

**GENDER EQUALITY IN POLAND AFTER EU ACCESSION:
EXPECTATIONS AND REALITY**

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Polish people are happy to be living in an EU member state. According to a recent survey, 63% of Poles think that Poland's presence in the European Union has more advantages than disadvantages, while only 13% evaluate EU membership negatively¹. There is, however, a disparity between how we perceive the impact of EU membership on Poland in general and on us as individuals. While the majority of Poles believe that European Union membership has generally affected the country positively, only 43% think that EU membership is good for them personally. This article aims to assess membership of the European Union from the perspective of equality between women and men. I would like to focus more closely on the change that took place in the area of gender equality, a change that was at least partially brought about by the EU. While the transformation of gender equality policies and women's rights discourse can be considered on a number of levels, for the purpose of this analysis I will focus on a select number of them. Firstly, I will consider changes in Polish law and their applicability to women's lives. I will discuss how legislation has changed under the influence of the EU, whether the new laws are sufficient, and to what extent it is in use. While the change in law is the most important way in which the EU has impacted gender equality in Poland, the effects of this change are often most visible through government actions and activities that are directed at women. I will discuss the following questions: What does the government have to offer to women? What governmental projects focus on women's equality? How is equality understood? In what areas is equality implemented? Finally I will consider an impact of the EU on the Polish public sphere, and explore what trends present in the EU debates on women and gender equality are most visible in Poland, and also ask how debates conducted at the EU impact on Polish social policies.

Women's organisations are often perceived as representatives of women's interests in the public sphere, and as the effective (or not) lobbyists for gender equality in mainstream state politics. Since its inception in 1996, Women and equality activists in Poland have been active participants in the political process that has included EU accession and integration. Their

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knowledge and experience in the area of European Union gender equality often by far exceed that of politicians and state representatives. The following questions are important here: How did EU membership influence their work? What has been the impact of the EU on the new financial engagements of NGOs, on the change of their political and social goals and activities, and the shift in territorial focus and location of NGOs in relation to state and supranational political bodies such as the EU? Has the European Union fulfilled the expectations and hopes that many women and equality activists had before 2004?

The analysis presented in this article is based on three data sources. Firstly, I looked at official government documents and reports on gender equality - mainly the “National Programme for Equal Treatment” (published in 2013), which describes the goals and strategies of the governmental policy on antidiscrimination², and the Polish “VII and VIII Report to the CEDAW Committee” (submitted in 2013)³. Secondly, I analysed international reports on progress in the area of gender equality, including the 2014 European Commission “Report on Progress on equality between women and men in 2013”⁴ and the European Institute for Gender Equality’s “Effectiveness of Institutional Mechanisms for the Advancement of Gender Equality. Review of the implementation of the Beijing Platform for Action in the EU Member States” (published in 2014)⁵. Finally, I asked representatives of antidiscrimination and women’s organisations to share their knowledge and experiences of the last 10 years. I have spoken, via email or in person, with representatives of organisations from various cities, which have various geographical focuses and diverse areas of expertise. The organisations that shared their knowledge included the EFKa

² „Krajowy Program działań na Rzecz Równego Traktowania 2013-2015”

http://www.google.pl/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CC4QFjAA&url=http%3A%2F%2Fbip.kprm.gov.pl%2Fdownload%2F75%2F8521%2FKrajowy_Program_20_02_13.pdf&ei=T5aFU5HODvKh7Aamv4GQCw&usg=AFQjCNHs7gg_ELLIIG7PwV8S19wKzqyIw&bvm=bv.67720277,d.ZGU

³ “VII i VIII Sprawozdanie okresowe Rządu Rzeczypospolitej Polskiej z wykonania postanowień Konwencji w sprawie likwidacji wszelkich form dyskryminacji kobiet obejmujące okres od 1 czerwca 2002 r. do 31 maja 2010” r. http://www.google.pl/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCwQFjAA&url=http%3A%2F%2Fww.w.siprp.pl%2Fwp-content%2Fuploads%2F2012%2F03%2Fcedaw_do_konsultacji.pdf&ei=uJWFU8y3FYKK7Ab1y4Aw&usg=AFQjCNGL1rqOBKM2JLcEBUDtlcwRtMUAtvA&bvm=bv.67720277,d.ZGU

⁴ “Report on Progress on equality between women and men in 2013”. Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2013 Report on the Application of the EU Charter of Fundamental Rights, http://www.google.pl/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCwQFjAA&url=http%3A%2F%2Fec.europa.eu%2Fjustice%2Fgender-equality%2Ffiles%2Fswd_2014_142_en.pdf&ei=SZIFU4_iFonF7AaupIH4Cw&usg=AFQjCNHAoFN3Y8nnKXrruQNLR8tkPlkSYw&bvm=bv.67720277,d.ZGU

⁵ Effectiveness of Institutional Mechanisms for the Advancement of Gender Equality. Review of the implementation of the Beijing Platform for Action in the EU Member States” <http://eige.europa.eu/content/document/effectiveness-of-institutional-mechanisms-for-the-advancement-of-gender-equality>

Foundation, NEWW, the Feminoteka Foundation, the KARAT Coalition, the Polish Association for Antidiscrimination Law, and the Polish Association for Antidiscrimination Education.

Introduction: Gender equality and the 10th anniversary of EU membership: contexts of the transformation

The transformation of gender equality that has occurred in Poland over the last 10 years cannot be considered without mentioning some of its important contexts. Firstly, it is nearly impossible to single out the impact of the European Union on gender equality. It is important here to note that EU laws and policies work in concert with local politics and intersect with the impact of other international institutions such as the United Nations, the Council of Europe and the European Human Rights Tribunal. It is also important to remember that the EU politics of gender equality are a continuation of some of the gender equality themes, topics and concepts that emerged from the international women's movement at the level of the United Nations. As they utilise some of the important concepts, such as "gender mainstreaming", that first appeared in UN documents, the European Union's gender equality politics have to be seen in the context of supranational gender politics that began in 1975 (with the Women's Year and Women's Decade of 1975-1985).

Secondly, while we reflect on the changes initiated/caused by the European Union, we have to ask what particular change we have in mind. What were the expectations when Poland entered the EU in 2004? What was the reality that the EU had to offer? What was the scale and character of the change that occurred (or did not occur)? In Poland in the late 1990s, one of the greatest expectations from the EU was that it would bring a systemic change in the area of women's rights and gender equality. As the EU claims gender equality to be one of its priorities, many women hoped that EU membership would impact on gender politics in all areas of social life and bring a radical social change; that it would provide an all-encompassing transformation. However, the change that occurred was rather a "soft" one, a change of political culture rather than a radical transformation. There are several reasons for this, one of which is a lack of funding devoted solely to gender equality at EU level. According to Ewa Charkiewicz, who analyzed the EU budget from the perspective of gender equality, only 0.37% of this budget is devoted to gender equality (Charkiewicz 2012)⁶. Moreover, since 2007 (after the EQAL program that ended in 2006) there has been no EU funding programme devoted solely to gender equality. As gender equality has run as a

⁶ "Gender mainstreaming do nikąd. Analiza dokumentów i programów bezzwrotnych dotacji UE 2007-2011", Ewa Charkiewicz Referat na konferencji NEWW i Fundacji Róży Luksemburg „Pieniądze też mają płeć", Gdańsk, 17 maja 2012.

horizontal measure of all structural funds since 2007, it no longer exists as a separate focus for EU financial schemes. While the DAPHNE programme is the only exception here, due to the institutional and financial requirements (including partnership requirements) of the programme, as well as its focus on violence against women, DAPHNE funding is often out of reach for many organisations that work within the area of gender equality (Charkiewicz 2012).

And, finally, when we talk about the change that occurred under the impact of the EU, we have to consider the change of language. In many ways the transformation that we have observed over the last decade was the transformation of public discourse: the legitimisation of gender equality as a “real” problem, the appropriation of “gender” as category of public and media discourse, and the change of tone in which the issues of discrimination and equal treatment are discussed are among some positive changes here. On the other hand, the EU has proposed a new paradigm of debating equality, one that focuses on “gender mainstreaming”. The focus on “gender” and “equality” marks a shift from “women” and “rights” and, in the opinions of some critics, contributes to the marginalisation of feminism as a driving force behind the gender equality agenda, and leads to a watering down of the agenda itself. An approach based on “gender mainstreaming” limits the debate on equality to issues related to the economy. While within the European Union “gender equality” is often narrowed down to equality in the labour market, it marginalizes other aspects of inequality and does not provide tools for debating the origins of discrimination, such as sexism and patriarchy.

I. GOVERNMENT POLICIES AND ACTIVITIES IN THE AREA OF GENDER EQUALITY

Politics and the activities of the government in the area of gender equality can be evaluated from different perspectives. For the purpose of this analysis three aspects of the impact of the EU were considered:

1. The impact on legislative changes and the applicability of new law(s),
2. Governmental projects and activities focused on women and gender equality,
3. The impact of the EU on political debates in the area of gender equality in Poland.

1. Antidiscrimination laws and their application

The legislative changes that occurred in Polish law in the area of equal treatment have been slow and unsatisfactory⁷. Krzysztof Śmiszek and Dorota Pudzianowska, representatives of antidiscrimination organizations, argued in a recent opinion piece published in *Gazeta Wyborcza*⁸ that at first glance the state of gender equality in Poland is improving: the current (as of May 2014) Plenipotentiary of Equal Treatment, Agnieszka Kozłowska- Rajewicz, is far more understanding of equality issues than her predecessors; “The National Program for Equal Treatment” was published in 2013 and gender equality is no longer ridiculed as a topic of government debates (Śmiszek i Pudzianowska, 2014). Yet the lack of sufficient legislative changes outweighs all these changes. During the last 12 years, only two documents related to gender equality have been accepted: the Labor Code was changed during the accession process in 2002, and the so called “Antidiscrimination Law” was accepted, under the threat of financial penalties, by the Polish Parliament in 2010.

The most important of the legislative changes effected by the EU appeared in the Polish Labour Code, first amended in 2002. Between 2002 and 2010, the Labour Code was amended several times in order to adapt it to the requirements of EU equality directives⁹. As required by the EU, this document introduced and clarified the definitions of discrimination (direct and indirect), and the definition of sexual harassment. The new Labor Code introduced new regulations improving the protection of employees against discrimination, including a ban on taking any negative measures against an employee who submits a complaint of harassment or sexual harassment¹⁰, providing protection to an employee who exercises her/his right to submit a complaint, and granting protection to an employee who assists another employee in filing a complaint.

Does the new law work in practice? According to the data gathered by the Ministry of Justice, between 2006 and 2009 courts (district and regional) heard 887 cases filed by women under article 183d of the Labor Code regarding the breach of the principle of equal treatment of women and men. In comparison, in 2004 only 24 such complaints were filed. In 2009-2010 the average amount of compensation in such cases granted by the courts equaled 9000 PLN (about 2000 EURO). Court statistics and research conducted by NGOs in Poland imply that the new Labor Code provides an effective tool in fighting discrimination in the workplace: the number of cases suggests that women know and use this law, and the rulings by the Supreme Court illustrate how Polish

⁷ http://wyborcza.pl/1,75968,15906111,Rownosc_na_bezdrozach.html#ixzz310I3Hivy.

⁸ One of the most popular daily newspapers, known for a left-wing, liberal profile

⁹ This includes in particular the Act of 14 November 2003 amending the Act – Labor Code, and amending certain other acts (Dz. U. No 213, item 2081) 1 and the Act of 21 November 2008 amending the Act – Labor Code (Dz. U. No 223, item 1460, which entered into force on 18 January 2009),

¹⁰ (art. 183a, para. 7 of the *Labour Code*)

court practice is impacted by European law¹¹. And, finally, as a result of the media and public debate on the Labour Code, many private and public employees have introduced internal antidiscrimination regulations in the workplaces that they provide.

The second important piece of antidiscrimination law that was introduced after 2004 during the process of adjusting Polish law to the EU is the Act on the implementation of some regulations of the European Union regarding equal treatment. It was created by the Government Plenipotentiary for Equal Treatment was passed on 3 December 2010, and entered into force on 1 January 2011. The new law is supposed to specify the practices for counteracting discrimination on account of gender, race, ethnic origin, nationality, religion, denomination, worldview, disability, age and sexual orientation¹². While the law was passed in 2010 under the pressure from the EU, which threatened financial punishment for not adjusting Polish law to the EU regulations, and was supported by some political will from government officials, it remains partial and implements only the basic minimum of the European legislation into Polish legal practice. Non-governmental organizations, who for over 5 years monitored the development of the new law, criticized the final product of the governmental work. They pointed mainly to the flaws of three of the new pieces of legislation:

1. The narrow remit of grounds for discrimination that are recognized by the act,
2. The narrow scope of social life that has become a domain for protection against discrimination under the new law,
3. The lack of a clear division of competence among the governmental bodies that deal with discrimination, and lack of a separate budget for counteracting discrimination (Kędziora, Siedlecka 2010)¹³.

First of all, the experts from non-governmental organizations pointed to the fact that the new law provides protection based upon a limited catalogue of discrimination premises and focuses on securing equal treatment based on gender, race, ethnicity and nationality. Premises such as age, ability, and sexual orientation, even though mentioned, are not specified as grounds for antidiscrimination policy (Kędziora, Siedlecka 2010). Secondly, the new law provides only very limited protection: it applies mostly to the sphere of the economy and the labour market, and omits social services, including healthcare. The law does not, for instance, provide protection for people with disabilities with regard to access to services and goods. The representatives of non-governmental organizations pointed to the fact that people with disabilities can have problems

¹¹ Por. „Prawo antydyskryminacyjne w praktyce polskich sądów powszechnych. Raport z monitoringu” red. Monika Wieczorek, Katarzyna Bogatko Warszawa 2013

¹² (Dz. U. z 2010 r. Nr 254, poz. 1700).

¹³ „To ma być ustawa o równości? Ona dyskryminuje”, z Karoliną Kędziorą (PTPA), rozmawiała Ewa Siedlecka, 5 listopada 2010, gazeta Wyborcza, http://wyborcza.pl/1,76842,8615118,To_ma_byc_ustawa_o_rownosci_Ona_dyskryminuje.html#ixzz310a6RDEB

accessing ATM machines or shops. The new law also does not consider discrimination as an area that overlaps with education, and it therefore provides, for instance, no tools for fighting sexual harassment or sexism in higher education (Kędziora, Siedlecka 2010)¹⁴. Thirdly, non-governmental organizations illuminated the lack of clear understanding about which institutions will be responsible for implementing the new law. The tasks related to implementing the antidiscrimination law were divided between the Plenipotentiary for Equal Treatment and the Human Rights Defender. According to the new law, the Plenipotentiary for Equal Treatment implements the Government's equal treatment policy and is obliged to create the National Action Plan for Equal Treatment – a document specifying the objectives and priorities of equal treatment activities, such as raising social awareness of equal treatment, including of the causes and effects of violating the principle of equal treatment, preventing violations of the principle of equal treatment, and cooperating with social partners, non-governmental organizations and other entities in the field of equal treatment. Human Rights Defender, a body already existing in Polish politics, has, as a result of the new law, become an “independent body” in the area of antidiscrimination protection. The new responsibilities of Human Rights Defender included representing victims of discrimination, analysis and monitoring of the implementation of the new law, conducting independent analysis and research of discrimination, and preparing an independent report which would serve as the evaluation of government progress in the area of equal rights. Critics of the new legislation pointed to the contradiction in the new law regarding the responsibilities of Human Rights Defender. Firstly, it does not take into account the fact that the majority of discrimination cases considered relationships between “private” parties, while, according to the Polish Constitution, Human Rights Defender can only work with violations committed by “public” authorities. Secondly, while new responsibilities have been added to the agenda of this office, no separate budget has followed it (Kędziora, Siedlecka 2010).

1.2. Government activities on gender equality and *gender mainstreaming*.

The lack of a separate budget devoted to the implementation of antidiscrimination policies was perhaps the biggest concern regarding the antidiscrimination law introduced in Poland in 2011. As a result of this deficit, the majority of government activities in the area of equality between women in men are funded by European Union structural funds - they focus almost solely on the narrow definition of gender quality as equality on the labour market, and conform to the liberal paradigm of individual responsibility for lack of discrimination. Among 324 projects carried out by the Office of

¹⁴ http://wyborcza.pl/1,76842,8615118,To_ma_byc_ustawa_o_rownosci_Ona_dyskryminuje.html#ixzz310a6RDEB

the Plenipotentiary of Equal Treatment and the Ministry of Labor and Social Affairs between 2002-2010, 230 consisted of workshops for women to help them improve their professional skills, 94 projects offered training in new skills, 78 projects focused on supporting women's entrepreneurship, and only 7 projects focused on creating new innovative activities including certain new job placements for unemployed women, and, moreover, only two projects put an emphasis on women's self-organising¹⁵.

The most important segment of the projects carried out by governmental institutions for women between 2002-2010 focused on macroeconomic issues, the labour market, and balancing professional and family life through promoting flexible forms of employment and self-employment. A good example here is one of the first projects that tackled the issues of economic inequality as understood in EU terms, namely, the "GENDER INDEX". This project, a cooperation between the UNDP, the Ministry of Labour and Social Policy and the Feminoteka Foundation, was financed through the EQUAL framework and aimed to promote the innovative model of managing diversity in the workplace through developing a model of governing a company, and the gender index serves as a tool to allow the evaluation of a company from the perspective of gender equality.

Between 2007-2013, within the Operational Programme Human Capital, gender equality was included as a horizontal measure, to be implemented in all governmental programmes. During that period, the government's activities focused mainly on implementing "gender mainstreaming" into some activities on gender equality. While "gender mainstreaming" as a general rule is defined as incorporating the perspective of gender into all political decisions at all levels, it has been problematic as a political tool in all European Union states (Velroo 2004, Walby 2003)¹⁶. In Poland, the government project "Equal Treatment as a Standard for Good Governance" (carried out within the Human Capital Programmes) was perhaps the only governmental activity that aimed at implementing gender mainstreaming in the area of public governance. This project, which started in 2010 and was carried out by the Government Plenipotentiary for Equal Treatment, aimed to create "a coherent and effective system for preventing discrimination in public administration" through, among others measures, establishing a national network of 51 Coordinators for Equal

¹⁵ VII i VIII Sprawozdanie okresowe Rządu Rzeczypospolitej Polskiej z wykonania postanowień Konwencji w sprawie likwidacji wszelkich form dyskryminacji kobiet obejmujące okres od 1 czerwca 2002 r. do 31 maja 2010" r. http://www.google.pl/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCwQFjAA&url=http%3A%2F%2Fwww.siprp.pl%2Fwp-content%2Fuploads%2F2012%2F03%2Fcedaw_do_konsultacji.pdf&ei=uJWFU8y3FYKK7Ab1y4Aw&usg=AFQjCN G1rqOBKM2JLcEBUDtlcwRtMUAtvA&bvm=bv.67720277,d.ZGU

¹⁶ "Understanding gender mainstreaming in terms of power" Mieke Verloof Athena Working Group 3B, Seminar "Strategies of Equal Opportunities in Europe" Antwerp 20 and 21 February 2004
"Gender mainstreaming: Productive tensions in theory and practice", Sylvia Walby, Contribution to ESRC Gender Mainstreaming Seminars, 2003-4.

Treatment in public administration offices, who are responsible for implementing and monitoring the principle of gender equality. It is important to mention that after the project ended only one ministry, the Ministry of Defense, has had a Plenipotentiary appointed to this day.¹⁷

In Polish governmental activities, issues related to “gender mainstreaming” are mostly related to the economic sphere, particularly to the labour market and economic equality. For instance, one of the projects carried out between 2008 and 2009 under the PROGRESS Programme by The Ministry of Labor and Social Policy was called: “Gender mainstreaming as an instrument of change” and aimed primarily at the raising awareness of public administration employees with respect to the horizontal social policy of gender mainstreaming. The goal of the project was to introduce the perspective of gender equality into the area of the social, political and economic activity of the state. The project featured gender-mainstreaming training for ca. 600 representatives of all ministries and most important public offices.

In 2013 the Polish debate on “gender mainstreaming” took an unexpected turn when this EU-promoted policy became part of the subject of the public debate on “gender ideology” that took place at the end of 2013 (for details about this debate see Grabowska 2013)¹⁸. During this debate, the representatives of the feminist organization, the Feminoteka Foundation, asked the Ministry of Development to grant them access to the names of all EU beneficiaries who were using EU funds in activities that were contradictory to EU gender mainstreaming policy. The activists from Feminoteka reiterated that gender mainstreaming was a horizontal measure that had to be applied in all projects funded by the European Social Fund. They argued that some of the beneficiaries of these funds, namely Catholic Church organizations that have so far received 61.499.178,14 PLN (about 10 000 000 Euros) from EU Structural Funds, have publically criticised “gender” and “gender mainstreaming” as a “harmful ideology” imposed by the EU¹⁹.

In summary, there are projects carried out by governmental institutions – and these are focused on women who are both employed and unemployed, but their main focus is the labour market. These projects represent a specific approach to gender equality as a function of macroeconomic interests. At the same time only a small percentage of these projects aim at

¹⁷http://www.google.pl/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCwQFjAA&url=http%3A%2F%2Fww.dz.urz.mon.gov.pl%2Fzasoby%2Fdziennik%2Fpozycje%2Ftresce-aktow%2Fpdf%2F2013%2F04%2FPoz_112_dec_Nr_108.pdf&ei=RSyHU6_LJsSg7AaT6YDYDw&usg=AFQjCNG16NtLHvwQW-WtxJHIC-6JIgcsxg&bvm=bv.67720277,d.ZGU

¹⁸Between Gender Studies and „Gender Ideology“. Gender Education in Poland” Magdalena Grabowska http://www.google.pl/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CDEQFjAA&url=http%3A%2F%2Fww.pl.boell.org%2Fdownloads%2FMagda_Grabowska_gender_education.pdf&ei=NjaHU6n6MtKf7gbb74DoBA&usg=AFQjCNEyeZGdmKd4ENw2Lr2_NRk_MbFcGQ&bvm=bv.67720277,d.ZGU

¹⁹ <http://www.feminoteka.pl/news.php?readmore=9446>

creating new workplaces for women; the planned activities focus instead on vocational training for women, providing women with skills, and/or promoting flexibility in the labor market (including women's entrepreneurship). However, as has been shown by some studies, the efficiency of such projects is very limited, with only 11% of women who participated in labour market workshops and vocational training able to find a job, and the majority of them remaining jobless or working part-time without social benefits.

The promotion of flexible forms of employment as a measure leading to greater gender equality promotes bad practices among employers: they tend to avoid offering full-time job contracts, instead favouring par-time workers or subcontracting. In addition, this model shifts the responsibility for finding a job onto women, and makes their flexibility and pro-activity conditions for improving their economic situations. And, finally, as long as it focuses solely on the economic sphere, the existing paradigm cannot consider gender dissemination in spheres other than the economy - such as education, healthcare, and violence against women.

1.3 The impact of the EU on gender equality-related public debates in Poland

Due to the reasons stated above - the weak institutional grounding of gender equality policies, the lack of financial resources, and the narrow understanding of gender equality which sees it limited to the labour market and economy - the impact of the European Union on gender equality within Polish politics has not been as profound as many people expected. The changes have not had a radical and systemic impact on women's issues. Rather, we have seen "soft change" - one that shapes debates and the language of women's and gender equality issues through suggesting themes and topics for public debates and the directions of government policies. Various topics discussed at EU level have been, over recent years, "translated" and transplanted into Polish public debate and have then impacted government projects, producing a variety outcomes.

One of the topics in which the EU has impacted on Polish social policy the most has been childcare. One of the Barcelona goals was to achieve 90% availability of care for children aged over three in all of the EU states. As of 2013, across Europe, 83% of kindergarten-age children (from age three to mandatory school age) are in formal care facilities²⁰. Some countries already

²⁰ Report on progress in equality between women and men in 2013. Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2013 Report on the Application of the EU Charter of Fundamental Rights, http://www.google.pl/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCwQFjAA&url=http%3A%2F%2Fec.europa.eu%2Fjustice%2Fgender-equality%2Ffiles%2Fswd_2014_142_en.pdf&ei=SziFU4_iFonF7AaupIH4Cw&usq=AFQjCNHAAoFN3Y8nnKXrruQNLR8tkPlkSYw&bvm=bv.67720277,d.ZGU

meet the Barcelona target, while others have not started working towards it, achieving less than 5% in 2011 (Poland, Romania, Slovakia). To increase the development of childcare institutions and to meet the EU standards, the Polish Ministry of Labour and Social Policy has prepared amendments to the *Act on care for children under three years of age*. The new provisions, which came into force in July 2013, reduce the commune's own contribution to the establishment and operational costs of childcare institutions from 50% to 20%, and it also expands the list of companies able to apply for funding from the state budget for the establishment of care institutions, and, additionally, extends the catalogue of entities that may hire daily carers. Parallel to the Act, the Ministry launched the “*Toddler Programme*”, whose goal is to encourage local authorities to establish nurseries and kids clubs for children under three years of age. The Minister of Labour and Social Policy devoted 40 million zloty (10 million Euros) to providing care for children under three. At the end of 2013, around three thousand new childcare places, nurseries and children's clubs were created. This programme also covers social security and health insurance contributions for nannies.

Another debate in which the impact of the EU was visible, even though it did not lead to a policy change, was that of paternity leave. According to EU documents, the balanced use of leave entitlements by both parents after childbirth has positive effects in terms of gender equality²¹. Currently, fathers' take-up of parental leave remains low in most EU States. In countries such as the Czech Republic, Spain and Hungary, 5 % of fathers take paternity leave (compared to 20% of fathers in Belgium, Denmark and Sweden). In Poland the debate about paternity leave began as early as in 2008, when *Gazeta Wyborcza* started a campaign promoting “Daddy Leave”. As a result of this campaign, and the influence of the EU, Polish law has changed, and since 2012 a father is allowed to take 2 months of paternity leave within the first 12 months after his child's birth. As this change did not bring about a significant increase in father's involvement in parental duties (Only 75 men took a paternity leave in January 2012, and 1600 in May of the same year), *Gazeta Wyborcza* re-launched its campaign, entitling it “Take a Break, Father” in 2012. Together with the Congress of Women and the Institute of Public Affairs, journalists from *Gazeta Wyborcza* encouraged fathers to use paternity leave, and pressed the government to change the status of

²¹ Report on Progress on equality between women and men in 2013. Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2013 Report on the Application of the EU Charter of Fundamental Rights, http://www.google.pl/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCwQFjAA&url=http%3A%2F%2Fec.europa.eu%2Fjustice%2Fgender-equality%2Ffiles%2Fswd_2014_142_en.pdf&ei=SziFU4_iFonF7AaupIH4Cw&usg=AFQjCNHAoFN3Y8nnKXrruQNLR8tkPlkSYw&bvm=bv.67720277,d.ZGU

paternity leave from voluntary to obligatory²². The examples of EU countries in which high numbers of fathers share the childcare with the other parent ran through the campaign as examples of good practices. For instance, the Swedish ambassador in Poland, Staffan Herrström, provided the example of his experience in Sweden - saying it was a country in which balanced paternity leave (in Sweden two out of 13 months of the parental leave are reserved for the father) leads to greater equality (The ambassador quoted data according to which the gross income of the EU will increase by 27% if women and men are more equal on the labour market)²³. However, even though the Plenipotentiary for Equal Treatment supported the idea of obligatory paternity leave, the new law on parental leave introduced by the government in 2013 did not consider such a change. Interpreting such a lack of change as an instance of the government being “out of touch” with women’s needs, representatives of the Congress of Women and Gazeta Wyborcza have argued that it will contribute to a strengthening of gender stereotypes and decrease the birth-rate in Poland (Pacewicz 2013)²⁴.

The way the Polish debate, started in Poland in 2010, on quotas in business ended could be said to be similarly disappointing. The European Commission repeatedly pointed to the economic and business advantages of gender balance and the presence of women in businesses. Data collected by the European Commission in October 2013 show that women account for an average of 17.8% of top-level board members in the largest publicly-listed companies registered in each of the 28 EU member states. Moreover, there are very few women in the most influential positions: just 4.8% of the chairpersons of these companies and only 2.8% of the CEOs are women. There is considerable variation between member states, ranging from almost 30% female board members in Finland to just over 2% in Malta (the figure is 12.3% in Poland). In Poland quotas in business were one of the demands of the 3rd European Congress of Women. The members of the Congress demanded 30% quotas in public companies by 2013 (and 40% by 2017). In the spring of 2013, the Minister of State Treasury issued an executive ordinance which obliged state-owned companies to "choose adequately prepared members of supervisory boards, taking into account the balanced participation of women and men". A target of 30% by 2015 and a priority rule for equally qualified women was spoken of as a goal, yet no sanctions for companies that did not comply were envisaged. At the end of 2013 the vice Minister of Economy announced the beginning of the debate about quotas in business. However, at the same time she anticipated resistance from business owners, so the vice-minister argued, “For certain, we will not be doing anything against

²² <http://wyborcza.pl/wezurlopojcze/0,0.html>

²³ Urlopy ojcowskie zwiększają szanse na podwyżkę i ograniczają spożycie alkoholu” Justyna Suchecka 12, lipca 2013, Gazeta Wyborcza.

²⁴ Donald Tusk nie czuje kobiet” Piotr Pacewicz, 02 maja 2013

business. There are many arguments for the parties, and it is important to argue that companies equally governed by women and men are more effective, more innovative”²⁵.

II. WOMEN'S ORGANISATIONS AND THE EUROPEAN UNION: EXPECTATIONS AND REALITY

As the government has failed to implement the changes required by the EU, and in the light of the resistance towards equality among government officials, women's organisations maintain their role as leaders in working towards progress in the area of gender equality. This practice - of taking over government responsibilities in the area of equal rights - is not new, and it is also not unique to the process of European integration (Fuszara 2009)²⁶. However, during the last 10 years, in the context of EU membership, women's organisations in Poland have been indispensable resources for knowledge and experience in the area of gender equality - resources that have been equally useful for national and transnational political actors.

The impact of European Union membership on non-governmental organization has not been uniform. Depending on the “profile” of the organization - its “age”, reach and geographical scope - women's and equality organisations have had different “experiences” of the ways in which the EU influences their daily work. At the same time, this change is also multidimensional: while it can be valued in some areas, it might be seen as negative in others. For instance, while EU membership positively impacted women's organisations' institutional capacities (their competitiveness in the area of EU funds and openness to collaboration with new partners, including international NGOs and EU institutions), it also led to a narrowing of financial possibilities, and direction of activities. It did not have a particular positive impact on NGOs relations with governmental institutions at home.

In general the transformation that took place in the functioning of NGOs concerned with equality and women's issues in Poland can be considered on at least three levels:

1. The change in financial situation,
2. The change in mission: topics and directions of activities,
3. The transformation of the positionality of women's NGOs in relationships with international actors and the state.

²⁵ <http://www.forbes.pl/parytety-w-radach-nadzorczych-spolek-resort-gospodarki-namawia,artykuly,176005,1,1.html>

²⁶ 2009 *Współpraca czy Konflikt, Unia Europejska, Państwo i kobiety* Małgorzata Fuszara, Magda Grabowska, Joanna Mizielinska i Joanną Regułą, Warszawa: Wydawnictwa Akademickie i Profesjonalne.

Since very early on, women's organisations have observed and monitored the Polish process of negotiations with the EU from the perspective of women's rights and gender equality. Initially the expectations of women activists were very high. In a country where conservatism, Catholicism and traditionalism emerged as major political forces after 1989, the European Union's policy of mainstreaming gender equality presented itself as an incredible chance for the women's movement. Yet, quite soon, women's organisations also realised that, as the macroeconomy is the European Union's major preoccupation, equality issues would be secondary to economic issues in the process of accession. In addition, during the negotiations it also became obvious to women's activists that the scope of EU engagement in gender equality issues was quite narrow and limited to economic issues and the question of equality on the labor market. Issue that many feminists consider the most pressing, such as reproductive rights, will remain under the jurisdiction of the nation state. At the same time, around the time of Polish accession, in 2002, the climate around women's issues changed locally. The then-intact left-wing government promised to change the abortion law during the election campaign, though it later "sacrificed" that promise in exchange for the Catholic Church's approval of Polish accession to the EU (Fuszara, Grabowska, Mizielińska, Regulska 2009)²⁷.

The awareness of the limitations of the European Union's gender equality policies had led to working various strategies in "using" the EU politically and financially. For many women's organisations the first 4-5 years of Polish membership were marked by a process of "learning" how to operate within the changing financial, institutional and political environment. This learning process required a change in strategies of relationship-building within other institutions, and confirmed expectations towards the ways in which women's issues for Poland can be represented at the EU level (EWL). For many women this period was an also a lesson on to what extent the EU could impact their positionality in relation to the state and state actors.

2.1 Finances

Polish accession to the EU in 2004 marked a radical change in the financial situation of most women's organisations in Poland. From the mid-1990, many Polish women's organisations became recipients of institutional grants from big financial foundations such as the Ford Foundation and the Soros Foundation. This institutional funding not only offered a sense of

²⁷ 2009 *Współpraca czy Konflikt, Unia Europejska, Państwo i kobiety* Małgorzata Fuszara, Magda Grabowska, Joanna Mizielińska i Joanną Regulską, Warszawa: Wydawnictwa Akademickie i Profesjonalne.

financial stability (the funding lasted for many years) but also let women's organisations negotiate the goals of the activities that they carried out. It also allowed for the hiring of a small, yet stable, set of employees. The situation started changing at the end of the 1990s, when big donors, including the Ford and Soros Foundations shifted their interests towards the post-Soviet and Central Asian states. The EU funding had not arrived yet, and women's organisations started to develop a sense of financial crisis, followed by the urge to develop new strategies to fit the new financial realities(Mizielńska 2009)²⁸.

Some women's organisations had hoped that the EU structural funds would be available to them immediately after joining the EU - these kinds of expectations were partially responsible for the fact that the year 2004 was, in the opinion of many women's activists, the hardest yet in their financial history. First of all, the availability of the EU funding had a number of formal requirements, including financial stability and equity contribution, which were particularly hard to meet by women's organisations with small budgets. Secondly, new entities have materialized as competition to women's organisations with regards the awarding for the EU funds. Applying for EU money, women's organisations now have to compete with local and public administration units, private companies and new institutional formations that emerged solely to manage and facilitate EU funding (semi private, semi NGOs). These new institutions have specialised not only in applying for EU money but also in monitoring and auditing EU grants. According to Ewa Charkiewicz, until 2010 only 23.58% of women-related EU funding was granted to women's organisations, while 44,8% of these grants were granted to private companies and 17% to public administration and local government (Charkiewicz 2012).

The formal requirement of institutional partnership proved to be another challenge for women's organisations. During the first period of Polish membership of the EU, the partnership requirement was one of the major reasons why Polish NGOs did not apply for EU structural funds. This first period was, in the opinion of the leaders of many women's organisations, a period of learning. During this time, NGOs entered the EU financial framework as partners to bigger organisations, rather than as leaders of projects. Women's organisations entered into partnerships with international institutions and national government units. A good example of such a partnership is the above-mentioned project "Gender Index", within which the Feminoteka Foundation collaborated with the United Nations Development Program and the Ministry of Labour and Social Affairs. New partnerships were also developed with women's organisations abroad. Such a

²⁸ 2009 *Współpraca czy Konflikt, Unia Europejska, Państwo i kobiety* Małgorzata Fuszara, Magda Grabowska, Joanna Mizielinska i Joanną Regułską, Warszawa:Wydawnictwa Akademickie i Profesjonalne.

situation was complemented by the fact that during the first years of Polish EU membership, organisations from the “new” member countries were sought for by western European NGOs as partners for projects; this “new” presence in the partnership increased the possibility of receiving an EU grant. Developing partnerships with organisations from various countries led to an “opening up” to new experiences and sources of knowledge. EU accession without a doubt activated various channels of collaboration between activists from various “old” and “new” European Union states. Yet the partnerships also had their downsides. First of all, they required flexibility in terms of the activities of the organisations - as partner organisations, women’s NGOs had to sometimes bend their mission and goals to adjust to the partner, or to the project. On the other hand, EU grants distracted from the activities on which women’s NGOs wanted to focus - they altered the direction of development and expertise.

After 2006, more and more women’s organisations in Poland started to apply for EU funds as project leaders, and not partners in projects. One example of such leadership is the project “Equality as a Standard of Good local government”, led by the Feminoteka Foundation between 2010-2013²⁹. Ewa Charkiewicz demonstrates this change when she shows how during the funding scheme of 2009-2012, several women’s organisations from Poland managed to receive major grants from European Union programmes, including the Feminoteka Foundation, the Democratic Union of Women, the Center for Women’s Rights in Łódź, and the “Inspiration” Association of Active Women. While the majority of the grants received by women’s organisations from the EU are grants of between 47000-50000 zloty (about 14000Euros), organisations such as Baba and Feminoteka managed to receive grants for about 500 000 zlotys (150 000 Euros).

2.2 Direction and focus of activities

The new financial environment impacted on women’s organisations’ strategies for formulating goals and conducting activities. The main goal was to adjust and work around the paradigm of “gender mainstreaming”, which focused on equality in the economic sphere. As the majority of funds available for gender equality in the EU focused on the economic sphere, women’s organisations developed a number of strategies for working within, and beyond, the gender-mainstreaming scheme. Unlike governmental institutions, which concentrated their activities on women and the labour market and the narrowly defined EU paradigm, women’s organisations aimed to develop strategies for going beyond that paradigm. A variety of projects carried out by

²⁹ <http://rownoscwsamorzadzie.pl/>

women's organisations over the last 10 years have demonstrated not only that they were more successful than the governmental institutions in broadening the scope of their activities devoted to gender equality, but also, that by engaging in various areas of women's issues, they again filled the gap left by the government in the area of women's rights.

Women's organisations managed to tackle various issues related to gender equality, including violence against women, education, and intersexuality, experienced based on gender, sexuality, class, physical and intellectual ability, nationality, religion. One example of going beyond the narrowed down notion of gender equality as belonging solely to the workplace, is the project carried out by the Feminoteka foundation, and entitled "Staying Safe Online: Gender and Safety"³⁰. This activity, financed within the DAPHNE programme, aimed to counteract internet violence against girls and teenage women in small towns. The Campaign against Homophobia carried out, as a partner organisation, another project within the DAPHNE scheme. The project, entitled "Equality lesson", aimed to provide anti-homophobic education for high school students and their teachers³¹.

Projects directed at women have also been carried out by women's organisations outside the scope of the DAPHNE programme. For instance, the Campaign against Homophobia's project aimed at developing a network of support for LGBT rights was financed by the European Commission's Basic Rights and Citizenship Programme 2007-2013. Similarly, the project "I'm coming back to myself", which assists women to transition from jail to life outside, and was carried out by the Women's Place Foundation, was co-funded by the "Citizens for Democracy" programme³². Another example of NGO activity that focuses on countering discrimination as an intersectional and interdisciplinary practice is the project "Equality-diversity; in practice", carried out by the Association for Antidiscrimination Education. This partnership initiative involving the Association and Cooperation Fund, was carried out between 2011 -2013 and aimed to counter dissemination based on various grounds, and to educate NGOs on how to approach discrimination as a multilayered experience that can involve intersections of various aspects, such as gender and disability³³. Finally, the initiative called "Herstory. About extraordinary women", carried out by the Women's Space Foundation, was supported by the European Social Fund³⁴.

³⁰ <http://www.medinstgenderstudies.org/staying-safe-online-gender-and-safety-on-the-internet/>

³¹ <http://www.lekcjarownosci.pl/>

³² <http://miejscekobiet.pl/tematy/wracam-do-siebie/>

³³ http://www.tea.org.pl/pl/SiteContent?subitem=rownosc_i_roznorodnosc_praktycznie

³⁴ <http://herstorie.wordpress.com/>

2.3 Position in relation to supranational political partners.

Since 1996 the European Union has become a major point of reference for the activities undertaken by Polish women's organisations. When the accession to the EU approached, during the years 2000-2004, women's NGOs tested various strategies for securing their presence, representation and recognition in the supranational political space of the European Union. One of such attempt was the creation of a Polish Women's Lobby - the representation of Polish women's NGOs who would be a member of the European Women's Lobby. While active for only a brief period, the PWL never became the full representative of the Polish women's movement at EU level. According to women's activists, the EWL membership did not satisfy them in terms of both the practices of representation (with one national representation of women's groups representing various interests), as well as in terms of the subject of the EWL lobbying (early on, women's organisations in Poland realised that the subjects that were of crucial importance to them, such as reproductive rights, would not have a prominent place in the politics of the EWL) (Grabowska, Regulska 2009)³⁵.

Slightly disappointed with their first experiences at the EU level, over the years, women's organisations have developed a number of strategies to enable them to become partners with European Union's institutions and NGOs. One such strategy, undertaken by the KARAT Coalition, has been to act as a channel for developing relationships between EU countries and their neighboring and associated states. The KARAT Coalition, which brings together organisations from the EU and from outside the EU, has acted as a mediator in linking women's groups from neighbouring countries and EU countries during the process of the development of the EU neighbourhood policy. The involvement of the KARAT coalition included negotiations with EU representatives (both the European Commission and European Parliament), working with women's organisations at the EU level (WIDE -Women in Development Europe) and UN level (such as UNIFEM) and with representatives of women's organisations from non-EU states. In 2006, in Warsaw, KARAT hosted a WIDE Conference on the state and the market from the perspective of women from the East, West and South. Strengthening significantly the cooperation between KARAT and WIDE, 'Eastern' and 'Western' women aimed to build a European networking/movement. In 2007 KARAT organised a seminar for EU neighbours and associated countries on EU neighbourhood policies and women. The aim of the seminar was to build the capacity and advocacy of women's organisations from neighboring countries (Belarus, Georgia,

³⁵ 2009 *Współpraca czy Konflikt, Unia Europejska, Państwo i kobiety* Małgorzata Fuszara, Magda Grabowska, Joanna Mizielinska i Joanną Regulską, Warszawa: Wydawnictwa Akademickie i Profesjonalne.

Moldova and Ukraine) on EU external policy and gender equality standards. The abovementioned KARAT activities also aimed to strengthen cooperation with member organisations from eastern neighbouring countries and cooperation between them and European Union NGOs/networks.

At the same time, European Union institutions have been recognising and inviting Polish/regional women's organisations to become partners in making EU policies. One example of such work is the recent involvement of the ASTRA network with Women's Rights And Gender Equality Committee in the European Parliament on the ESTRELA report, which focused on reproductive rights. The proposal, in a non-legislative resolution on "Sexual and Reproductive Health and Rights", was approved by the Women's Rights and Gender Equality Committee but rejected by the European Parliament in 2013³⁶. Some commentators have seen this as a sign of a backlash within the Parliament, which has so far been perceived as the most progressive of the EU institutions in the area of gender equality³⁷.

Many of the new strategies developed by women's NGOs have involved working individually with Polish representatives in the EU. In the opinion of some women's activists, one of the positive effects of EU membership has been the exposure of many Polish politicians and policy-makers to themes and tones of the "gender quality" debate at the EU. While, initially, women's organisations were major experts in the area of EU and gender equality, with time, some of the politicians too have become more aware and devoted to promoting EU gender equality policies in Poland. One such example of collaboration is the ASTRA Youth Networks' involvement in preparing the launch event for the recent Report on Sexual and Reproductive Health and Rights of Adolescents in Central and Eastern Europe and Balkan Countries, which was in collaboration with Member of European Parliament, Sophie in 't Veld.

Another path taken by women's organisations has involved direct correspondence with EU institutions.. Women's NGOs have appealed to the EU with letters and emails several times since 2004, including email and letters regarding Polish reproductive rights and Polish progress in implementing EU legislation in the area of gender equality. While these interactions do not have an immediate effect on the political decisions made "at home", they establish organisations concerned with women's issues and equality as important actors in the supranational debate (Fuszara, Mizielińska 2009). The "tradition" of writing letters to the EU began in 2002 with the "100 Women Letter". This document, which was initiated by the OŚKa Foundation and the 8th March Agreement,

³⁶ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A7-2013-0426+0+DOC+XML+V0//EN>

³⁷ <http://www.europeandignitywatch.org/day-to-day/detail/article/estrela-report-rejected-massive-popular-protest-wins-over-well-funded-lobby-groups-at-the-european.html>

was signed by 100 Polish women (scientists, artists, journalist and politicians) who demanded a change in the abortion law in Poland. The letter was written and sent to the European Parliament on February 4th 2002 as a response to the Polish government's talks with representatives of the Catholic Church. During the talks, the Prime Minister, who had previously promised to change the existing law, committed himself to not initiating such a change - in exchange for the Church support of Polish EU membership³⁸. More recently, organisations for women's and equality issues and have sent letters informing European institutions about the Polish (lack of) progress in implementing EU antidiscrimination laws. One example of such a letter is the Feminoteka Foundation letter to the European Commission, sent on February 9th, 2009³⁹ (with the European Commission response on April 3rd, 2009), and another is the letter sent by the Coalition of Equal Rights in February 2009⁴⁰.

Finally, women's organisations have become expert partners for EU institutions. Many women's activists work as experts for the European Institute of Gender Equality, and they contribute to various expertise produced by the European Commission or by the Fundamental Rights Agency. One example of such collaboration was the Feminoteka Foundation's involvement, in 2011, in the pilot research in a FRA commissioned survey on gender and sexual violence in all European Union countries. Another instance of such collaboration was the report published by the European Institute for Gender equality in 2014 - "Effectiveness of Institutional Mechanisms for the Advancement of Gender Equality. Review of the implementation of the Beijing Platform for Action in the EU Member States"⁴¹. The report was based on research in all EU countries, conducted and supervised by the consortium of the Karat Coalition and ATRIA.

2.4 Relations with national institutions

Even though the European Union has impacted on the activity and positionality of women's NGOs at the supranational level, and also triggered a closer collaboration with both non-governmental and governmental institutions locally and transnationally, it has still had only a very limited impact on the relationships between Polish NGOs and the state. In the opinion of many activists in Poland, while the organisations continue to be lobbyists for equal right and "watchdogs" to the state institutions, these effort will have very little impact on actual changes in Polish law and

³⁸ http://www.zgapa.pl/zgapedia/List_Stu_Kobiet.html

³⁹ http://www.feminoteka.pl/viewpage.php?page_id=16

⁴⁰ <http://www.feminoteka.pl/news.php?readmore=6088>

⁴¹ http://www.google.pl/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=0CDsQFjAC&url=http%3A%2F%2Ffige.europa.eu%2Fsites%2Fdefault%2Ffiles%2FMH0213481ENC_0.pdf&ei=pheCU-64MeXe7AaS3YGgBw&usq=AfQjCNGmeDekdd19u2FtivuFkxpG0u7nrA&bvm=bv.67720277,d.ZGU

political practices. The lack of a visible and significant change does not, at the same time, mean that nothing at all is changing: First of all, at the national level, the EU has facilitated the emergence of new institutional non-governmental bodies. The best example of such an initiative is the Coalition for Equal Rights that was established in 2008 to monitor the progress of the adjustment of Polish law to European Union antidiscrimination legislation. The Coalition, which described itself as an “informal platform that brings together various organisations working on behalf of equal rights and antidiscrimination”, oversaw the process of adjusting Polish law to the EU standards⁴² until 2011. As such, it continued the tradition of women’s organisations that are “guards” of state activity on behalf of equality, as described by Małgorzata Fuszara during the period of Polish accession (Fuszara 2009).

At the same time, thanks to the European Union’s mediated partnerships with state institutions, NGOs have gained the opportunity to reach new recipients and new audiences for their work. As beneficiaries and/or partners of EU funded projects that require training sessions and workshops in the area of gender equality as a horizontal principle, representatives of women’s organisations have become one of the major experts in providing knowledge to the public and to local administration about gender equality. Through lectures and workshops, women’s activists have the chance to encounter professional groups with whom they have previously had limited contact so far, including - administrative workers, the police, post office workers, and so on. These new relationships benefit both: the new audiences of women’s NGOs can learn about gender equality, and women’s organisations themselves gain exposure to new issues and experiences. Without a doubt, the existing framing of gender equality as one of the priorities of EU policy, and with legislative documents that provide women’s organisations with the grounding and legitimatisation of their knowledge about equality, their positionality in relations with new groups and audiences is strengthened.

The representatives of women’s and antidiscrimination organisations continue to be indispensable experts who collaborate and contribute to the development of government gender equality policies. However, most of the time their efforts are not recognised by the state as the work that contributes to advancing gender equality. On the one hand, governmental organisations often ask individuals, not organisations, to become part of their projects. Such a strategy aims to strip a partnership of its political character, by ensuring that “radical” women’s organisations, are in fact not officially involved. On the other hand, the knowledge, expertise and experience of women’s

⁴² <http://www.ptpa.org.pl/koalicja>

activists is used by the government to illustrate dialogue with the third sector, while also being used to cover gaps in governmental knowledge and the institutional framework for gender equality.

The participation of representatives of women's organisations in various governmental and international projects, and their continued role as 'experts' in gender, are elements in the process of mainstreaming the women's movement. The implications of this shift are ambivalent. On the one hand, the fact that representatives of the women's movement have entered the mainstream public and political sphere broadens the scope of the discourse on women's rights in unexpected ways; while some women's activist have become "mainstream", others have moved to more radical and critical positions; and while some feminist ideas become a new centre ground, more radical ideas make their way into the broader social debate. On the other hand, however, the process of entering the mainstream can be seen as a symptom of a backlash against feminism. As women's activists become part of the mainstream, they are often forced to change the language they use to talk about gender equality with, and to adjust their political tools to mainstream politics. This can lead to a "watering down" of feminist agendas and a coopting of the women's movement by state-promoted narrowed-down versions of what gender equality is, such as with "gender mainstreaming".

At the same time, representatives of organisations for women's rights and equality are still not equal partners in the political debate, and their expertise is often used by government institutions in misleading forms of partnership with the government, forms that often turn out to be "false" (Fuszara 2009). On one hand, women's organisations constitute the government supply of resources which cannot be omitted. On the other hand, however, the expert voices raised by women's and equality organisations are largely ignored by politicians - representatives of women's and equality organisations are invited to meetings, and allowed to express their opinions, though they almost never translate into government actions.

Conclusions: 10 years in the European Union. Do we have the equality that we have been fighting for?

While the polls demonstrate that the level of approval among Polish people for EU membership is increasing, over the last ten years the general attitude towards gender equality has not changed much. According to the CBOS survey⁴³ published in the spring of 2013, the level of approval for gender equality in Poland has remained at a level of 60% since 2002. When asked about discrimination, over 50% of women (compared 35% of men) agree that it exists. At the same time,

⁴³ "Równouprawienie płci?" CBOS, March 2013, (BS/31/2013)

women are not happy with the provisions proposed by the state in the area of gender equality. Across various spheres of life, CBOS respondents evaluated the provisions that aim for equality between women and men as the most successful (over 60% of all Poles thought that equality in the family was satisfactory). At the same time, Polish women are not satisfied with the provisions aimed at securing equality in the workplace - only 45% of them believe they are satisfactory, compared to 61% of men.

This data can be interpreted in a variety of ways. On the one hand, it may signal that women and men still have little knowledge of legislation that is designed to protect them against discrimination. On the other hand, it could indicate a growing consciousness of gender inequalities in the workplace and the awareness that the existing legal protection is not satisfactory. Regardless of how we interpret such data, the change that resulted from Polish accession to the EU cannot be seen as satisfactory. Its scale is still very narrow, and only a small proportion of money is devoted to action against discrimination. At the same time, only a small amount of the money devoted to equality is in the hands of women's organisations, who seem sometimes to be the only experts in this area. And finally, while the European Union remains mainly an economic, and macroeconomic, project, gender equality within the EU remains perceived through the lens of economic equality, with particular emphasis on equality on the labor market. Such narrow definitions not only omit other important aspects of equality, but also exclude large groups of women from the gender equality project.

RECOMMENDATIONS:

As a result of the conducted interviews and based on the analysis of state and international documents, the following recommendations for further action in the area of gender equality in Poland - in the context of the EU - can be formulated:

1. Increased resources should be devoted to the issue of gender equality, including a separate national budget for such activities within the Polish government.
2. The antidiscrimination law, which implements some of the EU regulations into Polish law, should be amended, particularly in the area covering the extent of the protection offered to groups discriminated against, and in the catalogue of the basis for their definition.
3. Clear(er) definition of the competence and area of engagement of institutions responsible for gender equality in Polish national structures should be provided, and the gender equality institutional structure should be strengthened at the local government level, in particular within ministries.

4. Closer collaboration should appear between the government and social partners, particularly in the area covering the inclusion of social organisations into the process of adjusting Polish law to European legislation.
5. Government activities on gender equality should be extended beyond the economic sphere and the labour market.
6. Changes in paternity laws should be introduced, particularly with regards to the equal sharing of parental responsibilities between women and men and the existence of a certain part of paternal benefits to be used only by the father (paternity leave).



This project has been funded with support from the European Commission.

This publication reflects the views only of the author, and the Commission cannot be held responsible for any use which may be made of the information contained therein.