Focal Point, and assistance is also available from the gender desks in Brussels. Furthermore, there are various gender mainstreaming tools available to the European officials, such as Gender guidelines for Country Strategy Papers (CSPs) and the Mid-Term Review of CSPs. The Mid-Term Review process presents an important opportunity to address the mainstreaming of gender equality in the 'first generation' of CSPs and to examine the adequacy of the treatment of gender issues section by section, as indicated in the EC's Toolkit on Mainstreaming Gender Equality in EC Development Cooperation.⁹

Analysis of the CSP from a Gender Perspective

Reference to gender is made in the EC Response Strategy section: "Cross-cutting issues such as human rights, gender and the environment will be mainstreamed into the design of all programmes and projects to the maximum extent possible." (p. 18)

In an analysis of Moldova's social development, gender indicators concerning life expectancy are provided. (p. 10) Furthermore, a brief remark is made on the situation of women in relation to poverty and the trafficking of human beings: "The country suffers from a high incidence of poverty, particularly in rural areas, and has become a hub for traffickers in human beings. Due to the difficult economic situation, the incentive to seek employment abroad remains strong, with a considerable number of Moldovan citizens falling victim to various forms of trafficking. Sex trafficking, particularly towards Western Europe, continues to involve a significant number of women and children." (p. 9)

Taken as a whole, the CSP pays minor attention to gender issues. The document does not mention gender issues with regards to education, employment, HIV/AIDS problems, etc.

DIALOGUE WITH THE EC DELEGATION¹⁰

In August 2008, IGPB made inquiries to the EC Delegation in Moldova and to the officials in Brussels concerning the Mid-term Review of the CSP. According the officials in DG RELEX, for the Mid-term Review of the CSP, and for the drafting of a new National Indicative Programmes for 2011-2013, civil society organisations will be systematically consulted at an early stage of the process, primarily in the partner countries. CSOs in the gender and

⁷ Toolkit on Mainstreaming Gender Equality in EC Development Cooperation, *European Commission*, 2005, p. 34, http://www.iiav.nl/epublications/2004/toolkit_on_mainstreaming_gender_equality.pdf

⁸ Ibid.

⁹ Ibid., p. 39

¹⁰ Information in this section has been obtained through email communication of IGPB with the EC Delegation and desk officers in Brussels

women's rights fields will be involved in this process. Several CSOs provided their contributions to the Progress Report, which was published in April 2008. The Progress Report evaluated inter alia efforts of Moldova towards the promotion of women's participation in political and socio-economic life.

Furthermore, officials in the DG RELEX emphasize that the EC has strongly committed itself to promoting gender equality and women's rights in all its actions and add that cooperation with NGOs and CSOs is very important to them. According to DG RELEX, Moldovan civil society organisations are eligible to participate in the programmes under the Thematic Programme for Non-State Actors and Local Authorities and under the European Instrument for Democracy and Human Rights (EIDHR). In addition to this, in 2007 the EC committed to a €2 million project under the European Neighbourhood Policy Instrument for cooperation between civil society in the Transnistria region and in the rest of Moldova. This project is currently being further developed.

IGPN'S ASSESSMENT OF GENDER ISSUES IN MOLDOVA

Assuring gender equality and equal chances for men and women has become an ardent political, cultural, civic and scientific issue over the last decade. That is despite the fact that the main social institutions and socialization agents, such as the family, school, mass-media, etc. have continued to promote patriarchal values. Despite important changes, nevertheless, gender and women's issues are still neglected in Moldova and although women have obtained de jure equal rights and equal status with men, they are still discriminated against in many areas of life.

The Republic of Moldova has accomplished the first phase in ensuring equal opportunities for women and men. In the last two years Moldovan authorities adopted the equal opportunities law and a national plan for promoting gender equality for the period of 2006-2009. Nevertheless, the monitoring process of the implementation of the law and the plan for the period February 2006– February 2007 realised by Gender-Centru demonstrate that in some chapters the Law has formal and declarative characteristics and fails to take into consideration a mechanism for implementation. Also, the law is not an integrative part of public policies nor of the strategic documents of country development. Gender mainstreaming did not become an integrative part of the educational system; gender education of the young generation is not institutionalized, and is missing in the preparation system of teachers and other specialists.

The National Plan „Promoting the gender equality in the society for 2006-2009” contains 20 specific objects, and for 19 of them, partners for implementation are mentioned NGOs. Even though the representatives of the most visible and active related NGOs are usually invited to participate in the activities, planning meetings and discussions, most of the times, however, an authentic collaboration cannot be established.

Concerning the legal framework, equality under the law is anchored in the Constitution of the Republic of Moldova. An Anti-Trafficking Law, which began to be enforced in 2005, criminalized the trafficking of persons, the majority of victims being women. At the same time its implementation and the implementation of the National Action Plan is mainly supported by NGOs and the international organizations. In September 2008, the Law on Preventing and Combating Violence in the Family came into force. The law defines the types of violence: violence in the family, psychical violence, sexual violence, spiritual violence, economic violence, and moral and material prejudices. Furthermore, the law proposes the creation of rehabilitation centres for victims and aggressors where the person will receive shelet, juridical, social, psychological and medical assistance and protection.

The change of the cabinet of ministers in March 2008 led to an enlarged number of women at a decisional level, including the fact that the new Prime Minister is a woman. However, this doesn't mean that they are gender sensitive and will protect and promote women's rights and interests.

Furthermore, the judicial system lacks gender sensitivity. In accordance with the CEDAW Assessment Tool Report for Moldova, the enforcement of judicial decisions is critical for any government based on the rule of law. The lack of such enforcement remains a major obstacle in the protection of human rights in Moldova. The generalized problem, coupled with a lack of gender sensitivity within the courts and among law enforcement authorities, results in the denial of women's access to justice in numerous way and exacerbates existing human rights violations. This is particularly true in cases concerning violence against women.

Within the framework of the Ministry of Social Protection, Family and Child exists a directive responsible for equal opportunities and preventing violence. This shows the commitment of the Ministry and of the Government to promote and protect women rights; however, there are missing clear and reliable mechanisms for the implementation of the proposed objectives. Moreover, progress towards gender equality seems to have encountered a number of impediments. The main problems are: the used definition of gender equality is often a very narrow part of *de jure* equality; protection against discrimination is not always provided; women are expected to address these issues outside the "mainstream" of society; the position of women in decision-making is still very weak; and the methods used to promote gender equality have been mostly concerned with the specific needs of women and have not used the "gender perspective".

Concerning the involvement of the civil society, although there are a large number of NGOs working in different areas (over two thousands), only a few of them specifically target women's and/or gender issues and are actively involved in the women's movement. However, the challenging objectives concerning the advancement of women and gender equality can only be achieved through the joint efforts of the Government and civil society, particularly, the NGOs. Women's NGOs in Moldova have a crucial role in designing and implementing projects, which support and promote women's rights and empowerment, and address gaps in women's access to information resources.

The Moldovan legislation guarantees equal economic, political, and social rights for women and men. Even though in Moldova, like in other countries from the former Soviet space, which are in a too long transitional period to democracy, many legislative acts have been adjusted to international standards, legislation and enforcement mechanisms are inadequate in ensuring *de facto* gender equality and women's rights. While gender equality is mentioned in many legal acts (e.g. Education Law, Social-Political Parties' Law, Labour Code, Family Code, Salary Code, Citizenship Law), there are a lot of incongruities in many of them. Unfortunately, gender inequality persists in all areas of public and private life. In addition, there are no articles in the Criminal Code, which directly address the situation of sexual harassment. All this shows the progress made in the field of the Moldovan legislation in favour of the advancement of gender equality and protection of women. Nevertheless, there is still a need to fight against the mentality, attitudes and behaviour encouraging manifestations of gender discrimination.

RECOMMENDATIONS

Recommendations to the EU:

- To deliver on its promises to international gender agreements
- To integrate gender issues into all stages of country programming and project cycle (formulation, implementation, monitoring, evaluation)
- To apply gender mainstreaming into the priority areas of the CSP
- 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 help ensure the financial sustainability of women's NGOs
- To increase the transparency of political dialogue with civil society in partner countries

- To push the Moldovan government to address gender concerns on the level of policy as well as practice

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 organize widespread public awareness campaigns

Recommendations to the CSOs

- To lobby the national government to achieve gender equality and women's empowerment
- To build alliances among 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 Moldova
- 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 the inclusion of projects that specifically target gender issues, apart from having it as a cross-cutting issue
- To raise public awareness of gender equality and keep the public up-to-date concerning the developments in this field (to serve as a link between the government, EU and the general public)

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