

# Fifteen Years after Beijing: Platform for Action at the Crossroads



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# Platform at the Crossroads. Beijing Platform for Action in the Context of Globalization

MAGDALENA GRABOWSKA



*The objective of the Platform for Action ... is the empowerment of all women. The full realization of all human rights and fundamental freedoms of all women is essential for the empowerment of women. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedom*

(Platform for Action chapter 2, paragraph 9)

## Introduction

What does Beijing Platform for Action mean for women today? Which elements of its language, which goals of the documents became part of the women's movement at local, national, and global levels of activism? When asked to evaluate the importance of the Platform for Action, some activists of the women's movement have a hard time pinpointing the exact effect that the document had

on their work. Women who are not active members of the feminist movement agree without hesitation that they did not even know the document existed. Does it mean that the Platform for Action, agreed upon in 1995, and considered the most revolutionary international manifesto of the support for women's rights is now outdated? Has the document that initiated the presence of the women's organizations within the international

public space has the special value only for the first generations of women's NGOs but is meaningless for the younger women? Or is the Beijing Platform for Action still an important element of the struggle for equality, and have its demands been so deeply internalized by women's movement — particularly through the "gender mainstreaming" of the European Union — that the document itself has lost its appeal?

The analysis of the processes that accompanied the creation of the Beijing Platform for Action, the later struggles toward its implementation and execution, and the mixed reception of the document within the international women's movement and feminists theory can help us frame the Platform for Action in the broader context of the feminist theory-practice debate. It can also illuminate its importance for the debate between women from various geopolitical locations: global North and global South, as well as — often omitted with transnational feminism — Central-Eastern Europe. While considering the significance of the Platform for Action, one needs to remember that the Beijing Conference and the negotiations over its final document were accompanied by both the evolution of the UN approach to the question of equality and social justice and the unique processes of incorporation of the language of the feminist theory into the international law. Although "equality" has been the UN's priority since its establishment after the World War II, the way United Nations institutions have been conceptualizing the term changed over time and under the influence of various approaches to political philosophy. At first the community's politics has been dominated by the "invisible equality" approach to social justice. This approach, represented for instance by the Universal Declaration of Human Rights, employs a liberal definition of rights as natural and neutral, and, at the same time, "blind" to differences such as gender, race, class, or sexual orientation. Within this paradigm "equality" is a tool which aims at non-discrimination of any groups. Since 1975, which marked the beginning of the UN Decade of Women (1975-1985), the new approach of "vis-

ible equality" became more prominent. This new paradigm moved away from the liberal conception of equality and argued that it failed to address the structural, inherited inequalities. Proponents of the "visible approach" argued that we need to look into the definitions of gender roles as well as structures of institutions to unravel the complex workings of inequality, power, and dominance. To recognize women as individual and collective subjects of discrimination has become a main goal of the UN Conferences on Women in Mexico (1975), Copenhagen (1980), and Nairobi (1985).

From the point of view of the transformation of the UN anti-discrimination discourse, the Human Rights Conference in Vienna has become another stepping-stone. It was in Vienna in 1993 that the paradigm of "women's rights as human rights" was formulated for the first time. Also in Vienna feminist activists pointed to the need to employ the term "gender" in United Nations documents. It was however not until the, 1995 Conference in Beijing that the term has actually entered the language of international documents, bringing a debate over women's rights to whole different level.

### **"Seeing the world through women's eyes": Twelve critical areas of concern**

Already in 1996 Charlotte Bunch summed up the importance of the Beijing Platform by stating that it managed move women's issues from the margins to the center of the UN debate.<sup>1</sup> The document focuses on the women's empowerment of women in the political and social processes, postulates to incorporate "gender" into the mainstream of politics, and most importantly recognizes the active engagement of national governments and local and global women's organizations as a fundamental condition of "gender equality." The Beijing Platform for Action defines twelve critical areas within which governments should be obliged to undertake action for furthering equality between women and men. They are Women and Poverty, Education and Training of Women, Women and Health, Violence against Women, Women and Armed Conflict, Women and the Economy, Wom-

1 Charlotte Bunch, Susana Fried, "Beijing '95: Moving Women's Human Rights from Margin to Center," *Signs: Journal of Women in Culture and Society* 22, no. 1 (Autumn, 1996), 200-204.

en in Power and Decision Making, Institutional Mechanisms for the Advancement of Women, Human Rights of Women, Women and the Media, Women and Environment, The Girl Child. How were these goals carried out over the last 15 years? In which areas national governments and international institutions were the most accomplished? In which we have failed?

The progress in implementing the goals of the Beijing Platform for Action depends largely on location. Some countries — including those European countries that are part of the European Union — are required to implement the Platform's goals by the "hard law," including the European Commission's directives. In other locations, to put the objectives of the document's into practice is much harder. For example, achieving access to education and the right to vote requires not only the good will of the governments but also efforts from the women's organizations and international institutions. One of the biggest successes of the Platform is that the majority of national governments established institutional bodies responsible for promoting and implementing equality between women and men. According to the data, equality mechanisms, introduced throughout the world, have various functions and positions within national governmental structures: 40% of them are ministries, 20% are part of the presidential office, and 40% are departments within other ministries, most often social or public policy. As a result of the introduction of "gender equality" institutions and the work of women's organizations, women's participation in the decision-making processes has increased. Yet — still — women's representation in political institutions rarely exceeds 30%, which is considered a critical for gender-balanced politics. For instance in Latin America, the 30% participation has not been achieved by any of the countries that introduced some kind of the parity mechanism in their politics (Brazil, Dominican Republic, Jamaica, Mexico, Panama, Bolivia, and Uruguay). Among Latin American countries, only Cuba, often considered to a non-democratic regime, has one of the highest women's representation in Parliament in the world: 46%.

The progress in the area of increasing the number of women in decision-making process-

es has been made in some African countries as well. In Rwanda, which has the most impressive outcome on the continent, 55% representation of women in Parliament was achieved after the election in 2008. In South Africa, women constitute 30% of the Parliament members. In 2006 Ellen Johnson Sirleaf, was elected the first woman president of Liberia. Some of the Arab countries, including Jordan, Morocco, Egypt, and Mauritania introduced legislation that aims at increasing women's participation in the decision-making processes. In Europe women's representation in national parliaments varies according to the country. Georgia (6%), Albania (7%), and Malta (9%) have the lowest numbers of women in their national assemblies. For the majority of the European Union countries, the numbers range from 15-25% in national bodies to 33% in the European Parliament. Within the EU only Belgium, Denmark, and Sweden exceeded the 30% women's representation in the Parliament. At the same time European Women's Lobby reminds us that in 2009 none of the European Union countries had equal 50-50 representation of genders in national assemblies. The European Union cannot be seen as a leader in the area of women's participation in private sector either; over the last years the percentage of women in the EU holding highest positions in the largest companies dropped from 4% to 3%.

Countries in all regions of the world are introducing legislation that criminalizes violence against women. Brazil takes the lead amongst the Latin American countries — it has the most restrictive law in the region, and Mexico and Argentina have also introduced anti-violence legislation. 14 African countries (Botswana, Ghana, Kenya, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Rwanda, South Africa, Uganda, and Zimbabwe) have legislation fighting violence against women, while 25 of the states on this continent also criminalized female genital mutilation (FGM). In addition Algeria, Namibia, and South Africa have laws against trafficking in people. Some of the Arab countries penalize violence against women (Jordan, Tunisia, Algeria, and Syria). A few of them have legislation against the trafficking of people (Algeria), sexual harassment and sexual tourism and exploitation (Tunisia,



Algeria, Morocco). In recent years many Asian countries also adopted laws that criminalize domestic violence (Azerbaijan, India, Japan, Kazakhstan, and Kirghizstan) and sexual harassment (India, Kirghizstan, and Kazakhstan). At the same time many governments in that region introduced laws fighting trafficking in people (Georgia, Nepal, Philippines, South Korea, Thailand, and Uzbekistan). Anti-violence legislation has been introduced throughout Europe, even though the European Union does not have a "hard law" requiring such laws from the member and associated countries. The Romanian anti-violence law (2003) requires establishing private and public shelters for women who experience violence and financial support for women's organizations that fight violence against women. The Serbian law (2005) introduces a "no contact" between the abuser and the victim policy, and the legislations of the countries such as Hungary and Portugal establish crisis centers for people who experience violence. Yet in the case of many of these laws, that are strong "on paper" the implementation remains a significant problem. In all regions of the world, the introduction of anti-violence laws rarely is accompanied the workshops for the police, social workers and women who are predominantly exposed to domestic and sexual violence.

Thanks to the special attention paid to prenatal care and campaigns aimed at reducing financial barriers in access to health care, many countries in the world managed to lower the mortality rate among women since 1990s. Some African countries have successfully fought HIV/AIDS. For instance in 2005, 61% of the population (ages 15-49) in Africa declared using condoms during sex with a non-regular partner. Yet, health care is still critical area in which the desired success has not been achieved. Data from the African countries show that for many women contraception is continuously financially unavailable. In Latin America, 670 women for every 1000 die during childbirth. In some African countries the birth mortality rate is 1500 for every 100,000 pregnancies (for instance Angola, Malawi, Niger, and Tanzania).

Around the world the efforts to lower poverty among women have been unsuccessful. Even though from 1994 the poverty rate decreased to 34.1%, still in regions such as Latin America one

third of all of households live under the poverty line. According to the data 43.6% women who in 1994 lived in the Latin American rural areas did not have their own independent income. This number decreased 11 points (to 32.5%) in 2007 but still did not drop enough to be considered a success in the global campaigns against poverty. Africa also has mixed results in the fight with poverty. Although in some regions such as Tunisia and Mozambique the poverty rate drops, in others, such as Niger, Lesotho, Kenya, Zimbabwe, proportion of people whose income is less than 1 dollar a day is still very high. Most of the sources confirm that majority of population that suffers from poverty consists of women. Even countries in Europe that have the longest life expectancy and the highest income per capita need to initiate steps to fight poverty. The risk to go under the poverty line in Europe is relatively low (17%), however the data shows that it is much higher for women (35%) than men (11%). This disparity is related to various life situations, such as divorce, separation, and a partner's death. Among the groups that are the most exposed to poverty in Europe are older women, single parents (80-90% of them are women), immigrant women, and women working within the illegal economy.

Still enormous problems, including violence against women during war, war rape, and the violence against refugees, are related to the women living in areas of armed conflicts and in post-conflict situations. Women and children, who are under women's care, constitute 80% of the 2 million refugees in the world. Forced to leave their houses and motherlands, these people suffer hunger, violence, torture, and assault. According to the UN the number of the Internally Displaced People increases as well. Women are majority of the refugees in South East Asia (about 4.8 million in 2000). Similarly critical is the situation in African countries such as Sudan and Somalia. So far only 10 states in this region, including Chad, Ivory Cost, Ghana, Malawi, Namibia, Congo, Tanzania, Uganda, and Zimbabwe, adopted UN provision 1325, which deals with the issue of women and safety and was introduced by the Security Board in 2000. Six of African countries declare that they prosecute all the acts of violence and exploitation during the war, including the violations by secu-

rity services, armed forces, and police. Seven of African countries have mechanisms that aim at security and autonomy of women refugees.

### **Empowerment through language: Discourse transformation of the international law**

Successes and failures of the Platform for Action cannot be evaluated solely from the perspective of the changes introduced by national legislation. As Charlotte Bunch reminds us, the language of international documents not only reflects but also shapes mainstream politics and public policies. On the other hand, as we all very well know, the strong laws “on paper” do not always, particularly in case of women rights, translate into social practice. Therefore it is crucial to pay attention to the discursive changes and transformations that have been part of the international politics in the post Beijing years. It is for thus good to keep in mind several language shifts initiated by Conference in Beijing. First was the recognition and re-affirmation of the belief that “women’s rights are human rights,” as expressed during the Human Rights Conference in Vienna in 1993. This fundamental shift in the perception of the concept of human rights has two major aspects. First, it implies that to recognize women’s rights as human rights means to recognize the “gender” aspect of some of the universal rights. For instance, taking into account the “gender” aspect of the right to live in peace requires the recognition of war rape as a violation of basic human rights. On the other hand, to recognize “women’s rights as human rights” requires the expansion of human rights domain, and taking into account “particular,” “private”/ women’s issues, that have not been seen as universal as items on the human rights agenda. Accepting a broader definition allows recognizing sexual violence and reproductive rights as aspects of the human rights.

Inclusion of the “private” rights into the canon of the human rights was an important but not the only discursive transformation instigated in Beijing. The Platform for Action was the first international document that introduced the term “gender” into international documents, it was also the first to define “gender mainstreaming” as an integrated policy that aims at incorporat-

ing gender into all aspects of politics and social life. This shift was crucial for instance, for the later formulation of gender equality policies within the European Union. In the document published right after the Beijing Conference, in 1995, the European Commission recognized twelve critical areas of the gender equality identified by the Beijing document and announced the achievement of further advancement of women in these areas as its essential goal. Six years later, the Amsterdam Treaty recognized “gender mainstreaming” as one of the priorities of the community, and argued that the goal of the community was, despite the establishment of the common market and economic and monetary union, to conduct common policies and actions.

Emphasizing importance of the long term incorporation of equality into mainstream politics required yet another discursive transformation: the shift from the language of the neutral, universal rights towards the recognition of diversity of social and geopolitical contexts and social and cultural differences between women’s experiences in various parts of the world. The approach that centers intersectionality of women’s oppressions was not introduced into UN documents until 2000’s Beijing +5 initiative and significantly came as a consequence of the pressures from the women’s organizations from the South. Since the Beijing Conference issues important for women from Africa, Latin America, South East Asia, such as poverty, education, and HIV/AIDS have been an important part of the UN’s agenda. Focusing on issues crucial from the perspective of women from the global South did not mean abandoning these aspects of gender discrimination that were important for women from the North, including women’s participation in decision making processes, equality at the labor market, balancing family and professional life, and women’s image in the media. The Platform for Action provided women in the North a useful tool to negotiate with nation state and supranational political bodies (such as the EU) for the better formulation of equality policies.



### Between feminist theory and practice: liberalism, radicalism and intersectionality

The incorporation of the language of the feminist theory into the major documents of international politics is one of the fundamental successes of the Platform for Action. Since the time of the League of Nations, the impact of the feminist theories on UN debate on women has been twofold. On one hand academics and scholars have often been part of feminist NGOs, and as such they participated in the politics at the UN level. On the other hand, feminist theorists have been visible at the UN, as experts, consultants, and members of UN institutions (such as Charlotte Bunch and Rebecca Cook). Although the majority of feminist theories focuses on the lack of equality between women and men and the need to critically analyze international issues from a “gender” perspective, feminist theory has not developed a unified approach to feminist politics within the UN. The major contentions between feminist scholars focus on the question of how define “equality.” As some propose to see it as identity, others opt for such conceptualization that takes into account difference between women and men. Yet others still argue that the approach based on the intersectionality of women’s oppressions most effectively reflects the complex dynamics of power and dominance.

In the past feminists argued for taking into account the androcentrism of the UN documents, arguing that they are not taking account of the discrimination of women. Initially feminist scholars opted for such universal conceptualization of international human rights that would take into account the particular experience of women and could counter existing local laws based in cultural traditions and customs. Such approach based on liberalism recognized the possibility to create the laws that are neutral in terms of sex/gender yet, gender/ sex sensitive. Already during the conference in Nairobi (1985), “equality” was re-defined not only as formal equality but also as a necessity to recognize and eliminate “practical” inequalities. The participants and observers of the UN process formulated a program of inclusion of women into political and social life not only through the recognizing their “passive” rights to

not be discriminated, but by encouraging them to become active agents on behalf of equality.

According to “difference” based approach that — throughout years — has been gaining significance within the UN, the inclusion of women into the debate on international law should consist of the more profound utilization of their potential, including women’s focus on responsibility, community, and peace. “Difference” feminism requires the recognition of the so-called “private” sphere as a sphere of women’s oppression that leads to the inability of women to enter the public and political life. Recognizing violence against women and the unequal share of family responsibilities as crucial factors of women’s lives, together with the requirement to respect women’s reproductive rights, has become a major goal of the equality project of difference feminism. To the traditional liberal goals, such as equal pay for equal work, difference feminism adds the demand for the equal division of family responsibilities, and also proposes new, important mechanisms to realize our equality, including forcing governments to more involvement into issues related to inequality, the introduction of affirmative action programs, and the creation of separate administrative units responsible for equality related issues.

Debate within transnational feminism pointed to some of the limitations of both liberal and difference feminism. Many women from Latin America, Africa, and South East Asia have argued that the problem with the universal gender equality laws is that they, too often, are just a simple reflection of the laws introduced by western liberal democracies. Within the international feminist community, women representing the global South pointed to the importance of the factors such as colonialism, de-colonization, and neo-colonization as well as nationalism and religious fundamentalism to the experience of women in their countries. They claimed that neither liberal nor difference approaches take these factors into account; neither they are sensitive to cultural difference and various geopolitical location of women.

It is fair to say that Beijing Platform for Action was one of the first international documents within which liberal, difference, and intersection-

ality approaches coexisted. Within the document liberalism is recognizable in the statements referring to the equality of employment, economic resources, professional training, and workshops. As with many documents that preceded it, the Platform emphasizes the need to guarantee equal rights of women and men in access to equal pay for equal work. An instance of the “difference” approach within the document is seen in these passages of the document that refer to the insufficient assessment of the impact of the gender on various spheres of life. Appropriate gender impact assessment should take into account women’s experiences while re-defining economic structures, financial institutions, and labor market. Passages that emphasize the importance of taking into account the impact and potential of women suggest that skill and abilities mediated through gender are different for women and men. An impact of the intersectional approach is visible in the passages that refer to the issues important to women from various part of the world, including issues brought up by women from the South: education, health, and poverty.

**“Think Globally, Act Locally”:  
The role of the women’s  
non-governmental institutions  
in creating and implementing  
the Platform for Action**

The Platform’s emphasis on women’s empowerment through granting them *real* power is another crucial innovation proposed by the document. The Platform postulates the empowerment of the women’s organizations within the national as well as transnational political spaces, following the feminist idea that women have to be not only passive subjects of the law but also active creators of it. Therefore the document, not only puts forward a need for the elimination of the gender discrimination, such as discrimination based on reproductive functions, but also demands women’s empowerment through financial and institutional support for the women’s non-governmental organizations and recognition of their role as experts in gender equality policy making.

The acknowledgment of the role of NGOs in the political process has been a result of the women’s organizations’ involvement in the UN

process since 1975, and their particular impact in the process of designing and negotiating the Platform for Action. It is crucial to remember that the representatives of thirty thousand women’s NGOs from 189 countries participated in the Hairou forum that accompanied Beijing Conference. Comparatively, 1975’s first NGOs forum accompanying the Mexico conference saw the participation of six thousand women representing 114 countries. The involvement of the NGOs in the UN process in Beijing was without precedent, and it revealed a need for a new quality of democracy at the supranational level and the necessity to broaden social dialogue. Apart from the plenary session in Beijing, women’s NGOs organized 3340 sessions during the Hairou forum including panels and workshops. Every day members of women organizations participated in 371 sessions and meetings that concentrated mainly on three conference subtitles: development, equality, and peace. The forum took on various issues important to women, from rights to security and peace to issues related to education and poverty. During the nine days of forum plenary sessions were divided into thirteen sections, the majority of which was devoted to human rights (493), peace and security (475), and development (383). In this sense, the Beijing Conference was a demonstration of “feminism in action” or “participatory feminism.” The involvement of the women’s NGOs was recognized in the Conference’s final document, The Hairou forum, without a doubt, contributed to the creation of a document that could be seen as a manifesto of global feminism. The document required the intensification of the contacts between NGOs and national state institutions as well as the increase of the impact of the NGOs knowledge on the quality on the policies and services within the nation states, particularly through the Platform’s demand for the redefinition of the power structure at the national state level and inclusion of the NGOs into the political processes globally and locally.

Since 1995, the NGOs impact on politics, locally and globally, has been carried out mostly through women’s grassroots mobilization for the trans-regional, transnational, and international cooperation. According to Manisha Desai after the Beijing Conference, women’s mobilizations,

until then isolated and limited to local and national level, have more courageously started to cross national and regional borders and transform into the transnational networks for cooperation and support. Over the last 15 years, women's organizations acted for the implementation of the Beijing Platform for Action, utilizing the slogan "think globally act locally."<sup>2</sup> Transnational feminism allowed women's organizations that focus on local and national issues, to use transnational, supranational laws and institutions to lobby for their cause. It encouraged them to fight discrimination while bypassing the level of often conservative nation states. As an alternative to the local and national, transnational feminist networks are based on regional and trans-regional support and cooperation. Some examples of such cooperation within transnational networks includes DAWN (Women for a New Era), with its branch in Caribbean and Latin America, WIDE (Women in Development Europe), with branches in Brussels and African countries, WLUML (Women Living Under Muslim Laws) active simultaneously in France and Pakistan and networks in Eastern European, including Karat Coalition and Astra that focus on collaboration between eastern European and central Asian countries as well as NEWW that initiated transatlantic cooperation between women in Eastern Europe and the US. The main goal of these global networks is to exchange information and knowledge and express solidarity with women fighting gender based oppression in various, often remote locations.<sup>3</sup> The networks work on the common strategies of fighting effects of globalization, expansion of the transnational corporations, and implementation of Structural Adjustment Programs that are harmful for women.

### **Fifteen years after: failures, contentions, doubts**

The celebration of the fifteenth anniversary of the Beijing Platform for Action was accompanied not only by the evaluation of its success but also fail-

ures in implementing some of the most profound goals of the document. Many activists and scholars asked why this ground-breaking document has never been fully implemented by the governments and is still very controversial not only with conservative politicians, but also among women's organizations and feminist scholars. Scholars of international law are convinced that the hopes attached to the document have not been fulfilled in the post-Beijing reality, and many also argue that the Platform for Action did not manage to fundamentally change the face of international and state politics on gender equality. The fact that the Platform is a "soft law" became one of the most commonly cited reasons why the national governments did not implement some of its elements. On the other hand, many point to the gaps in the structure of the UN and the fact that since 1990s the institution has been losing its international influence, due, in part, to the emergence of the other supranational political structures such as the EU. Finally, unlike in the case of the EU, UN legislation on gender equality has not been justified by the economic interests and the growth of the free market economy.

For many people the language of the document is controversial as well. For some women the crucial omission is the lack of the reference to non-heterosexual women in the context of the diversity of women's experiences, to which the Platform refers. The document acknowledges the differences between women related to their family status (single mothers), socio-economic status (class) and geopolitics (women from the global South, women from rural areas). The platform refers to the differences between women in terms of race, age, language, ethnicity, culture, religion, and women belonging to indigenous groups. It acknowledges the distinct situation of women refugees and displaced women as well as immigrants, migrants, and women who experience environmental disasters, illness, and various forms of violence. Nowhere in the document however is sexual orientation mentioned; even

2 Manisha Desai, "Transnationalism: the face of feminist politics post-Beijing," *International Social Science Journal* 54 no.184 (2005), 319-330.

3 Valentine M. Moghadam "Transnational Feminist Networks Collective Action in an Era of Globalization," *International Journal of Sociology* 15, no. 1 (March, 2000), 57-85.

though during the Beijing conference thirty-three countries supported an amendment proposed by the Canadian delegation that included the sexual orientation as one of the aspects of women's diversity. The member of the commission that was working on the final document commented on this lack of reference to the sexual orientation arguing that the fact that during the conference, the first substantial discussion on the topic took place should be recognized as a success of its own.<sup>4</sup> He added that because of the political conflicts sexual orientation had to be omitted in the final document. In the context of this debate on sexuality, Charlotte Bunch reminded us that one of the features of international law documents is that they represent the lowest common denominator, therefore, as the result of compromises they might not satisfy all groups of women.<sup>5</sup> According to Bunch, the controversy surrounding the language of the Platform is a reflection of the controversies about the directions and priorities of policy developments, therefore it is crucial to look at the subtext and the conflict that lies underneath certain political decisions. Both authors seem to suggest that, the discursive limitations are not, in fact, a reflection of the ideological limitation of the women's movement, but rather reflect a conservative backlash that accompanied the negotiations of the Beijing Platform for Action.

In fact the Platform for Action has been the most contested international document ever. In particular two of the Platform's paragraphs were subjected to thirty amendments. The most controversial issue was the introduction of the term "gender" into the document. A coalition of the countries including Guatemala, Malta, Honduras, and Benin demanded removal of the term from the document arguing that it might lead to opening the question about gender beyond binary divisions and to the demands from groups identifying as neither women nor men. Already before the

conference was the opposition consisting of the Catholic and Muslim countries lobbying for "gender bracketing" and arguing that using the term "gender" suggested a critique of the existence of "natural," biological differences between women and men. The controversy over the usage of the term "gender" continued until 2000 when during the preparation for the Beijing +5 Conference, conservative groups, including REAL Women of Canada, Concerned Women for America, Human Life International, Pro-Life National Committee of Mexico, Family Life Counseling Association of Kenya, and World Christian Life Community of Italy managed to remove the references to women's reproductive rights and sexuality from the final document.

Interestingly enough the conservative critiques of the Platform for Action went hand in hand with the "gender" controversies within feminism, in particular the critique of the term "gender" launched by some feminist theorists. As for the international women's movement activists, to introduce the term "gender" into the international law had been considered a big success; this feminist "boom" was accompanied by such developments within feminist theory that demanded the deconstruction of the concept/s of "woman/women" and claimed "gender" to represent both essentialist and imperialist tendencies within the feminist movement.<sup>6</sup> In the context of the attempts to create universal, international gender equality politics, these new trends in feminist theory have been considered threatening, as they undermined the accountability and quality of the international feminism.

Some of the critiques of "gender" have claimed that the term, as it is used in the Platform for Action, can be seen as a double edged sword that works against the feminist agenda. On the one hand the concept of "gender equality," which is supposed to represent idea of emancipation of

4 Douglas Sanders "Getting Lesbian and Gay Issues on the International Human Rights Agenda," *Human Rights Quarterly* 18, no. 1 (1996), 67-106.

5 Charlotte Bunch, Mallika Dutt, and Susanna Fried, "Beijing '95: A Global Referendum on the Human Rights of Women," *Women's Health Journal*, no. 34 (2005). NOTE: the author has not supplied volume number nor page numbers.

6 Jennifer Chan-Tiberghien "Gender-Skepticism or Gender-Boom?" *International Feminist Journal of Politics* 6, no. 3 (2004), 454-484.

all women of the world, could be seen as maintaining the essential, homogenizing category of “woman” — which it claims to deconstruct. On the other hand, using the term “gender” directs the debate on inequality away from the problems of “real women,” the crucial subjects of feminist theory and practice. As a consequence, the language of “gender equality” can be “taken over” by men claiming that they are discriminated against too. Many feminists also argue that the use of the term “gender” in international law leads to the elimination of the discussion about issues such as “power” and “domination” from the supranational public discourse. For instance the language of the Platform for Action promotes the paradigm of “gender mainstreaming.” Although, as defined in the Platform, gender mainstreaming became a crucial part of the European Union policies and allows fighting discrimination in the labor market, gender mainstreaming failed to become a conceptual tool that could be used in the debate over the origins of the discrimination against women. It does not provide a discursive and conceptual potential to develop discussion about unequal sexual division of labor or fight the lack of women’s reproductive rights in the countries that deny them to women.

On the other hand an introduction of “gender” into the language of international legal documents initiated a debate over the possibility of using this category cross-culturally, as many feminist argued the English term “gender” is almost impossible to translate into many of the world’s languages. Some critics also question the possibility of its utilization outside general and abstract category(ies) of “woman/women.” According to Chandra Mohanty and some other post-colonial feminists, the relation between “woman” as a subject of feminist theories and practices, and “women” as individual and collective subjects embedded in their material experiences, illustrates the tensions surrounding violence and dominance within patriarchal political theories, but also in feminist theories and practices.<sup>7</sup> In the context of the international women’s movement, these tensions were particularly visible during the

debate between US (and western in general) and post-colonial feminism. The later represented by women of the global South (Latin America, South East Asia and Africa) pointed to the geographical dimension of the divisions within the international women’s movement: unequal access to material and economic resources and unequal/distorted representation within the international feminist movement. The debate between women from the South and women from the North centers on the question of the politics of location and politics of representation: it asks how the international women’s movement can represent various, often very different locations of women. The critics of transnational feminism, based in the UN, argue that only a certain group enjoys access to the assembly: women who are well educated, language competent, and financially capable of traveling to the locations that the meeting take place. Manisha Desai reminds us that since most of the UN institutions are located in the North leads to the situation where the voice of grassroots women representing indigenous people remains unheard with the UN. In fact Desai argues that the community’s focus is on NGO activism, created by a small group of gender experts, which are often times, far removed from the struggles of the local communities that they ought to represent. In this sense the globalization within the UN is the case of “globalization from the middle” (as opposed to globalization from the top and from the bottom), UN officers are located in-between grassroots struggles and international globalization processes.

On the other hand, although the Platform for Action unequivocally demonstrated its support for the increased role of the women’s NGOs in political progress, only a few women’s organizations managed to carry out the idea of a partnership with state and international institutions. Many feminists argued that such failure was the consequence of the lack of common strategy existing for the international women’s movement. Chow for instance points the fact that, even though the difference between the Hairou forum and the Beijing conference was “acting not debating,” only

7 Chandra Talpade Mohanty and Jacqui Alexander *Feminist Genealogies: Colonial Legacies, Democratic Futures* (New York, Routledge, 1997).

20% of all meetings at the forum was devoted to developing the strategy of implementing the Platform in the future.<sup>8</sup> In addition, Hairou initiated the institutionalization and professionalization of the feminist movement, and the emphasis on women's movement as representatives of women and women's movement led to an accountability crisis: the lack of trust for NGO work both at the local and global level.

Finally many authors remind us that the process of formulation of the Platform for Action met two big transnational transformations of the world: democratization of the Latin American and eastern European countries, and the expansion of globalization — and these processes shaped the language of the UN and impacted its gender equality policies. Democratization and globalization intersected with a change of course of international politics, a shift from the emphasis on peace and security towards the development of the third world countries. According to the women representing Latin America, Southeast Asia, and Africa, this new paradigm was based on certain kind of neo-colonialism based in the ideas of superiority of western social, cultural, and political models of society. The UN focus on the "development" of the third world countries lead not only to an accountability crisis within the UN, as a platform for the exchange and dialogue between women from various social and geographical locations but also is seen as responsible for the institutionalization, professionalization, and co-optation of the women's movement locally. As a result both the UN and women's NGOs lost their mandate among both women engaged in the grassroots struggle against inequality and women uninvolved in the feminist movement. The actions of the transnational networks are also criticized as allowing it to happen. While subscribing to the model based on the structural adjustment that, often times, has bad consequences for women in the South, transnational networks failed to represent the interests of the women in

the bottom of the social hierarchies. The paradigm of the international cooperation, which is based on structural help from North to South does not contribute to the empowerment of the grassroots women's struggles, as it imposes not only the structure (non-governmental organization) but also an agenda on their activities.

These processes of "donor chasing," adjusting NGOs priorities to existing international programs as well as professionalization and institutionalization of women's movement, are also known in the Eastern Europe. Yet within the UN itself the position of women representing post-state socialist countries is, to say it delicately, unclear. For the organizations from post-state socialist countries, the Beijing Conference became a chance to go beyond the nation state level of gender politics and marked an effort to define common interests and need of women in the region. Women's organizations from Eastern Europe undertook an uneasy task to join in a previously defined debate between women of the South and North and to indicate their experience within the space of the UN. Established in 1994 the Social Committee of Women Organizations Beijing 1995, signified an common effort to create an alternative report for the conference and initiated contacts and ties between organizations active in the region. Yet the efforts of women from Eastern Europe have not been recognized by the United Nations or the global women's movement. Absent from international feminism until the 1995, young organizations from the former Soviet Bloc have not been recognized as representing coherent and significant group, or region.<sup>9</sup> They were not granted regional tents at the Hairou forum, nor the time to present their stands in front of Conference participants. As a result, even though women's organizations did a lot to incorporate Eastern Europe into international UN efforts, at the end in Hairou and in the Platform for Action their voice is barely heard. Even though the document refers to some issues specific for the women of the South

8 Esther Ngan-ling Chow, "Making Waves, Moving Mountains: Reflections on Beijing '95 and Beyond," *Signs* 22, no. 1 (Autumn, 1996), 187-190.

9 Anastasia Posadskaya-Vanderbeck "How the Statement from Non-region" found its way to the plenary session of the IVWorld Conference on Women on September 13 1995" "Women: Moving Forward with Dignity and Wholeness," <http://www.astra.org.pl/articles.php?id=31>, 2005.



(poverty, education) and important to women of the North (employment, women in the media), it does not touch upon the specific issues important for women in Eastern Europe (such as transformation or loss of reproductive rights).

### Beijing Platform for Action in 2010: new contexts trends and challenges

In 2010 participants of one of the meetings within the Beijing + 15 initiatives were asked to evaluate Platform for Action's implementation throughout the world. Are Platform's goals still valid within changing social, economic, and environmental conditions of women's lives? Is the document still relevant to women's problems and needs? Even though majority of the participants of the meeting agreed that the level of implementation of the Platforms goals is disappointing throughout the world, they also concurred that, not abandoning, but rather more persistent actions for the implementation of the Platform should be an answer to the current situation. Additionally one of the women argued that the actions towards the implementation of the Platform should be supported by the recognition of the new context and conditions of women's lives throughout the world.

Currently the financial and economic crisis is seen as the most important context for the struggle for gender equality internationally. On the one hand, women are often the first group to be affected by the crisis; it has been proven that the economic slowdown is the most felt in the economies that depend on women's work. In particular women are one of the groups that are most exposed to the weakening of labor markets and to limitations put on social services including access to health care and education. In addition many governments use the crisis as an excuse not to fulfill their obligation towards gender equality. However many women's organizations insist that the economic and financial crisis can also present an unique opportunity as it might initiate the need to re-define social and political priorities and existing approaches to social justice and equality. The failure of the existing neoliberal conceptions of social wealth, growth, and progress proved that the maximization of profit and the uncontrolled expansion of markets globally are not suitable tools for sustained develop-

ment. Women's groups stress that gender is often left out from the existing analyses of the crisis and propose strategies to rebuild global and local, individual and collective well-being. Denying gender as a key element of the social, economic and political equation and renouncing the fact that greater gender equality can be part of the solution goes hand in hand in exclusion of women from the international bodies formulating new global strategies. Such a situation can result in the recurrence of the traditional, inefficient approaches to society and economy that have been unsatisfying so far.

Another important area of international politics, in which taking into account gender is crucial for sustained progress, is environmental and climate changes. Women participants of the Beijing +15 initiatives emphasized that the degradation of the natural environment and the intensification of pollution are byproducts of financial growth and crisis that have particular consequences for women. According to the data, due to different work and consumption patterns as well as their particular roles within family and communities, climate and environment change effect women differently then men. For instance women are the first group affected by the deficit of clean water, which is often the result of the floods, hurricanes, and other natural disasters. National and international laws rarely take the gender aspect of environmental and climate changes into account. For instance, none of the documents on environmental change created within the European Union over that last 15 years have taken gender into consideration.

Finally, a backlash against feminism and a shift towards conservatism over the last 15 years in practically all parts of the world shape the contexts of struggles for gender equality changing approach to women's rights globally and locally. The political shift towards the right intensified resistance towards women's rights, particularly in the context of the marriage between the conservative social and neo-liberal economic social policy. On the one hand the conservative governments support for neoliberal economic programs encouraged liberalization of social services and the privatization of health care and education in various parts of the worlds. Uncontrolled growth

of the disparity between the global financial elites and transnational corporations and the world's poor affect mostly women (as they constitute the vast majority of the poor). On the other hand the shift towards conservatism often leads to politics that undermine women's, and not only women's, fundamental rights. The expansion of religious fundamentalism that, in all parts of the world

(global South, global North, and Eastern Europe) accompanies right wing politics constitute the threat particularly to women's sexual and reproductive rights, including the right to legal and safe abortions. To protect these rights has to remain a crucial priority of the international institutions and women's organizations.

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# Beijing Platform for Action in the Czech Republic: Achievements and Failures

MICHAELA MARKSOVA-TOMINOVÁ



## After Beijing Declaration, 1995-1998

The fact that Czech Republic has ratified the Beijing Platform for Action can be seen as a milestone in the development of equal opportunities policy in the Czech Republic after 1989, and it played a crucial role in it. It was the only governmental commitment in this field before the EU accession process started. Based on the commitments from the Declaration, one opposition social democratic MP interpellated the Prime Minister in the question time in the Parliament in 1997 about how the government was fulfilling the Declaration obligations. Based on this interpellation, the government of the Czech Republic started to fulfil the conclusions of the Beijing Conference at the beginning of 1998 when it authorized the Minister of Labor and Social Affairs to coordinate the internal agenda concerning the position of women, and it obliged the other Ministers to provide the

Minister of Labor and Social Affairs with all possible cooperation in its activities. All Ministers were asked to cooperate with the non-governmental organizations of women.

## The first Czech National Action Plan

At the same time, the Ministry of Labor and Social Affairs elaborated the first governmental National Action Plan called "Priorities and Procedures of the Government towards Enforcement of Equal Opportunities of Men and Women" (*further: "Priorities"*). The first Priorities were approved by the governmental resolution on 8 April 1998.

The document was divided into seven critical areas, which were derived from the Beijing Platform for Action and considered relevant for the situation in the Czech Republic: 1. Enforcing the principles of equality of men and women as a part of the government policy; 2. Legislating for

Gender Equality and Raising the Level of Legal Awareness; 3. Providing Equal Opportunities for Women and Men in Access to Economic Activity; 4. Equalizing the Social Status of Women and Men Caring for Children and Needy Members of the Family; 5. Respecting of Women with Regard to their Reproductive Function and Physiological Differences; 6. Suppressing Violence against Women; 7. Monitoring and Assessing the Effectiveness of the Application of Equal Status for Men and Women. Each priority (e. g. each of the seven themes) consisted of several measures which had to be fulfilled by all or some of the ministries.

Every year starting with 1999, the government approved a report of the fulfilment of Priorities and its actualized version. Each measure included a deadline. But the deadlines have been often postponed from one year to another and some of the measures, which deadline says “continuously” (meaning it should be fulfilled all the time), have not been fulfilled at all. One of the causes of this was the fact that there were not any specialized officers at the relevant ministries to deal with gender issues – it was usually added to a common agenda of a person mostly working within a personnel department, without any training and without support from their bosses, this situation has changed in 2001 with the social democratic Minister of Labor and Social Affairs Mr. Spidla, who later became European Commissioner for Equal Opportunities?? (*see below – after Beijing+5*). The other reason was the prevailing unawareness, ignorance, or even animosity towards gender equality issues among decision makers.

As written in the Shadow report in the field of equal treatment and equal opportunities of women and men,<sup>10</sup> “Reports on Priorities Fulfilment in the first years can be described as inconsistent texts consisting of several parts which often do not cohere with each other neither logically nor conceptually”. They consisted of individual reports from relevant ministries and were very long, but it was very difficult to find concrete information on the fulfilment of concrete tasks.

Although the fulfilment of Priorities has been often very vague during all those years and the fact that Beijing Platform was at the beginning somehow lost, the Priorities remain the only official governmental document dealing with gender equality and therefore a very important tool for lobbying.

### **The first Czech Institutional Mechanism for the Advancement of Women**

On 1 February 1998, the Ministry of Labor and Social Affairs established a Unit for Equality between Men and Women, as part of the Department for Integration into the European Union, with three and later five employees. Their main task is to prepare every year actualized “Priorities” and write a report about their fulfilment. At the same time, this Unit coordinated the agenda for all ministries. The fact, that this Unit was put within the ministerial organizational scheme in the department dealing with the EU agenda, sent a signal to the public and decision makers that agenda of equal opportunities was being solved mostly because of international pressure with little reference to Czech internal affairs.

Within the above mentioned obligation of the coordination, the Unit also established an Inter-ministerial group. Its members were public servants (one for each ministry) responsible (also) for gender issues. Members of different women’s NGOs were also invited to the meetings. This group met just once per year, altogether about three times. The meetings were very formal – e.g., when author of this article was invited to one of those meetings to present activities of Gender Studies in Prague, she was asked to “say something about the statute and organizational scheme.”

After the Social Democrats won the elections in June 1998, several important governmental bodies focusing on human rights were founded: the Office of the Ombudsman, the Commissioner of the Government of the Czech Republic for Human Rights, and Governmental Council for Hu-

10 Stinova zpráva v oblasti rovného zacházení a rovných příležitostí žen a mužů, (*Shadow Report in the field of Equal Treatment and Equal Opportunities of Women and Men*), pg. 10, Petr Pavlík (Ed.), Gender studies, Prague, 2004.

man Rights. For gender equality issues, the most important in those years was the Commissioner and the Governmental Council of which he was the head. The main task of the Council was to monitor the fulfilment of the Czech Republic's international commitments and the implementation of obligations arising from international conventions and treaties. One of the Committees of the Council was named Committee for Elimination of All Forms of Discrimination Against Women – its main task was to prepare the CEDAW report on behalf of the Czech government.

One body was also founded in the Lower Chamber of Parliament after the election in 1998 – Subcommittee for Equal Opportunities and Family, established within Committee of Health and Social Affairs. The chairwoman of this Subcommittee proposed in a four year period one amendment on alimony, and the Subcommittee met about three times altogether.

## Other Achievements and Failures

The Czech National Action Plan was used as an important lobbying tool, but for this period without any concrete results – except of activity of the Czech Statistical Office, which started to publish every year specialized annual report “Focused on Women and Men.”<sup>11</sup> There was not any money allocated for any project on gender equality, neither for NGOs nor for the government.

In general, this period was an initial attempt to deal with gender equality issues on the official governmental level. Although many things can be characterized as naive, those times were full of hope for women's activists that the beginner's mistakes would be solved and Czech Republic would function in the field of gender equality in the same way as other advanced countries. But, as later development showed, these hopes were not fulfilled.

## Beijing+5 process

This process was very important for the development of Czech and CEE/CIS women's NGOs and their establishment within the global women's movement, mostly thanks to cooperation within the KARAT Coalition, network of CEE and CIS

women's organizations. The Czech NGOs had a unique opportunity to take part in the Beijing+5 process – it was enabled through financial resources from UNIFEM, Heinrich Böll Foundation, and OSI, since no governmental funds were allocated for NGOs. The activities of the KARAT Coalition contributed much to bettering the visibility of CEE and CIS region within UN. The Czech media, although informed about the process and its importance by the women's NGOs, did not pay attention.

The Czech governmental delegation took part in the General Assembly in June 2000 in New York. After that, the Ministry of Labor and Social Affairs published a translation of the Beijing+5 documents, but the general public was not informed about its existence. The Beijing+5 process did not have any major influence on official government policy, the positive changes after 2000 were caused mostly thanks to the fact that the Social Democrats won again in the 2002 election, and the new government, in cooperation with women's NGOs, further developed what was started after Beijing. Also the EU accession process played very important role in this field (*see below*).

## The Czech Institutional Mechanism for the Advancement of Women

According to a new task in the document „Priorities,” since 1 January 2002, each ministry was obliged to appoint one civil servant for at least half-time-job as a coordinator of equal opportunities; these people have been named “gender focal points.”

After lobbying by women's NGOs, the Governmental Council for Equal Opportunities for Men and Women was established in October 2001 (and started its work in January 2002). “Governmental Council” in general is an advisory body of the government, its resolutions can be directly submitted to the government and the government has to discuss them within its official agenda. Members of the Council are the Deputy Minister (who usually does not take part in the meetings personally), delegates from women's

11 [http://www.czso.cz/csu/cizinci.nsf/kapitola/gender\\_uvod](http://www.czso.cz/csu/cizinci.nsf/kapitola/gender_uvod)



NGOs, experts, public servants from Regional Governments, and the Commissioner for Human Rights.

After the elections in June 2002, a Permanent Commission on Family and Equal Opportunities in the Chamber of Deputies was founded. The Commission only managed to meet several times and organized training seminars for its members, but just about half of them took part in them. The Czech CEDAW, one of the committees of the Governmental Council for Human Rights, still existed in this period.

However, none of the above mentioned bodies has had any power to resolve complaints of discrimination, they did not have their own budgets for any kind of projects, and the general public was not aware of their existence.

## Other Achievements and Failures

### — „Recommendations from the Governmental Council of Equal Opportunities

The Council produced several recommendations for the government, some of them were processed further and brought concrete results; some of them were stopped. These recommendations were, for example, on: gender budgeting (concrete outcome: booklet on gender budgeting for local governments published by Ministry of Finance), parity law (proposal of legislative changes did not pass further through Legislative Council of the Government), domestic violence (proposal of legislative changes – was later adopted by the Chamber of Deputies in December 2003 – domestic violence between adults was for the first time introduced as a criminal offence), enlargement of rules of governmental meetings and legislative governmental rules (all governmental documents have to be reviewed for their impact on gender – this new rule was introduced, although it has been mostly used only very formally), financing for women's NGOs from the state budget (all ministries were asked to introduce programs in which women's NGOs could apply for funds,

but in fact it resulted in only one program introduced by the Ministry of Labor and Social Affairs in 2005).

### — „Financial Support for women's NGOs

Concerning financial questions in general, the state budget of the Czech Republic does not have any specific funds for the implementation of the policy of equal opportunities for men and women, although this matter has been pointed out by women's NGOs many times. As Petr Pavlík underlines, “it is necessary to say, that in other similar cases, governmental reports do concretely describe financial means. For example the report on the Conception of Governmental Policy towards Roma Community Members ... includes relevant facts on financial support. Detailed information on financing can also be found in the Report on the Situation of National Minorities Members in the Czech Republic.”<sup>12</sup> Also none of the existing institutional mechanisms had its own budget which could be used for financing the enforcement of the equal opportunities policy.

### — „Twinning Project

In 2003, the Unit for Equality between Men and Women took part in a twinning project “Improvement of Public Institutional Mechanism for Application, Enforcement and Control on Equal Treatment of Men and Women”, financed from PHARE funds. Recommendations from this project, elaborated by Swedish experts, were very useful, but since they were based on the presumption that more resources, both financial and personnel, would be put into the gender equality agenda, the recommendations were never implemented.

### Influence of EU accession

Although the Beijing Declaration has had a major influence on the development of equal opportunity policies in the Czech Republic and somewhat reinforced by the Beijing+5 process, the other major influence was the EU pre-accession process and the introduction of obligatory legislative changes.

12 Stinova zpráva v oblasti rovného zacházení a rovných příležitostí žen a mužů, (*Shadow Report in the field of Equal Treatment and Equal Opportunities of Women and Men*), pg. 14, Petr Pavlík (Ed.), Gender studies, Prague, 2004.



Before the EU accession process had started, women and men were equal under Czech law only according to Article 3 of the Constitution. It guarantees the equal rights of men and women as provided for in the Czech Charter of Fundamental Rights and Freedoms. Article 1 of the Charter provides that men and women hold equal rights and that these rights are inherent, inalienable, unlimited, and unappealable. The Czech Republic is also bound to the principles of equality by international law. Article 10 of the Constitution provides that ratified international treaties on human rights and fundamental freedoms are not only directly binding on the Czech Republic, but also superior to Czech laws. The Czech Republic has ratified several international treaties and conventions concerning gender equality and women's rights in the labor market, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, the CEDAW, the European Social Charter, and the Conventions of the ILO.

In compliance with requirements for EU Accession, the Czech Labor Code, entering into force on 1 January 2001, now explicitly requires that employers treat women and men equally in their working conditions, specifically with regards to wages, vocational training, and promotions, and it guarantees that employees cannot be discriminated against because of their sex, marital or family status, or family obligations. Employers are prohibited from exhibiting both open and direct as well as indirect discrimination.

Due the harmonization of the legislation to EU directives, the definition of sexual harassment has been introduced in the Labor Code, which caused contentious debates in the Parliament before passing for Code. The new Code introduced burden of proof for cases of discrimination and sexual harassment.

EU accession and since 2004 EU membership were also very important for financial support of women's NGOs, but support from the Czech state budget is still minimal.

### Beijing + 10, Beijing + 15, and what is next?

After the first steps towards fulfilment of the Beijing Declaration were taken in 1998, Czech

women's NGOs and activists expected a continuous development towards better implementation of a gender equality agenda within the public administration structures. These hopes, however, were not fulfilled at all. Several concrete achievements were accomplished (e. g. see above), "Priorities" became relatively useful lobbying tool and basic institutional mechanisms for the advancement of women were founded, but these are very poor results for such a long period as 12 years.

Sustainable financial support for this agenda – neither for the relevant governmental bodies, nor for NGOs – was not established, most of gender focal points activities remained superficial, no proper attention has been paid from any decision makers (with one exception: Minister of Human Rights and later Commissioner of the Government for Human Rights in the election period 2006 – 2010). Moreover, some political leaders have been even expressing their views that the gender agenda was nonsense invented by Brussels bureaucrats; Adding to the frustration is that the number of women on electable positions on candidate lists in general elections in 2006 and 2010 was even lower than before. The number of hopes not met by reality could be multiplied many times over.

A major setback came with general elections in 2006, after which a conservative government took power. The Minister of Labor and Social Affairs appointed an extreme conservative person, a long-term critic of gender issues, as one of his advisors and the Unit was moved from the Ministry of Labor and Social Affairs to the Office of the Government. The Minister had been also maintaining the European Social Fund, the most important financial resource for women's NGOs. After the 2006 elections, the Ministry wrote a condition to one of the programs on harmonization of work and family life, that "organizations promoting ideas of feminism and masculinism will not be supported", without any further explanation; women's NGOs sent a complaint to European Commission about this.

As mentioned above, the only governmental structure taking care of gender equality was the office of the Minister for Human Rights (and later Commissioner of the Government for Human

Rights, when the position of the Minister was cancelled for economic reasons) within the Office of the Government. The persons (first a woman, later a man) were appointed by the Green Party which was in the governmental coalition, but their views were usually taken with a bigger or lesser disrespect by the other members of the government. However, the work of the Council and the CEDAW committee continued in the same way as before.

The results of the general elections in 2010 do not bode well for advancing gender equality. A coalition of 3 parties formed, with two of them being conservative and the third one being new in the Parliament and a kind of mixture of conservatism and populism. None of them pays attention to gender equality, furthermore, the previous Minister of Labor and Social Affairs became Prime Minister and his ultra-conservative advisors moved with him to the Office of the Government. So far, the Commissioner for Human Rights was called off and it is unclear if the position will remain or will be eliminated. The same applies for all the governmental councils including Governmental Council for Equal Opportunities of Women and Men.

I think that the Beijing Declaration still has enormous potential since the 12 critical areas described have not been overcome yet. In these times, which can be described as kind of “backlash” in the field of gender equality (although any satisfactory situation was never reached in the Czech Republic in this field), any powerful tool emphasizing the importance of this agenda is very much needed. Not only for further development of women’s rights in the Czech Republic, but also concerning gender and development issues. But to turn the Declaration and Platform for Action to a powerful lobbying tool again would necessitate, first of all, systematic pressure from the international level. For example, the UN representation in the Czech Republic should play much bigger and more active role in strengthening the women’s rights agenda.

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# The Beijing Platform for Action – fifteen years later

ALEKSANDRA SOLIK



Despite the fact that the Beijing Platform for Action, which was adopted 15 years ago, has not fulfilled all expectations of feminist and women's organizations that were keeping track of sessions of the Fourth World Conference on Women in Beijing, a broad consensus with which participating countries approved this document allowed to cherish a hope that it will be a good instrument for shaping policies concerning the advancement of the status of women.<sup>13</sup> This hope was naturally accompanied by the awareness that a great deal would depend on the political will of subsequent governments and that women's organizations would have to play a significant role in this process. Today, after years, it is worth examining how they have responded to this challenge. Has the

Beijing Platform for Action influenced strategies and policies of our authorities? If so, how has it achieved it? What impact has it exerted on the issue of gender equality in Poland? Has it affected the development of women's movement in our country? If so, in what ways? And finally, what role does it perform nowadays?

## Conference in Beijing

In no way can one speak on the importance of this document for the women's movement and women's issues in Poland in the past and at present without mentioning the significance of the conference itself and the fact that a strong representation of Polish women's networks attended it. For a vast majority of our participants the involvement

13 Some countries adopted the Platform for Action, but reserved the right to own interpretations of some articles and formulations.

in the conference was a crash course introducing them into the international feminist debate concerning policies and solutions aimed at women's empowerment and attainment of such social, political, and economic position that could enable them to benefit from human rights without the discrimination they experience every day.

The conference was the second impulse during the transition that integrated closely women's groups around one common matter,<sup>14</sup> as well as a source of inspiration for many activists and organizations for the next few years. This process started already during the preparatory stage, when numerous women's organizations and a circle of the unaffiliated set up the Social NGO Committee – Beijing 1995 (SKOP – Beijing 1995), whose first aim was to deliver an alternative report on women's situation in Poland.<sup>15</sup> The three-month cooperation in this report was a unique experience. It joined people and institutions that had never worked together in such connections and that probably would not have had other chance to meet. Publicity surrounding the results of this cooperation had a political effect. The Cabinet of the coalition between the Left Democratic Alliance (SLD) and the Polish Peasant Party (PSL), which so far seemed to attach no significance to the upcoming conference, changed its policy. After years, in May 1995, Prime Minister Józef Oleksy filled a vacancy for a government plenipotentiary responsible for women's issues. For some bizarre reasons, however, he changed the name of this post from "Office of Plenipotentiary for Women and Family" to "Office of Plenipotentiary for Family and Women."<sup>16</sup> The function was assumed by Jolanta Banach, who, though not formally practi-

cally led the Polish delegation during the conference in Beijing.<sup>17</sup> She also prepared the government report on the situation of Polish women in place of the former one whose low quality and selective character constituted a direct impulse for women's groups to establish SKOP – Beijing 1995. The office of the Government Plenipotentiary for Family and Women functioned until November 1997, when, after the election defeat of the SLD, it was dissolved by the government of Jerzy Buzek<sup>18</sup> and replaced with the Office of the Government Plenipotentiary for Family.

### Regional and international cooperation

The NGO Forum at Huairou, which accompanied the UN conference in Beijing, gave an opportunity to women's organizations from countries in the transition to establish regional cooperation, join international women's movement, and attract public attention to the specific situation of women in our geographically hard-to-define region. This region, in the UN nomenclature known as Central and Eastern Europe/Commonwealth of Independent States (CEE/CIS), encompassed countries from Central and Eastern Europe, the Balkans, the Caucasus and Central Asia.

Formed in Huairou, the East European Assembly, which despite the name also included Asian countries in the transition, was the answer to a real need for regional cooperation. This need resulted probably from the similarity of experiences associated with changes taking place in our countries. In no way did the majority of introduced reforms take women's requirements into account. As a result, the social position of women has been decreasing, while their financial situa-

14 The first impulse which activated the movement of Polish women was the campaign for the ban on abortion which was initiated in the 1980s by right-wing forces and the Catholic Church.

15 *Women's situation in Poland. Report by the Non-governmental Organizations*, a joint publication, Warsaw, March 1995.

16 Cf. Kinga Lohmann, Jolanta Łozińska, Aleksandra Solik, *Institutional Mechanisms for the Advancement of Women in Poland in the Years 1995-1999*, report prepared for the 43<sup>rd</sup> session of the UN Commission on the Status of Women; Women's Association for Equal Gender Status Beijing 1995, Warsaw 1999.

17 The head of the government delegation for the Fourth World Conference on Women in Beijing was deputy prime minister Aleksander Łuczak.

18 Government of the coalition between the Solidarity Electoral Action (AWS) and the Freedom Union (UW).

tion has deteriorated significantly. Additionally, the lack of democratic tradition and of strong and influential women's organizations, as well as a small share of women in authorities and poorly developed feminist movement, did not create favorable conditions for the effective protection of women's rights against the danger from conservative and fundamentalist forces. The Assembly created a forum for discussions and exchange of experiences; it helped to identify mutual problems, produce recommendations about the situation of women in the region, and submit to the participating governments a common regional stance which had been presented to them during a plenary session of the UN conference. It is worth mentioning that restrictions on women's reproductive rights, namely the right to safe and legal abortion, were deemed one of the three most urgent problems to be solved in our region.

The need for cooperation manifested itself also in the idea of a regional coalition of NGOs working for the benefit of women. This concept, which had been conceived in the movement of Polish women during preparations for the conference and transferred to Huairou, evoked a strong response, which facilitated its realization. This resulted in the creation of the KARAT Coalition in 1997 in Warsaw.<sup>19</sup> Currently it gathers almost 60 organizational members from 24 countries of Central and Eastern Europe, Central Asia, and dozens of individual members.

In the first years, KARAT focused mainly on promoting of the Beijing Platform for Action in the region, monitoring its realization, and the joint lobbying in the UN forum as part of the international assessment of the implementation. The participation in these events substantially influenced the Coalition's integration. It allowed also for the involved organizations to acquire knowledge facilitating lobbying in the UN forum. It created a chance for members to cooperate with their own governments or, depending on the situation, to put pressure on them. It enabled them to participate in the process of issuing recommendations as to definite versions of outcome

documents and dissemination of knowledge about the situation of women in the region and their countries. Preparatory processes for these conferences facilitated the development of tools for lobbying and building support both in the UN forum and at the state level. For instance, before the 43<sup>rd</sup> session of the UN Commission on the Status of Women (CSW) in 1999, KARAT compiled a regional report on the institutional mechanisms for the advancement of women from Central and Eastern Europe. Organizations from ten countries of the region were involved in its preparation.

One year later, during the next session of the CSW when five years of the implementation of the Platform for Action were assessed, a number of countries (including Poland) drew up their own alternative reports that were then promoted as a part of joint activities. In 2005 (Beijing + 10<sup>20</sup>) the KARAT Coalition delivered a position paper on the situation of women on labor market, institutional mechanisms for the advancement of women, and the relationship between women's reproductive rights and their economic situation. Members from almost twelve countries took part in the preparation. During this session KARAT and the Stability Pact Gender Task Force propagated their shared stance referring to the Millennium Development Goals, the impact of EU enlargement on women in the region and the need for guarantees to respect women's reproductive rights.

### **Popularization of knowledge on women's rights – the role of the Platform for Action in Poland**

The participation of the large, twenty-seven-person representation of women's grassroots delegated by the SKOP – Beijing 1995 to the Forum in Huairou contributed not only to the enhancement of the women's movement, but also influenced the scale and quality of the promotion of international women's right standards in Poland.

The knowledge acquired during the observation of work over the Platform for Action and discussions on its articles and separate formulations enabled participants to feel the spirit of this

19 For more information about the KARAT visit the website [www.karat.org](http://www.karat.org)

20 In 2005 due to the 10th anniversary for the Platform for Action its implementation was evaluated again (so-called Beijing + 10).

document and understand intentions of the authors properly. This knowledge was then used for the purpose of a Polish translation of the conference final document, after the Office of the Government Plenipotentiary for Family and Women turned to the NGO experts to consult on a definitive version of the Polish translation.

This was truly of major significance, as the Beijing Declaration and the Platform for Action abounded in terms that did not yet have any precise Polish equivalents and did not function in social awareness. They had yet to be coined and introduced into the public debate. Fifteen years ago these terms included “gender,” that is a socially and culturally constructed sexual identity, and related terms like “gender-based,” “gender-sensitive,” “gender-biased,” as well as “empowerment,”<sup>21</sup> “gender mainstreaming,” “reproductive rights and health,” and “unsafe abortion.”<sup>22</sup> The last two terms had emerged earlier thanks to the efforts of the Federation for Women and Family Planning, which actively advertised the accomplishments of the International Conference on Population and Development in Cairo in 1994. However, these terms raised some controversies; numerous comments emerged and then were proven that the contentious discussions resulted not necessarily from the incomprehension of the meaning, but rather were a conscious strategy inscribed in the ideological fight for language. Consequently, conservative critics attempted to deprive the term “unsafe abortion” of the context of both the Program for Action<sup>23</sup> and the Platform for Action, and tried to manipulate the public by suggesting that abortion itself poses a danger to women’s health and life. There was also a battle over a Polish version of “reproductive health,” because Catholic groups together with a great part of the medical establishment had been persistently popularizing “procreative health,” losing in this way the original meaning and adjusting it to the philosophy according to which women are perceived solely in the context

of family and their maternal roles. This time, the language of human rights won in this specific tug-of-war. A decisive factor in this was undoubtedly persistence of women’s grassroots and a consistent use of the outcome documents of the Beijing and Cairo conferences.

Although these documents belong to so-called soft international law, they possess a specific power – they convey the coherent and unambiguous message that can hardly be interpreted at variance with the intention underpinning its creation. For this reason, they can become helpful tools to enhance awareness of human rights in countries where civil societies are developed well enough to use them effectively. This, in turn, indicates the significance of participation in global and regional NGO networks, because of the influence they exercise on the final shape of such international documents.

Let us get back to Poland after the conference in Beijing. It caused a great interest which resulted in a series of “post-Beijing meetings” organized in throughout Poland by activists working for women’s rights and various women’s groups. Meetings with the SKOP – Beijing 1995 delegates to the Forum in Huairou were very popular with the local media. Although some of them perceived women’s rights issues and feminism as a kind of sensation, it facilitated the promotion of the Platform for Action and dissemination of knowledge which could not fight its way into national mass media. One of the expressions that aroused attention, as it was deemed funny, was a literal translation of the term women’s human rights.” On the whole, promotion of the Platform for Action gave a chance to popularize and elucidate achievements of the World Conference on Human Rights in Vienna in 1993. It allowed the introduction into public debate the conception that the state, its legislation, and institutions are obliged to protect women’s rights against discrimination and violence in all social spheres,

21 *Empowerment* – in the Platform for Action translated into Polish as the neologism “uwłasnowolnienie.”

22 In 1998 Women’s Association for Equal Gender Status – Beijing 1995 issued a dictionary *Sto haseł o równości* [One Hundred Words for Equality]. It was based on the publication of the European Communities and aimed at popularizing and standardizing the terminology concerning equality.

23 Outcome document of the International Conference on Population and Development in Cairo, 1994.



including private life. In Poland such perception of human rights was often misunderstood also by tradition-oriented human rights activists who were used to interpreting them from the angle of civil and political rights.

To sum up, the UN Conference in Beijing and its outcome documents played a major role in shaping language of human rights in Poland. They have also aroused needs and expectations of women's grassroots, yet unfortunately neither the UN nor the EU have managed to fulfill them.

### Implementation of the Platform for Action – government policy

One of the duties that countries took on by signing the Platform for Action is a formation of such government mechanisms for the advancement of women that would be equipped with competence and measures securing their effective realization. The attitude of the next Polish governments to the obligations assumed in the conference in Beijing is well-reflected in the fate of the offices for the advancement of women and their functioning.

Women's rights were of no priority to any of Polish governments. Nevertheless actions for the implementation of resolutions expressed in the Platform for Action have been undertaken twice. It has to be emphasized that in both cases the offices responsible for this assignment were established under pressure from NGOs.

The already mentioned Office of the Government Plenipotentiary for Family and Women had prepared in 1996 the Polish National Plan of Action to 2000, which was adopted by the government in April 1997. This document, compliant with the in-

structions of the Platform for Action, was based on the government recommendations that had been already formulated before the conference in Beijing on the grounds of the government report prepared for this conference. The Polish National Plan of Action included ten spheres of activities.<sup>24</sup> Within each of them strategic objectives, directions of improving or repair actions, concrete tasks with defined time frame, and authorities accountable for the implementation were determined.<sup>25</sup> One of the policies formulated in the Polish National Plan of Action for Women was the appointment of the Standing Forum of Co-operation between NGOs and Government Plenipotentiary for Family and Women and a preparation of a pilot support program for female victims of violence in cooperation with the UNDP "Combating Violence – Equalizing Chances" in 1997.<sup>26</sup>

Unfortunately, as mentioned before, in November 1997 the newly formed government of the coalition between the AWS and the UW had liquidated the office of Government Plenipotentiary for Family and Women and instead established the office of the Government Plenipotentiary for Family. It also suspended the realization of the program "Combating Violence – Equalizing Chances" and caused the complete change of its principles.<sup>27</sup>

Although the government of Jerzy Buzek did not officially withdraw from the implementation of the Polish National Plan of Action for Women, it did not practically realize it, and it did not show any will to cooperate with organizations and grassroots concerned for women's rights. Women's Association for Equal Gender Status – Beijing 1995 as-

24 Agenda of the Polish National Plan of Action: human rights of women, women in power and decision-making, education, economy, women's health, women and the environment, violence against women, women and the media, mechanisms of co-operation of government administration with the NGOs, research strategies and gender-disaggregated data collection systems.

25 Cf. *The Polish National Plan of Action, the first stage of implementation*. Chancellery of the Prime Minister, Government Plenipotentiary for Family and Women, Warsaw 1997.

26 Cf. *ibidem*.

27 Katarzyna Kądziała, Monika Płatek, *Violence towards women; [in:] Implementation of the Platform for Action by the Polish Government in the Period 1995-2000*. Alternative Report by the NGOs prepared for the 44<sup>th</sup> session of the UN Commission on the Status of Women, Kinga Lohmann, Aleksandra Solik (eds.), Women's Association for Equal Gender Status – Beijing 1995, Warsaw, January 2000, p. 23.

sessed government's achievements in this respect as part of the evaluation process of five years of the Platform for Action implementation (Beijing + 5).<sup>28</sup> In the alternative report authors took a stance mainly on the official government report prepared for the UN session and on the government answer to the UN questionnaire. Both documents confirmed that the government did not understand egalitarian policy and that it strove to enhance women's position by pro-family policy equated, as a matter of fact, with pronatal policy.<sup>29</sup>

Despite the fact that in 2001 the SLD came to power again, the appointment of the institution for the advancement of women did not occur automatically. It was due to pressure from NGOs invoking Poland's international obligations, including the Platform for Action and the EU standards that Prime Minister Leszek Miller agreed to establish the Commissioner of Equal Status of Men and Women and to locate it within the structure of the Chancellery of the Prime Minister. The post of the Plenipotentiary was assumed by Izabela Jaruga-Nowacka.<sup>30</sup> The tasks of this office included, among others, giving opinion on projects and regulations concerning equal gender status and, if necessary, preparing them. In accordance with

her competence, the Commissioner cooperated with departments on many legal acts, including the amendment to the employment code. She also drew up The Polish National Plan of Action for Women – II Stage for Years 2003-2005 and the bill on counteracting family violence that was accepted by the Sejm in 2005. She participated in common initiatives and pre-accession programs including a number of educational projects. She attached a great significance to the cooperation with NGOs. Formation of the network of Plenipotentiaries for Equal Status of Men and Women at the regional level was one of the supportive mechanisms.<sup>31</sup>

Unfortunately in November 2005 the situation from the 1990s repeated itself: after the Law and Justice (PiS) had come to power, the government of Kazimierz Marcinkiewicz liquidated the office of Commissioner of Equal Status of Men and Women. In 2008 Prime Minister Donald Tusk established the post of Government Plenipotentiary for Equal Treatment and appointed Elżbieta Radziszewska, who is still serving up despite protests of women's rights activists. This office does not comply with any of the requirements stipulated in the Platform for Action.<sup>32</sup>

28 Women's Association for Equal Gender Status Beijing 1995 took over the mission of the informal Social NGO Committee – Beijing 1995 and continued its work.

29 Cf. K. Lohmann, A. Solik (eds.), *Implementation of the Platform for Action by the Polish Government in the Period 1995-2000*. Alternative Report of the NGOs for the 44th session of the UN Commission on the Status of Women, Women's Association for Equal Gender Status – Beijing 1995.

30 Izabela Jaruga-Nowacka (1950-2010) was a Polish left-wing politician, feminist, former chairperson of the Labor Union and the Union of the Left. She served in the national Parliament (Sejm) from 1993 to 1997 and from 2001 to 2010; in the beginning of 1990s she was involved in the grassroots movement for the referendum on abortion. Between year 2001 and 2004 Jaruga-Nowacka was the Commissioner of Equal Status of Men and Women, in years 2004-2005 Minister for Labor and Social Policy and Deputy Prime Minister. She was killed in the president's plane crash in Smolensk.

31 Cf. *Gender Equality Policy. Poland 2007. Report*, United Nations Development Program in Poland, Warsaw, 2007, p. 33; *The Polish National Plan of Action for Women – II Stage for Years 2003-2005*, Commissioner of Equal Status of Men and Women, Warsaw 2003, pp. 10, 55-56, 113.

32 For years Minister Elżbieta Radziszewska has been criticized by organizations concerned for women's rights, human rights, and rights of LGBT, because (among other things) she did not intervene in cases of discrimination, she suspended work over the equal treatment act and she did not see to the implementation of all directives of the EU anti-discrimination law. In 2009 the European Commission referred Poland to the European Court of Justice for the lack of appropriate equal treatment regulations. In case of a defeat Poland will be faced with fines up to hundreds of thousands of euro per day.

Here arises the question of what such policy has to do with Poland's membership in the European Union. Unfortunately, as indicated by the experiences of the NGOs and other organizations acting on behalf of women's rights, the governments did make some attempts in the pre-accession period to look "European," however, they lost their interest after accession. It was not difficult, since such nonfeasance was supported by the Polish Parliament. One can realize after considering the fate of bills on equal status of men and women, on liberalization of abortion, the issue of contraceptives' refund, and the attitude of MPs to the IVF. The only exception is the labor market, legally the best regulated sphere, because the adjustment of the employment code to the EU standards was a strict accession requirement.

There is no doubt that standards set in the Platform for Action, a document accepted by all EU countries, belong to EU standards. Unfortunately the EU limitation to sectors connected with job market, access to services, and pressure in applying gender mainstreaming in strategies and policies aimed at equal chances for women and men do not create a good basis for gender equality. As it was explained in the Platform for Action, the only method to attain long-term social changes leading to the empowerment of women is a comprehensive approach to the implementation of their fundamental rights in all spheres of life. The conception of including gender perspective to all policies and strategies that are being introduced is a valuable achievement of women's movement, but it should also take into account a requirement to conduct parallel activities directed at the improvement of women's situation and the enhancement of their position. Gender mainstreaming requires suitable institu-

tional and financial resources, including trained personnel who knows and understands gender equality issues well. Access to research and analyses, a monitoring system concerning results of the implemented policies, and the possibility to correct them are indispensable for achieving the desired effects. As it seems, this is a proposal for societies that are already developed in their quest for equality. When applied automatically in countries that are still not ready, it can be counterproductive. The example of Poland appears to confirm this: since a few years subsequent governments have been diligently implementing programs pertaining to job market under the banner of gender mainstreaming, however, they do not adhere to this principle in other domains and probably they are not willing to do so. The best evidence for this is the report Poland 2030, which ends with the following summary, "it is a suggestion for the civilization project for Poland in the next two decades."<sup>33</sup> It is impossible to find any gender perspective in this report. The issue of equal status for women and men does not emerge either as a suggestion or as a challenge and, after all, this document is supposed to become a pivot of future action for the development of the nation.<sup>34</sup>

Can the attitude of the EU to women's right change? Yes, provided it makes use of the possibility given by the Lisbon Treaty and it ratifies the Convention on the Elimination of All Forms of Discrimination against Women. Cornelius Flinterman, a member of the UN Committee on the Elimination of Discrimination against Women, made an appeal to the European Union relating to this matter. The idea was picked up by some women's organizations in the EU and certainly deserves to be supported.<sup>35</sup>

33 Source: <http://www.polska2030.pl/>

34 Cf. also analyses prepared for the Heinrich Böll Foundation by Irena Wóycicka – *Will Poland 2030 be good for women?* and by Ewa Charkiewicz – *Poland, but which one? Feminist critique of the strategy 'Poland 2030'*, both available at the website <http://www.boell.pl/web/219-709.html>

35 WIDE CEDAW Newsletter, Special Issue, December 2009; [http://cedaw30.files.wordpress.com/2009/12/cedaw\\_newsletter.pdf](http://cedaw30.files.wordpress.com/2009/12/cedaw_newsletter.pdf)

## Beijing and what then?

The Fourth World Conference on Women in Beijing turned out to be the crowning of the long UN process concerning women's rights and the enhancement of their situation worldwide. During subsequent sessions devoted to the implementation of the Platform for Action it has become more and more obvious that the success of the Beijing Conference will not repeat itself soon and that there will be no new documents in which governments could extend their obligations to ameliorate the status of women. As early as 1999 during the assessment at the International Conference on Population and Development in Cairo, frustration emerged, frustration caused by the same course of stormy and prolonged sessions, when even a small number of countries could successfully delay any compromise and further development was blocked by recurring attempts to question decisions reached in the previous conferences. Such a situation occurred for example in 2005 during the session of the UN Commission on the Status of Women which undertook a ten-year review of the implementation of the Platform for Action. It was then that the US government insisted on its own amendment to the final paper of the conference. The essence of the amendment was a proviso that the approval of the Platform for Action is not tantamount to a support for abortion. Despite the fact that the US delegation withdrew in the end, this example illustrates well the atmosphere that often prevails in the UN sessions pertaining to the status of women, and it elucidates why the international women's movement did not aspire to organize the next world conference in a similar way as the previous four, but it concentrated instead on preventing any attempts to undermine the stipulations of the Platform for Action. At the same time, it tried to get governments to broaden the scope of their obligations and understanding of protected women's rights by means of the documents adopted during subsequent UN sessions. Not surprisingly, a fight for language of the documents was a permanent element of this strategy. It can be also seen in the case of sexual rights of women. Although it was not stated in the Beijing Platform for Action, these rights were de facto defined therein and acknowledged as fundamental human rights. During the

Beijing + 5 Conference there were new endeavors to include the term "sexual rights" and to prohibit discrimination on the grounds of sexual orientation in the outcome documents. Unfortunately none of these aims was achieved.

The Platform for Action is still a valid obligation for governments, yet the adoption of the Millennium Development Goals by the United Nations in 2000 could have contributed to the weakening of the implementation process and consequently to the decrease in the role of the next UN conferences on the respective progress review.

It was assumed that the achievement of the Millennium Development Goals (MCR) should bring about a reduction of poverty worldwide thanks to the implementation of eight concrete goals and corresponding, precisely defined tasks. This strategy is linked to the commitment on the side of the richest countries in the world to donate a part of their GDP for the implementation. A decisive condition for access to funds is including gender perspective, as well as women's rights and needs in countries to which aid for development is addressed. The principle that had to be obeyed is a combination of direct action for the advancement of women's position, equal gender status, and gender mainstreaming. The Millennium Development Goals received many voices of criticism from international NGOs mainly because of the lack of a comprehensive approach to the problem of poverty eradication and equal status, as well as insufficient sensitivity to women's needs and problems. A narrow perspective on the issues of women's rights, at variance with the spirit of the Platform of Action, can become a loophole for governments disregarding their needs and consequently it might downgrade its significance as a tool for lobbying purposes, complicating at the same time the functioning of civil society organizations. Another source of discontent was relatively small openness of the UN and governments as regards cooperation with the NGOs on behalf of development aid processes. Due to the influence of the MCR and corresponding activities on women's situation, the debate on how to equalize status of men and women moved in the last years significantly to the international agenda concerned with development assistance. Currently women's organizations are lobbying for

acceptance of the stances of NGOs in the processes involving development aid and integrated approach to women's rights issues. They emphasize that all sustainable development strategies must aspire to the complete implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and to the realization of obligations defined in the Platform for Action.

The Platform for Action is a document that contains still valid obligations for governments relating to women's situation and those unfulfilled ones. It belongs to the so-called soft documents of human rights, yet it is invoked together with international conventions, especially with the Convention on the Elimination of All Forms of Discrimination against Women, it is gaining on power and it might become a strong tool for lobbying enabling proponents of women's rights to act effectively for the purpose of the equal status of men and women.

For me the conference in Beijing was an extremely crucial experience. The possibility to take a closer look at this process allowed me to understand a major and invaluable role of international women's movement. It made me realize also that such a comprehensible document concerning women's rights would not have come into existence without the long-lasting, persistent effort of women working in NGOs and government, without feminist putting pressure on their governments, as well as international organizations and institutions from outside and from inside. The

strength of the Platform for Action lies namely in the fact that it does not divide women's rights and needs into more and less important, but it prioritizes their empowerment, whose condition and at the same time whose result is a possibility to make a full use of human rights. Countries taking part in the Beijing Conference were obliged to accept and implement the National Programs of Action for Women in order to achieve the empowerment. Poland as one of them does not have a right to neglect this duty.

I am convinced that the Platform for Action still possesses potential that can and should be used in Poland. Firstly, as already mentioned, it constitutes a perfect tool for interpreting international documents on human rights, especially the Convention on the Elimination of All Forms of Discrimination against Women. Secondly, it tells us to put pressure on the government to update and begin the implementation of the Polish National Plan of Action for Women, naturally in compliance with the Platform for Action, namely by full participation of women's grassroots and other organizations acting on behalf of women. Knowing Polish media, we may expect that this goal will not be reached quickly. However, little by little does the trick, so maybe there will be a government with the intention to win favor with advocates of women's rights by implementing the task or, what is more, it will truly appreciate the importance of gender equality and accept a necessity to undertake integrated activities aimed at the achievement of equal status of women and men.

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others) in the Federation for Women and Family Planning (1997-2006). Aleksandra Solik is involved in the international KARAT Coalition since its beginnings. For the past three years, as a part of one of the Coalition's programs, she has been carrying out a project on promotion and implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in Central and Eastern Europe and Central Asia.



# 15 Years of the Beijing Action Platform in Slovakia – A Wasted Chance?

ZUZANA OČENÁŠOVÁ



The Beijing Declaration and Platform for Action are considered to be one of the most important international documents on gender equality. In the following pages I will attempt to describe its role in gender equality policies as well as the reasons why it has been overshadowed by other international commitments of Slovakia mainly in relation to its EU accession. The development of gender equality policies in Slovakia has always been influenced by two important factors: international commitments of Slovakia and activities of women's NGOs. Their mutual pressure has led to the development of policies mostly at the formal level, but in several cases that pressure has also shaped the implementation of those policies. In the first part I briefly introduce the development of gender equality policies in Slovakia and the role that international commitments have played in it. In the second part I will focus on women's activism and efforts to promote the gen-

der equality agenda in public policies and on the utilization of international mechanisms in their advocacy activities. The third part contains the summary of main successes of gender equality policy in the twelve problematic areas of the Beijing Action Platform as well as of areas that would require more attention.

## The Development of Gender Equality Policies in Slovakia

The Beijing Platform for Action has been an indisputable stimulus for the development of gender equality policies in Slovakia. As a reaction, in 1996, the first institutional mechanism was established – the Coordination Committee for Women's Issues – and a year later the government adopted the first strategy – National Action Plan for Women (NAP). Before 1995 at the national level no steps had been taken directed at gender equality policies with the exception of signing of the Convention on Elimina-



tion of All Forms of Discrimination against Women (CEDAW) ratified in 1993. Unfortunately, these formal steps were never implemented in practice, and they remained purely declarative. Overall, in the second half of the 1990s, the government took just a formal stance on gender equality and without any adequate expertise on the issue. This formal take of the government on gender equality was corroborated not only by the statement delivered at the Fourth World Conference on Women in Beijing by the then (female) Minister of Labor, Social Affairs, and the Family, but also by the First Periodical CEDAW Report in 1998. Both the statement and the report agreed on the fact that gender equality in Slovakia was adequately secured by the Constitution guaranteeing basic human rights and liberties to all irrespective, beside others, of their sex and gender. According to these documents, the existing inequalities had been first and foremost caused by the economic transformation of society. The inadequate understanding of the issue is also visible in the National Action Plan for Women. In general it can be stated that the proposed measures did not deal with the issue in a complex and systematic fashion and were based more on traditional understanding of the family rather than on principles of gender equality (Debrečéniová and Očenášová, 2005). The formulation of the National Action Plan for Women reflected not only an inadequate understanding of the issue, but also the absence of the analysis of the situation and identification of real problems based on – at that time rather scarce – data and research.

The Coordination Committee for Women's Issues was established as an advisory and coordinating body of the Slovak government consisting of representatives from the government, the Parliament of the Slovak republic, selected state administration bodies, representatives of local governments, labor unions, NGOs, churches, research institutions, and experts on the issue of women, families, children, and youth (Bútorová et al., 1999). One of its tasks was also to prepare the First Periodical CEDAW Report. The Coordination Committee, as a governmental advisory body, worked for only two years. In 1998, the new gov-

ernment changed its statute. It was transformed into an advisory body of the Ministry of Labor, Social Affairs, and the Family and in 2002 it was closed down. Similarly, the National Center for Equality between Women and Men worked only for two years, and after its UNDP funding had stopped it was transformed into an NGO that still in part deals with gender equality issues, but it is not financially supported by the state (Bútorová, et. al., 2004).

Although the Beijing Platform for Action stimulated the onset of the gender equality agenda in Slovakia, in the 1990s its practical effects were almost none, and gender policies were later developed in relation to the EU enlargement.<sup>36</sup> In 2001, EU gender pay equality and equal treatment directives were introduced into the Labor Code. In the same year, the Conception of Equality between Men and Women was adopted. It was more visibly based on principles of gender equality and dealt with the issue in more complex and informed way. However, the Conception was a strategic step, though one with a lower impact than the changes to the Labor Code. Its monitoring reports were not presented to the government (as in the case of the NAP), but to the Council of Economic and Social Agreement (tripartite body). Nonetheless, the potential of the momentum of the accession of Slovakia into the EU was not fully utilized for the development of gender equality policies. This was due to various reasons. Firstly, in the years 2000-2004 Slovakia was going through several economic and political reforms, and gender equality was not seen as a priority despite the fact that many of these reforms had direct impact on it. Moreover, gender equality policies were merged with other potential bases of discrimination. Given the fact that the European Commission was openly supporting the formation of a common legislative framework for all antidiscrimination directives, gender equality was included in the single general Antidiscrimination Act. Its adoption was not smooth, and the Parliament passed it after three rounds of voting in 2004. Discussions concerning the Antidiscrimination Act focused either on the very need to adopt this kind of legislation or on other discrimination bases perceived as more controversial (such as

36 Slovakia started its pre-accession talks in 2000.

sexual orientation or ethnic background). In the discussions, the theme of gender equality did not even appear. Hence, merging of gender equality with other antidiscrimination policies led to the disappearance of a large part of the issue from the public policy agenda. The exceptions were the issues of violence against women and women's reproductive rights. While the agenda of violence against women was introduced by women's NGOs, the issues of women's reproductive rights were mentioned repeatedly mostly by conservative political parties, and women's NGOs effectively reacted to them. However, this only led to the maintenance of the status quo and not to further development of policies in this area.

A trend to merge all possible bases for discrimination into common policies also had impact on institutional mechanisms for gender equality policies. From 1998, these policies were on the agenda of the Ministry of Labor, Social Affairs, and Family (MLASF), specifically of the Department of Equal Opportunities. In 2003, in accordance with general developments, competences of the Department were extended to the area of general antidiscrimination. The Antidiscrimination Act established a common institutional mechanism for all forms of discrimination – the National Center for Human Rights. At the time of Slovakia's accession into the EU, a specialized institutional mechanism dealing particularly with gender equality policies did not exist. There was only the one that pursued antidiscrimination and equal opportunities in general. After Slovakia's accession into the EU, the competences and the title of the Department at the Ministry (MLASF) changed several times – the Section for Gender and Family Policies<sup>37</sup> was established in 2005, being transformed one year later to the Department of Gender Equality and Equal Opportunities as it exists until now. A renewed introduction of the gender equality agenda into public policies followed in 2008 when the Governmental Council for Gender Equality was formed and the National Strategy for Gender Equality for Years 2009-2013 was adopted based on the application of gender

mainstreaming principles. Its implementation into practice is questionable due to the lack of expertise and will in respective public institutions.

### Use of International Tools by Women's Non-Governmental Organizations

As mentioned above, the Beijing Platform for Action did not fall on fertile ground at governmental and political levels where expertise on and awareness of gender equality issues were minimal. In the mid 1990s the situation was slightly better in academic and NGO spheres although women's thinking and activism were only developing in Slovakia. According to Bútorová, Filadelfiová, and Marošiová (2004), most women's organizations carried on in activities of women's associations from the inter-war period, and they were involved mainly in charities, providing aid to the needy, and activities of women's interests. The biggest women's organization was the Democratic Union of Women (since 1997 called the Union of Women in Slovakia), being the follower of the socialist Slovak Union of Women. In the period when the agenda of gender equality started to appear, the Union openly entered into cooperation with the then government and accepted its formal attitude to the issue (Bútorová et al, 2004). However, in the early 1990s only a few women's organizations concentrated on the issue of gender equality focusing on raising consciousness about women's rights. Until 1998, a stronger political activity of women's organizations was not possible due to the authoritarian-like rule of the government under Premier Vladimír Mečiar, and the government prevented any intervention of non-governmental organizations into public policy processes.

A more rapid development of women's non-governmental sector could occur in the late 1990s as a result of activities of the first women's organizations (Alliance of Women in Slovakia, Aspect, Club of Feminist Philosophers, Pro Familia). Another key moment for the development of women's activism was the arrival of donors which supported women's rights issues. At this time, not only several NGO organizations pursuing women's rights were

37 Even the title of the Section suggests in what context the issues of gender equality were perceived by the then government.

established, but their specialization in various issues (violence against women's, gender stereotypes, lesbian women, mothers' centers) started to be visible. More significant political and advocacy activities of women's NGOs followed with the EU pre-accession negotiations. As mentioned above, due to the insufficient consulting mechanism for gender equality on the governmental level as well as to the merger of gender equality policies into the general antidiscrimination framework, these activities concentrated on joining other human rights organizations when advocating for the necessity of the Antidiscrimination Act or pursuing partial areas of gender equality. An important moment in advocating and promoting these issues was the establishment of advocacy coalitions based on particular issues – The Fifth Woman (violence against women), Pro-Choice (reproductive rights of women), or Women's Forum 2000 (representation of women in politics). Most resonant in public and political discussions were topics supported by a network of women's organizations, but not all of them achieved real changes in public policies. Women's organizations tried, along with these dominant issues of the pre-accession period, to enforce establishment of a functional institutional mechanism and consistent gender equality policy, appealing predominantly to the EU commitments. Although the conventional attitude of government and political figures to gender equality did not change significantly during the pre-accession period, a consistent pressure from the “top” (EU) as well as from the “bottom” (NGOs) brought about several changes in statistical data collection and the initiation of analyses on various areas of gender equality. They also helped critically to improving the awareness of the topic among politicians and public actors as well as the public at large.

The Beijing Platform for Action did not play a more significant role not only because of unfavorable political situation but also due to poorly developed women's activism to foster issues of gender equality by women's non-governmental organizations. At the time when non-governmental organizations were strong enough to advocate activities, the main instrument to enforce changes was the Slovakia's accession to the EU, bringing along mandatory requirements for proceedings to increase gender equality. For governments

which sought to join the EU, the accession conditionality naturally presented a stronger argument than a “soft law” instrument of the Beijing Platform for Action. After Slovakia's EU accession and the loss of this conditionality pressure, women's non-governmental organizations had to ask a question which international mechanisms to use in their advocacy activities. The answer was again the UN mechanisms fostering women's rights. As an example I can mention the Shadow Report for the Committee on the Elimination of the Discrimination against Women and its presentation at the 41st Session of the Committee in 2008. Although it was not the first shadow report for CEDAW written in Slovakia, this time its presentation at international and national level was very successful also due to more the professional attitude of women's NGOs. This step suggests that Slovak women activists realize the potential of UN mechanisms for fostering gender equality, and they now better orient themselves in its environment. Although the Beijing Platform for Action has not so far served them as an advocacy tool, they could make a use of its potential in the future, as in the case of CEDAW. Moreover, it contains some topics which are not included in the CEDAW (e. g. the gender aspect of environmental issues) in addition to overall promotion of various issues related to achieving gender equality.

### **Twelve Areas of Concern of the Beijing Platform for Action in Slovakia**

The Beijing Platform for Action set twelve main areas of concern: women and poverty, education of women, women's health, violence against women, women in armed conflicts, women and the economy, women in leadership positions, institutional mechanisms, women's human rights, women and media, women and the environment, and girls. Although, within the fifteen years since the Beijing Platform for Action was adopted, several measures to improve gender equality have been taken, many of them are exercised *de iure* rather than *de facto* and in some areas no changes have been noticed. With Slovakia's accession to the EU, the legislation regarding gender equality was transposed mainly in the area of antidiscrimination and women in the labor market. Despite its quality, labor laws are not adequately implemented in practice, and

vertical and horizontal segregation of the Slovak labor market continues. Slovakia, along with Finland, Latvia, and Estonia belongs to the four EU countries with the most critical gender segregation (EC, 2009). Women earn up to 24.1% less than men, with the biggest difference at the top positions (MPSVR, 2010). Causes of this situation are low gender equality awareness among employers, female employees, and labor unions as well as the lack of control mechanisms of labor inspectorates. Inequalities in remuneration between women and men, uneven treatment in paid work, and significant imbalance in sharing child care influence the risk of poverty and social exclusion of women. Among the most vulnerable groups are elderly women and single mothers. Although differences between men and women receiving material need welfare support are insignificant, the age distribution is noticeably different. Two thirds of women on welfare are more than 60 years old, in contrast to only less than a third of men in this category (MPSVR, 2010); i. e. poverty endangers mainly elderly women. No less than a quarter of single-parent families, of which most are single mothers, is in danger of poverty. (SO, 2010).

Since the EU indicators for monitoring progress in economic areas of concern defined by the Beijing Platform for Action also include sharing child care and housework between male and female household members, let us look at this area more in detail. In 2007, the employment rate of women with at least one child up to the age of 6 was 36.2%, while the employment rate of men reached 80.9%. If I look at the parental care of children up to the age of 3 years, i. e. at receivers of the parental benefit, the imbalance is even more striking – only 2% of men are on parental leave (MPSVR, 2010). As the previous numbers show, there are great differences in child care distribution between men and women. Moreover, women spend twice as much time in taking care of children than men. A similar situation is when we look at the time spent doing housework (Second European Quality of Life Survey, 2009). The main reasons behind this situation are gender stereotypes and the unequal status of women on the labor market as well as the lack of pre-school child care facilities. Slovakia is among the EU countries with the lowest number of children up to the age of two in institutional care – only

5% of these children go to nursery schools. A better situation is among children from three to five years of age, but it still does not reach the Lisbon aims: the percentage of children in kindergartens is 71.73% (Bodnárová et al, 2010). These numbers reflect public policy in pre-school education in Slovakia as the policy concentrates on the category of 2 – 6 years of age. Facilities for youngest children are either under the local governments' competences or are private, i. e. there is either a great lack of them or they are costly. Although the Slovak government adopted a strategy of harmonizing work and private life, it is not formulated gender specifically. It is clear from the given numbers that gender-neutral policy in this area does not bring desirable results, and it is necessary to aim at measures which would lead to higher involvement of fathers in child care.

Apparently, during the last 15 years, the most significant success in challenges to gender equality has been achieved in the area of violence against women's – it has become not only a public issue, but also a public policy theme. Legislation has been changed in order to help women experiencing violence in partner relationships, and the government has approved two action plans in order to solve the problem. There is an acute and continuous lack of specific services for women experiencing violence, and their number and geographical distribution does not follow the European standards at all. The services are usually provided by non-governmental organizations and are only partially financed from public sources. Moreover, despite laudable intentions in the action plans, coordination of help has not been established between public and private sectors and law enforcement agencies. A relatively good situation is in the area of women's health. However, special attention should be paid to the access to health care for women from socially marginalized groups, mainly from Roma communities. Several cases of discrimination against these women in the sphere of health care have thus far been registered in Slovakia. Mostly visible were cases of forced sterilization of Roma women made public in 2003. Criminal investigations have not been formally closed yet, and a number of civil litigations are being held in Slovak courts and in the European Court for Human Rights (Shadow Report, 2008).

Several positive changes occurred also in the field of institutional support of gender equality. As mentioned before, since 2008 gender equality has been a more significant part of government's agenda. The Governmental Council for Gender Equality has been established to act as an inter-sectoral body whose tasks is to coordinate and come up with initiatives in gender equality policies. Another step was taken in 2010, when competences of the Deputy Prime Minister for Human Rights and Minorities were expanded to the area of gender equality. Hence, for the first time the agenda of gender equality entered the ministerial level. As this change is rather new,<sup>38</sup> it is too soon to assess whether this step of the new government is a signal showing increased involvement in gender equality issues or just a follow-up of the trend to merge various discrimination bases under one institutional mechanism. It is also quite difficult to assess representation of women in politics. On one hand, Slovakia has a female Prime Minister for the first time (since 2010), and Slovakia also belongs to the countries with the highest proportional representation of women in the European Parliament. On the other hand, representation of women in other elected structures hardly reaches one quarter. Women are mostly represented in local governments (20%), in the parliament (16%) reaching the lowest number in regional governments (15%). Besides the Prime Minister, there is only one female minister in the government, which makes 14% women representation (Data-base of the European Commission, 2010).

The areas of concern of the Beijing Platform for Action which are almost completely neglected in Slovakia are women and media, women and the environment, and women in armed conflicts. Even though several strategies put forth by the state and women's NGOs stress the role of the media in eliminating gender stereotypes and increasing women's rights awareness, no measures to regulate the media in this area have been taken, and self-regulatory mechanisms do not work sufficiently. A similar situation exists in another area: although Slovakia, within its developing aid, aims also at countries after

armed conflicts (Kosovo, Afghanistan), its gender equality dimension is reflected only sporadically and usually ad hoc, rather than systematically. The area of women and the environment is missing in the Slovak context completely, both from the agenda of policy makers as well as from the agenda of non-governmental organizations. Increased attention should be paid, mainly by policy makers, to education (there are great shortcomings in eliminating gender stereotypes), and to sex education.

## Conclusion

The effort to reflect upon the role of the Beijing Platform for Action has not been an easy task in Slovakia. Although the Beijing Platform for Action has inarguably brought the topic of gender equality to the agenda of public policy and helped to build women's activism in Slovakia through increased interest of donors in this issue, neither policy makers nor women's non-governmental organizations have paid enough attention to it. To explain this phenomenon, it is necessary to look at the situation in Slovakia at the time when this issue emerged: it was a period marked by authoritarian-like rule of the government and insufficiently developed women's rights activism. Later, when the theme started to be pushed mainly by the civil society, came the period of pre-accession negotiations with the EU. These included also the agenda of gender equality. Thus, the main tool for the development of gender equality policies and women's activism were EU documents pushing aside the UN mechanisms. After the Slovakia's accession to the EU, these UN instruments gained a new dimension for advocacy activities of women's non-governmental organizations. So far, their efforts have been concentrated mainly on the CEDAW, but the Beijing Platform for Action could also play a similar role in the future. It could serve not only as a framework for discussion about the above described continuing problems in implementing gender equality in Slovakia, but it could also help open new topics which are generally forgotten, such as the gender dimension of development aid or environmental policies. It is only logical that

38 At the time of writing the article the changes were passed by the National Council of the Slovak Republic and the law has not yet taken the effect.

women's organizations predominantly focus on the most burning issues (equality at work and in families, violence against women, implementing gender equality policies into practice) in which they have so far most expertise. Collaboration with

environmental organizations and with those who work in development could help "mainstream" gender equality into these areas and thus bring effective and enriching cooperation as it has been in the case of Roma women's rights.

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# The Beijing Platform for Action in Ukraine: the Shift from Quantitative to Qualitative Changes

OLENA SUSLOVA



What role did the Beijing Platform for Action play in the development of the concept of gender equality policy in Ukraine? What did it mean for women's organizations and movements? Did the Beijing Platform favor better integration, creation of a platform for cooperation, preparation of common documents, and a greater visibility of women's movement in different countries? Does the Beijing platform still have the potential for sparking political and social changes in Ukraine? Can it address the challenges related to the changes of authorities and numerous crises (economic, financial, food crisis etc.)?

This article will try to answer these questions.

How important can the processes initiated fifteen years ago be for a country whose modern official history counts nineteen years? The answer cannot be unequivocal, as these can be both years of politics gaining new quality as well as years of lost opportunities.

How important are these years in the history of our nongovernmental organization, registered on 13 July 1995, two months prior to the memorable Beijing event? In order to see more clearly where we stand in this continuum, we should recall all stages back from 1995.

## 1995: "The most important woman in Ukraine"

The Fourth UN World Conference on Women, held in 1995 in China, was undoubtedly an exceptional event in itself, but also so much more for Ukraine and Ukrainian women's nongovernmental organizations. However, we did not realize it and did not understand it back then.

The very information that the UN conference would be held in Beijing was at the time limited, both with regard to content and quantity. At the national level, in the media, among women's organizations (not very numerous back then), there

was no information about it, or it was mostly half-open, aimed at “selected few.”

On the eve of going to the conference, I managed to get the telephone number to the Cabinet of Ministers’ sector responsible for “women’s issues,” and got through to ask where to look for official Ukrainian data about the state of affairs concerning human rights of women, but I obtained a curt reply – we won’t provide the information, because it had not been announced by Kuras yet. Ivan Kuras used to be Deputy Prime Minister of Ukraine for humanitarian issues at the time and has come down in our history as “the most important woman in Ukraine,” being one of the few men heading the state delegation to the world women’s conference.

Let us remember that the Beijing conference had two dimensions – the official one, attended by state delegations, and the parallel one – the NGO Forum in Huairou, near the capital of China. Our organization, Women’s Information Consultative Center, was represented at the Forum by Lyubomyra Boychyshyn, an activist of the disabled women’s movement, Lyudmyla Vansovska, a lawyer specializing in human rights, Halyna Datsyuk, a journalist, Kateryna Levchenko, Viktoria Podhorna and me – activists of women’s organizations. Our participation was possible thanks to the support of the International Renaissance Foundation and the Eurasia Foundation.

The conference itself, its spirit of freedom, getting to know many people and ideas made an unforgettable impression on us, despite our lack of experience of participating in similar events, lack of knowledge of English or understanding of many processes.

But what has later become known to many as the “non-region,” that is the low visibility of the problems of our region at global level, could be felt already back then, even in view of our insufficient preparedness. We felt it both while listening to the problems of women in faraway countries and regions, and when we where listened to. The “interpretation” into the language of our lives was not always easy, adequate, or even entirely possible. Sometimes we had trouble understanding – were these problems really so remote from us or do they simply manifest themselves differently in our context?

There are several reasons for this, but among the main ones we can cite the fact that the Soviet regime had made some achievements concerning women’s rights at least at the formal level. This is why the “starting position” in our region significantly differed both from the problems of the so-called impoverished “Global South” and from the problems of the so called wealthy “Global North.” However, we could not always understand this; if we could, we could not always express it, if we could express it – we could not formulate a strategy to solve it, and when this had been done – lobby it and achieve the emphasis we needed.

On the whole, we can say that at the time Ukraine lacked a coherent state gender policy or even the very notion of “gender” in the rhetoric of public servants.

The main reasons for such a state of affairs in the country were the following:

- Lack of knowledge and understanding of gender policy principles both at all governmental levels, national, regional, and local.
- Lack or weakness of women’s nongovernmental organizations.
- Lack of resources (human, financial, etc.) for the activity of women’s nongovernmental organizations.
- Ideological differences between “post-pro-Soviet” and “new” women’s nongovernmental organizations.

These problems were not unique for Ukraine but were rather common for the whole post-Soviet space. Despite that, the Beijing conference and the documents adopted made quite a stir in the Ukrainian women’s community.

### 1996-2004: “Not thanks to, but in defiance of”

However, the attempts to organize a large-scale discussion, especially in the first years after Beijing, continued to trip over these same problems. The main driving forces for a long time remained the international donor organizations, which insisted on regularly reminding the state of Ukraine about its international commitments concerning the human rights of women, including also the Beijing Platform for Action.

Thus, during the 1997 “Beijing + 2” conference in the Crimea, the organizers literally man-

aged to “drag inside” for several hours one female member of the Ukrainian parliament, Verkhovna Rada, as well as several representatives of the local authorities. And the speeches of “state women” focused mostly on how the Ukrainian woman had been respected over the centuries, how she famously managed to run the household, combine her main job with civic activity, and deal with all the issues at home with 100% efficiency, that is on patriarchal attitudes and triple burden on women.

Formulating policy at the national level was also a complicated, inconsistent, and marginal process. The creation in 1996 of the Ministry of Ukraine for Family, Youth, and Sport, which was made responsible also for the issue of overcoming gender inequality, has not become the effective national mechanism required by the Beijing Platform for Action. What was positive, however, was that the ministry started to create its sub-units – departments and sections for family and youth, whose official duties also included equal rights and opportunities for women and men. This in fact initiated the development of a national mechanism of reaching gender equality, provided for by the Beijing platform.

In these years the “gender dimension” of the Ministry was neither encouraged, nor professional, nor actively functioning. The events, programs, and strategies were rather sporadic, half-off-the-record, one-off events. True, the newly created gender council at the ministry consisted formally of 50% women and 50% men, but its work moved no further, and the council’s irregular meeting were held according to the Soviet format – visit to a company, short formal interview based on an agenda, and end with a banquet.

The adoption of the state programs also had a formal character. They usually included such phrases as “to favor programs,” “to conduct seminars,” that is, they clearly reflected a process-oriented approach and in themselves did not significantly influence the changes in the “gender sphere” of the country.

Does it mean that these were years of stagnation and passivity? Not at all!

These years allowed the civil society, and especially its female component, to gain experience, make mistakes and correct them, learn how

to influence politics, and build coalitions and networks for that purpose.

This was the time, in 1998, when the City Center for Working with Women was opened in Kiev – regardless of its rather clumsy name and several disadvantages in its work, it was the first example of an institution created and financed by the state which helped to elevate the status of women in the society.

This was the time, in 1996, when the gender educational program “Empowering Education” started its course, launched by Women’s Information Consultative Center. Initiated in Ukraine, the program gained support and was implemented in 10 other countries of the world, was the first one to obtain the license of the Ministry of Education and Science for innovative activity in education on gender issues, became an optional subject for Crimean schools, and involved over 15 thousands of girls and boys, women, and men.

This was the time, in 1999, when the first comprehensive gender analysis of Ukrainian society was carried out with UNDP support.

This was the time...

Indeed, the state supported gender initiatives in an insufficient and not always adequate way, but it also did not stand in the way of the processes of raising the awareness of gender strategies by the civil society.

The main problems at that time were:

- Formalistic approach of the state towards gender issues;
- High level of competition among women’s nongovernmental organizations for financial resources;
- Widespread incomprehension or miscomprehension of gender theory and practice, both among women’s nongovernmental organizations, as well as at national level and in the media.

However, despite all problems, the time has passed and brought about...

### **2005-2010: The shift from quantitative to qualitative changes**

Despite the fact that a lot of supporters of the Orange Revolution claim that it did not change anything in the country, it is difficult to agree with this conclusion. The events of the autumn-winter

2004-2005 made a stir in the whole country. They made all of us, regardless of our political preferences, look differently both at ourselves and at the world around us. And even the retaliatory policy of the new authorities can only emphasize and confirm it. The changes touched upon all spheres of our lives, and gender policy was no exception.

What changed was the overall attitude of the state towards these problems. In 2005 the Verkhovna Rada finally adopted the Law of Ukraine "On ensuring equal rights and opportunities for women and men," which to a great extent sublimated the provisions of the UN Convention on the Elimination of All Forms of Discrimination against Women, the Beijing Platform, and other international commitments of Ukraine. This was the seventh draft law in this domain, which managed to become an actual law. Out of the 12 areas of concern addressed by the Beijing Platform, at least 5 are acknowledged in the provisions of the Law – unequal access to education, lack of equality in economy, access of women to decision-making, insufficient mechanisms for the advancement of women, and lack of respect for the human rights of women. Gender experts and women's nongovernmental organizations took an active part in preparing the draft law for the second reading. And although the provisions on gender quotas were not included in the law, civil society made its contribution to the text of the law – at the level of formulating definitions, in developing the national mechanism of gender equality, and in making the draft law provisions more detailed. This joint work on preparing the document increased the visibility of nongovernmental organizations before the Verkhovna Rada, demonstrated the professionalism of gender experts, and initiated sustainable cooperation and the process of sharing ideas, knowledge, and experience.

Despite all the mistakes and disadvantages of the "post-revolution" period, precisely during these past 5 years civil society in Ukraine reached its "maturity," professionalism, and self-awareness. Creating coalitions and networks ceased to be only a result of donor initiatives and started to gain a permanent character. This to a certain extent concerns also women's nongovernmental organizations and gender initiatives. In 2008 in

Ukraine the "STOP violence!" network was created, which supported the initiative of the UN General Secretary Ban Ki-moon to organize a worldwide campaign on eliminating violence against women. He called on leaders of countries to support the campaign with adequate actions at a national level, as well as to create a global network of leaders who will help to attract more attention of the general public to the problem of violence against women. Within the worldwide campaign, a number of nongovernmental organizations turned to the Ministry of Ukraine for Family, Youth and Sport with the initiative of conducting the national "STOP violence!" campaign in Ukraine, aimed at preventing violence against women, children and within families. This has been the first initiative of the general public, which was not initiated by the donors and the state, but by women's organizations themselves. The initiative has gained a permanent character and is actively functioning until today. Interestingly, the basic document for the network was the Platform for Action on Preventing Violence against Women, Children and within the Family, modeled on the Beijing Platform for Action and taking into account its recommendations on preventing violence against women.

Preparing new draft laws, amending the existing ones, and developing other normative-legal acts with a gender component have become impossible without the participation of experts from nongovernmental organizations. This professional supervision by the general public gives an opportunity to coherently develop and strengthen the national mechanism of achieving gender equality, and make suggestions on how to make the gender policy more detailed.

The Expert Council on reviewing cases of gender-based discrimination at the Ministry of Ukraine for Family, Youth, and Sport was created precisely on the initiative of women's nongovernmental organizations, especially Women's Information Consultative Center. This structure was created in order to review, collect and analyse cases of gender-based discrimination and to prepare suggestions to remedy them. It conforms to the requirements of the Law of Ukraine "On ensuring equal rights and opportunities for women and men."

The confines of the space do not allow me to enumerate all aspects of gender policy in Ukraine based on the Beijing process, the Beijing Platform for Action and the inspiration brought about by this memorable event. But time moves on, and already 15 years have passed since this point of reference.

Have we been able to fully use the opportunities created by the Beijing Platform for Action? Can we still use it as a signpost or do we need new approaches, new strategies, new language of documents and finally – new documents themselves?

To put it short – yes and no.

### In lieu of conclusion

In order to explain it, we will first look at the 12 areas of concern presented in the Beijing Platform and see to what extent the aims pertaining to these areas have been achieved. As has been mentioned, such areas as unequal access to education, inequality in economy, access of women to the decision-making level, insufficient mechanisms for the advancement of women, lack of respect for the human rights of women are at least partially reflected in the Law of Ukraine “On ensuring equal rights and opportunities for women and men.” The problem of violence against women, although not in a comprehensive way, has also been taken into account by the state. In 2001 Ukraine was the first of the former Soviet Union countries to adopt the law “On preventing violence in family;” it also amended the Criminal Code to provide appropriate definitions and criminalize human trafficking etc.

However, such important areas of concern as women’s poverty, unequal access to health care, media stereotypes, gender inequality in managing natural resources and protecting the environment, discrimination against the female children, women in conflict zones, that is a half of the areas prioritized by the Beijing platform, have been left out. Each of the areas of concern in one way or another concerns the life and welfare of Ukrainian women and is an obstacle towards achieving equality; moreover, these concerns will not disappear on their own. Even such an area as women and armed conflicts, which fortunately is not acute in Ukraine, cannot be completely left out since it includes also the participation of women in strengthening peace, awareness-raising, and

educational activities etc. This is why, at least for such reasons, the Beijing Platform for Action remains valid, and might be a source of new strategies, documents, programs and projects.

However, it needs to be mentioned that the lengthy period of time that has passed since the conference and the dates of adopting the above-mentioned documents, makes the mechanism of impact of Beijing platform less effective, less of a priority, less visible. This can be explained not by the content of the document, but by the lack of or weakness of mechanisms to promote it. The Beijing platform can be compared to the Universal Declaration of Human Rights – it is a basic document of the UN, it is respected and referred to at least once a year, but there are no sanctions for violating it, nor any system of mechanisms which make other documents of the UN, the Council of Europe, or other international organizations important for a country, which require implementation, monitoring, and regular reports.

This was confirmed for example during the process of evaluation of the implementation of the Beijing Platform for Action, which took place in spring this year (Beijing + 15), when an extraordinary session of the UN Commission on the Status of Women not only did not give new momentum, but only vaguely indicated the existing problems. It also needs to be said that nongovernmental organizations during these events were less active than usual, and the “global renovation” in the UN premises increased the organizational inconveniences.

Undoubtedly, the areas of concern, solution strategies and objectives also need to be analyzed and reviewed. Thus, when we discuss the new global context, we need to put more emphasis on such problems as worldwide crises, which not only affect men and women to a different extent, but also have a systemic influence, as they change or break the usual structures and propose nothing or very little instead. We also need to heed that without the actual involvement of men in the practical introduction of gender policy in all spheres and at all levels, not only as a “favorable factor,” but also as full-value change agents, we cannot expect permanent changes that will dramatically change the position of women in the world. Acknowledging that traditional gender roles of men just like those of women are undergoing a crisis and do not favor

development, is an important step towards finding a more harmonious solution to the problems of contemporary world.

The changes in the world have greatly affected not only the distribution of family roles, but also the very models of families themselves, which in the global context has a significant impact not only at the micro- but also at the macro-level.

The climate change which has become more and more prominent over the last years usually has a structurally different impact on women than on men, and should therefore be more articulated both in international documents which

regulate these issues and in the practice of their implementation.

The new UN structure for women (UN Women) can become a driving force which will not only “reanimate” the Beijing process, but also give it more prominence.

However, already today we need a broad discussion among nongovernmental organizations, which would create new momentum for future processes, help to define and describe in detail the future “areas of concern,” would not overlook important aspects, and would define modern effective strategies of achieving gender equality.

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