

The European Union – accelerator or brake for gender equality in the Czech Republic?

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The development of gender equality policy in the Czech Republic comes hand in hand with the country's EU-accession process. Even though the Gender Studies NGO was established as early as in 1991, and the department of Gender and Sociology within the Sociological Institute of the Academy of Sciences even earlier (in 1990), institutional and legislative changes really only began in 1996 with the process leading up to the accession. As policy makers in the Czech Republic so strongly wanted membership of the EU, the harmonisation of law, even gender equality law, was not a very complicated process. The difficulties arose after 2004, mainly with regard to the implementation of the law, and also in terms of making further progress. As the Czech Republic is already a member of the EU (and being removed is highly unlikely) and most of the current gender equality policy (besides some new directives) is part of soft law¹, there are no means to make the Czech Republic and its government commit to further development of gender equality policy.

The Czech Republic has several NGOs, including Gender Studies, the Czech Women's Lobby, Forum 50 %, Nesehnutí, and the Open Society, which help to advance gender equality. Thanks to EU funds they have a noticeable impact on the public through the media. Gender Studies also supports their activities with information on current problems and needs – this information is gathered from a legal help-line on discrimination. However, it seems that the development of gender equality policy comes from two spheres – firstly, the EU and other relevant institutions (such as the UN), and secondly, NGOs – their influence is facilitated by donors such as the European Social Fund (which is also influenced by the MLSA) and foreign foundations such as the Heinrich Böll Foundation, the Friedrich Ebert Foundation and the Open Society Fund. The impact of both of these spheres is analysed in the following text. However, the question that we must always bear in mind is 'where are the people?' We need to ask why they are not standing up for their rights, and also whether legislation can be implemented if it does not come from citizens, but from policy makers. On the other hand, would there be any gender equality policy at all if we waited for citizens to stand up? These are questions that most likely cannot be answered. All the same, we keep them in mind when evaluating gender equality policy in the Czech Republic.

1. The media and policy makers – two key players influencing the (lack of) development of gender equality in the Czech Republic

The accession period (1996 – 2004)

The EU-accession process, especially in its final years, involved a significant shift in gender equality policies. At the beginning of the process (at the end of the 90s), this was mainly in

¹ European soft law covers all non-binding legislative acts of European Institutions, including decisions, recommendations, opinions, resolutions, statements and action programmes. The ABC of Community Law. European Commission. 2000. p.58, 68-69

terms of the establishment of state institutions related to gender equality. These included the Unit for Equality of Women and Men under the Department for Integration with the European Union (later on, this was occasionally linked to different ministries, but it mainly stayed under the control of the Ministry of Labour and Social Affairs); the Government Council for Equal Opportunities for Women and Men; the gender focal point at each Ministry; the production of the document entitled *Priorities and Procedures of the Government towards Enforcement of Equal Opportunities for Men and Women* was another important element here. However, towards the end of the accession period (in the years 2000 – 2004) the focus was mainly on the harmonisation of law (it involved the amendment of the Labour Code, which for the first time defined *direct and indirect discrimination, harassment and sexual harassment*, and allowed men to take paternity leave). Emphasis was also given to equal opportunities on the labour market, which was enabled by pre-accession funds (Phare and EQUAL). At the same time, the most important academic player, the Department of Gender and Sociology within the Sociological Institute of the Academy of Sciences, also started to focus its studies on this issue. Its focus was specifically on discrimination on the labour market, work-life balance, equal pay and sexual harassment in the work place. The unwillingness of the general public, including women themselves, to accept that there is gender-based discrimination on the labour market also led the NGOs to heighten emphasis of the topic. For the analyses and advancement of gender equality, it was important that, in 2001, the Czech Statistical Office began to publish gender-specific data.

In the 90s there was a huge critical discussion concerning sexual harassment. This was provoked by the famous Czech writer Josef Škvorecký's negative essay about American feminists, and established a mocking expression for sexual harassment that was often used subsequently, and which ignited a further discussion of the topic. This discussion also influenced the perception of violence against women, which was in need of societal recognition as a serious social issue – there is still some way to go to achieve this recognition.

Since 2004

The most discussed issue related to gender equality in the media has become work-life balance – this was partly because of the necessary harmonisation of legislation within the EU. The discussion on gender equality in the Czech Republic (both in the media and in political debates) took part mainly when the Czech Republic held the presidency of the EU Council (in 2009). At this time, Petr Nečas (from ODS, the Civic Democrats – a right-leaning conservative party) held the position of Minister of Labour and Social Affairs. He was strictly opposed to any EU policy related to gender equality. In contrast, the Minister for Human Rights in the same cabinet, Michael Kocáb (of the Green Party), actively favoured and advanced gender equality policy, and not only that which came from the EU. However, Nečas had a much stronger position in the government and therefore Kocáb's enthusiasm and progressive ideas did not achieve any real valuable results.

The Czech Republic signed the memorandum on gender equality during the trio of the French, Czech and Swedish presidency, but the impact on the Czech public remains unknown and the document was not even introduced to the key players in gender equality. During the Czech presidency of the EU Council, the Czech Minister of Labour and Social

Affairs wanted to question the Barcelona targets² agreed by the EU. The signal from the EU was clear – a policy that had been agreed upon and passed before the Czech Republic became an EU member could not be overruled. The Minister of Labour and Social Affairs proclaimed that the EU was forcing families to use childcare services for children under 3 and the media in the Czech Republic broadcast the same rhetoric³ to the public. However, the EU had never verified the fulfilment of these particular criteria. In 2011, the Czech Republic was against the inclusion of the targets into the context of the EU 2020 strategy.

The Lisbon Treaty, as well as the EU 2020 strategy, changed views on the topic. It is no longer so important whether women have jobs and are economically independent. What is of more importance is the argument that a higher employment rate among women leads to a better economy that can compete with the United States - this kind of argument received even more attention during the economic crisis.

Gender equality on the labour market and in politics

From the legislative point of view (as was also pointed out by the relevant actors) a ridiculous situation came about when the Czech Republic passed an amendment to the Labour Code in 2007 which, in the field of discrimination, referenced an Antidiscrimination Bill that had not yet been passed, and the implementation of which was still a long way off. The Antidiscrimination Bill was finally passed in June 2009, a year after President Vaclav Klaus vetoed the legislative proposal. The antidiscrimination bill only transposes the so-called recast directive (2006/54/EC) that brings together legislation on the equal treatment of men and women. Kristina Koldinská, a lawyer from the European Network of Legal Experts in the Field of Gender Equality, commented on the transposition of the recast directive as follows: “The above-mentioned purpose of the Recast Directive has not been achieved by the Czech legislator. The current antidiscrimination bill is quite chaotic and not very easy to understand, on the one hand, and it makes use of all possible exceptions from the equal treatment principle and does not provide enough competences to the equality body, on the other hand. Therefore it could be concluded that the Recast Directive and its main objectives have not been transposed properly into Czech legislation and that its impact has not been as strong as it should have been.”

This occurred at a time when the European Union was discussing a new directive related to non-discrimination that would implement the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation. Even though requirements of the directive were included in the antidiscrimination bill, the Czech Republic stood against it. In 2011 the media discussed the EU directive (2004/113/EC) forbidding discrimination in insurance (the Czech Republic was obliged to pass this, in accordance with the verdict of the European Court of Justice). The main aspect of the directive that the media chose to report was that women would have to pay more for car insurance than previously

² “Ensuring suitable childcare provision is an essential step towards equal opportunities in employment between women and men. In 2002, at the Barcelona Summit, the European Council set the targets of providing childcare by 2010 to:

- at least 90% of children between 3 years old and the mandatory school age and
- at least 33% of children under 3 years of age.” http://europa.eu/rapid/press-release_MEMO-08-592_en.htm?locale=en

³ See for example: “Jesle nám nenuťte, vzdorují Češi Evropě” http://zpravy.idnes.cz/jesle-nam-nenuťte-vzdoruji-cesi-evrope-d9g-/domaci.aspx?c=A090202_133836_domaci_adb

(this was also the case for life insurance). Less importance was given to the fact that women were often discriminated against in access to pension insurance, which was also to be prohibited.

Since the Czech Republic entered the EU in 2004 and harmonised its laws, some employers found that they had to change their policies towards employees in order to prevent discrimination and guarantee equal treatment for women and men. The first time the topic of equal opportunities in companies was brought up was at a 2004 conference of the NGO Gender Studies entitled “Equal Opportunities in the Prosperity of Enterprises”, which was funded by the pre-accession Phare Financial Programme. The trend towards equal opportunities was also supported by the “baby boom” in female-dominated sectors (for example banks), where a huge number of women started to leave their work on maternity and parental leave⁴ and employers realised that they could not lose so many employees. Step by step, the policy of gender equality in the private sector became one focussed on work-life balance. Needless to say, employers taking this direction have always belonged to the minority, and many employers do not even adhere to the legislation. Some employers also abused the fact that, thanks to the European Social Fund, many NGOs were, and still are, providing free gender audits for companies. Companies that did not spend a penny of their own budgets on advancing gender equality now boast about their gender equality audit and brand themselves gender equality-friendly firms - most of these companies would not be willing to pay for such an audit. Some companies have even applied of their own initiative to the European Social Fund for the finance to enable them to offer equal opportunities for women and men, or to fund childcare centres. We could therefore ask whether such projects show a real commitment to gender equality, or whether they are more about positive company PR. The Labour Office has never been competent in the elimination of discrimination by employers. Labour Unions are a little more successful in tackling the issue, but not sufficiently so. Legal proceedings appear to be the only “way out” from discrimination.⁵ Since 2009, the Ombudsman’s office has been the national body responsible for equality. However, it offers only methodological support to people who face or experience discrimination.

With regard to employers, the EU has initiated a discussion over quotas in the business sector (this included a valuable proposal from the EU Commissioner Viviane Reding on 40% female board members by 2020). The media discourse is not in favour of quotas in general, even in politics, so quotas in the business field raised even more controversy. It seems that Czech society cannot accept the fact that private enterprises will have to obey some rules. If

⁴ In the Gender Studies contest “The Best Company with Equal Opportunities”, some firms declared that they have 30 percent of their employees on maternity or parental leave.

⁵ One of the examples of how courts handle the situation of discrimination is the trial of 2004, in which a fifty-year-old woman applied for the job of clerk at the Land Registry and was rejected because of her age. This justification was even mentioned in official documents. The judge decided that the woman was not discriminated against and that in some occupations age is a relevant factor. After the verdict, the woman committed suicide. http://zpravy.idnes.cz/zena-neunesla-rozsudek-zabila-se-d4p-krimi.aspx?c=A040912_210743_krimi_fri. The first case of discrimination based on gender occurred in 2006. <http://zpravy.aktualne.cz/domaci/prvni-cesky-pripad-diskriminace-zen-je-zpet-a-s-nadeji/r-i:article:654716/>

Up to 2011, there was no judicial case based on gender discrimination in the labour market. Statistický přehled soudních agend. Druhá část. Rok 2011. Ministerstvo spravedlnosti ČR. http://cslav.justice.cz/InfoData/servlet/FileServlet?tabulka=ccav_dokument_sestavy&sloupec=obsah_dokumentu_pdf&where=id_dokumentu=474582&typSloupce=pdf&fileName=null

inserting antidiscrimination rules into the Labour Code was seen as interference in the free market, quotas are perceived as forcing enterprises to employ incompetent employees. This shows that more informed public discussion about quotas is necessary. Journalists and the general public cannot really grasp how quotas work in practice, and they therefore still believe in many myths. This all leads to the questioning of whether policies related to equal opportunities, not only for women and men, can work in practice if they are requested by the EU, or if they are initiated by employees who recognize that their rights are violated and want to fight for these rights (as has been the case in most instances, for example in the UK).

In reference to quotas, we often hear about so-called “positive discrimination”, both in the private and public spheres. This term alone shows that it is not taken as a means to balance inequalities that women face, but is mostly seen as a method for giving women the chance to increase their number in politics, even though they do not want to be there. The political scene is then proclaimed to be an equal environment where women, if they want them, have the same options as men. The only two political parties that have a quota on its candidate lists are the Green Party and the new Liberal Environmental Party. For example, the Czech Social Democrats decided to have one woman among its vice-chairs. But as Hana Havelková, renowned Czech feminist and political scientist, pointed out, it is a quota that does not set up a minimum number of women in the leadership, but, conversely, it defines a maximum number. There is actually only one vice-chair’s position that female candidates have a chance to run for.⁶ However, women are receiving stronger and stronger support due to the possibility of greater circulation on candidate lists.

To picture political will towards legislation that would impose quotas on candidate lists, it should be mentioned that the first proposal to introduce such a rule appeared in 1998, in the first Priorities and Procedures of the Government Towards the Enforcement of Equal Opportunities. Since then, some proposals have been prepared and worked on, for example by the Ministry of the Interior in 2009. However, for the past ten years no law has been proposed or discussed by the Government. Although it is very positive that the Minister Michael Kocáb (nominated by the Green Party) set up a Committee for Equal Representation of Women and Men in Politics in 2009, no impact has been noticeable. It must be asked whether such a committee is not simply waste of time.

Another EU policy that should lead to gender equality is that of encouraging men to take on childcare, especially the care of young children. In the Czech Republic, men’s involvement in childcare has become an issue thanks to NGOs such as Gender Studies and Nesehnutí, though the Department of Gender and Sociology within the Sociological Institute of the Academy of Sciences has also researched the topic. One of the first steps here was a travelling exhibition organised by Gender Studies and Nesehnutí - “Active Fatherhood” opened in Prague ZOO in 2007, with the popular Czech actor Jan Dolanský as the face of the campaign. Since then Prague ZOO has celebrated Father’s Day each year. Returning to legislation, fathers have been able to take paternity leave since the amendment of the Labour Code in 2001, though statistics show that only 1 percent of men use this opportunity⁷.

⁶ Havelková, H. (2006). Jako v loterii: politická reprezentace žen v ČR po roce 1989. In Hašková, H., Křížková, A., Linková, M. (Eds). *Mnohohlasem: Vyjednávání ženských prostorů po roce 1989*. Praha: SoÚ, s. 25–42.

⁷ Press Kit k aktuálním tématům a změnám v oblasti rodinné politiky. Gender Studies, o. p. s. 2012.

The (compulsory) sharing of parental leave by father and mother, as is the case in Iceland⁸, is not welcomed by the Czech mainstream media. It is perceived as a policy that forces a family to behave in a way they do not want to.

The parental leave directive (2010/18/EU) did not receive any attention from politicians or the media. The length of the new parental leave did not influence the Czech status quo. The directive also includes a non-transferable one month's right to parental leave for fathers⁹, which is yet to be implemented - the first discussion over such a provision was started only recently by Michaela Marksová, the new Minister for Labour and Social Affairs. Linda Sokačová of the NGO Gender Studies audited political parties in 2010 in relation to their programmes on family policy. At that time, the Green Party was the only one that proposed the sharing of parental leave¹⁰. One week of paternity leave was part of the National Plan of Support for Families 2009¹¹, but it has never been implemented. However, as parental leave usually lasts three years in the Czech Republic, the EU requirement of one month for fathers seems to be almost meaningless.

Violence against women

Since the 1990s, when the debate about violence against women began, the term has often been substituted by "domestic violence". The Czech Republic (as a political entity) is active in this area and is involved in discussion on the European level¹². However, even the topic of domestic violence is usually trivialised and accompanied with statements to the effect that "men are also victims". In the media, women are often blamed for being raped and perceived as careless or provocative, etc. As a result, they far too often keep silent rather than speak out publicly about the violence they suffer. Until 2001 rape was seen as a criminal offence only when sexual intercourse took place.

Thanks to the change of law related to domestic violence, since 2007 the police have been able to expel an aggressor from a home, and a new social service of "intervention centres" has been established in each region in the Czech Republic to prevent domestic violence and

⁸ Three months taken by a mother, three month by a father, three by either of them – the mother and father are not forced to take the leave, but if the family do not use the term dedicated only to fathers or mothers, they lose this part of parental leave. Ibid.

⁹ To clarify, the directive gives possibility to a man and a woman (each of them) to take parental leave for at least 4 months and it recommends this 4 months be non-transferable to the other parent. The decision about transference is left to member states, however, at least one month cannot be transferable from one parent to the other. Council directive 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing directive 96/34/EC. <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32010L0018>

¹⁰ Linda Sokacova. Jak na tom bude rodinná politika v příštích čtyřech letech? 2010. <http://blog.aktualne.cz/blogy/linda-sokacova.php?itemid=9682>

¹¹ Národní koncepce podpory rodin s dětmi. MLSA. 2009. http://www.mpsv.cz/files/clanky/7958/Narodni_koncepce_podpory_rodin_s_detmi.pdf

¹² For example, during the discussion on the Council of Europe Convention on preventing and combating violence against women and domestic violence, representatives of the Czech Republic demanded strongly that the convention covered only "domestic violence" and not "violence against women".

help victims.¹³ A key year in relation to domestic or partner violence was 2010, when a new Penal Code came into force and defined stalking as a criminal offence.

In 2011, a National Action Plan to prevent domestic violence for the years 2011-2014 was approved. It was prepared, mainly thanks to NGOs, by the Committee for the Prevention of Domestic Violence that serves under the Government Council for Equal Opportunities. The Committee was set up in 2007 by the Minister for Human Rights, Džamila Stehlíková (of the Green Party). The Action Plan follows recommendations by the Council of Europe with regard to violence against women, and also recommendations of the UN Committee on the Elimination of Discrimination against Women. An excerpt from the National Action Plan reads as follows: *“The minimum standards of the Council of Europe subsequently only recommend the existence of a single counselling centre for persons endangered by domestic violence and their children per 50 000 inhabitants. The current offer of services for endangered persons does not meet this recommendation in any region.”*¹⁴ The National Action Plan asks for change. One of the main requirements is: *“...a free non-stop telephone line to help persons endangered by domestic violence should be established. Access to help should also be ensured on a free-of-charge basis for those persons who do not have their own financial resources, cannot freely use their own telephone or have found themselves in a financial emergency. This goal is in accordance with Recommendation Rec(2002)5 of the Council of Europe on the protection of women against violence, which states that Member States of the Council of Europe should encourage the establishment of emergency services such as anonymous, free of charge telephone help-lines for victims of violence and/or persons confronted or threatened by situations of violence; regularly monitor calls and evaluate the data obtained from the assistance provided with due respect for data protection standards.”*¹⁵ Recently NGOs have been providing such helplines. As the solutions of the Action Plan should be implemented by the end of 2014, they are yet to be evaluated. As the Action Plan covers violence against women only within the criteria of domestic violence, it does not correspond to the Council of Europe Convention on preventing and combating violence against women and domestic violence, which unfortunately the Czech Republic refused to sign.

EU as the bearer of gender equality?

In general, it can be said that EU proposals such as quotas or paternity leave are discussed in the Czech Republic, but without any direct connection to the EU. The strategy of using the EU as a representative of the gender equality issue is uncommon. This is mainly because mainstream media discourse usually paints the EU as a policy maker we have no influence over, one that dictates policies to us that we do not want. Moreover, we can state that Czech mass media mainly reports on EU policies in a negative way, and this is exaggerated when it

¹³ “In March 2006, the Czech Republic adopted legislation for protection against domestic violence: Act No. 135/2006 Coll., which amends some acts in the area of protection from domestic violence (hereinafter only the “Act on Domestic Violence”), with effect from the 1st January 2007. This meant that the Czech Republic was another European country to accede to efforts towards a comprehensive solution to the issue of domestic violence. The state’s position towards domestic violence and the will not to tolerate it and to help vulnerable persons resolve their situations effectively were thus clearly expressed for the first time.” National Action Plan to Prevent Domestic Violence.

¹⁴ National Action Plan for the Prevention of Domestic Violence for the Years 2011-2014. MLSA. 2011. http://www.mpsv.cz/files/clanky/12194/5_material_NAP_15-04-2011_en.pdf

¹⁵ Ibid.

reports on gender equality and the respective directives (50 % of female politicians in a debate organised by the NGO Forum before the European Parliament elections in 2014 agree that is the case¹⁶).

The new government that came into power at the end of January 2014 gives us hope for better policies related to gender equality. There are three people that should help to develop gender equality: Jiří Dienstbier Jr., the Minister for Human Rights, Equal Opportunities and Legislation; the Minister of Labour and Social Affairs, Michaela Marksová, who is a feminist and former director of the NGO Gender Studies; and Vladimír Špidla, chief advisor to the Prime Minister, who is a former EU Commissioner for Employment, Social Affairs and Equal Opportunities (all three of these politician belong to the Social Democratic Party). On the other hand, in the past ten years the institutional support to gender equality has not been strengthened at all, and since the Czech government holds the position of a “Minister of Human Rights and Equal Opportunities”, we should hear a little more about gender equality.

2. The impact of European integration on women's/gender organisations

History

There is no doubt that the impact of European integration has significantly changed women's/gender¹⁷ activities in the Czech Republic. For a more comprehensive understanding of the changes it is important to briefly outline the nature of (more or less formal) women's groups before accession negotiations between the EU and the Czech Republic began in 1996.

During socialist rule in the former Czechoslovakia (1948-89), no women's activism, movements, or organisations existed. There was only one official women's unit – the Czechoslovak Women's Union. And so the establishment of an organisation called Prague Mothers¹⁸ in 1988 can be regarded as an outstanding achievement of the era. The change in the political system and the transition to capitalism after 1989 led to a fundamental change. Dozens of women's organisations and associations (more latterly gender organisations) have appeared. However, the transition to capitalism did not represent a move towards gender equality. On the contrary, the 90s were affected by a significant marginalisation of women's issues and even antifeminist discourse (without a deeper insight into what feminism is). This was visible on many levels, especially in the media and politics. The National Congress of Women, convened in November 1991, demanded from the then Czechoslovak government the consistent fulfilment of the CEDAW (the UN Convention to Eliminate all Forms of Discrimination Against Women). However, the lack of institutional support and the

¹⁶ Jana Smiggels Kavková. Je třeba posílit roli ČR v Evropské unii, shodují se kandidátky do EP. 2014. <http://kavkova.blog.ihned.cz/c1-62045360-je-treba-posilit-rolu-cr-v-evropske-unii-shoduji-se-kandidatky-do-ep>

¹⁷ In the second part of the text we mainly use the label “women's/gender” to describe a wide range of activities performed by women's/gender/feminist etc. organisations and movements. However, it should be noted that Czech organisations and groups focusing on (not only) women's rights label and understand themselves very differently. European integration has had a significant impact on the development of organisations that deal with equal opportunities concepts (although there are limitations here when compared to the concept of gender and/or feminism). There is no up-to-date list of all women's/ gender organisations/groups, but the following websites can give some idea: <http://www.czlobby.cz/en/our-members/> and <http://genderstudies.cz/gender-studies/organizace.shtml>.

¹⁸ This group's aim **is/was?** to improve the environment in Prague.

gradual exhaustion among committed women put an end to umbrella organisations of that time which convened the Congress (including the Czech Women's Club and the Council of Czech Republic Women) – this resulted in a long public silence regarding women's rights and gender equality.

On the one hand, women's organisations in the 1990s significantly stood in for state services. They provided services to special groups of women (single mothers, victims of domestic violence, sex workers, cancer survivors, etc.). On the other hand, despite all efforts, most women's/gender issues remained at very least socially invisible, if not trivialized, ridiculed or even considered dangerous. Systematic work, or even cooperation, with the media sphere was far from being on the agenda. Likewise, cooperation with other institutions (for example, with political representation, state officials or other persons in decision-making positions) was negligible. Except for ties with the academic sector, there was a clear phenomenon of the isolation of these issues from the Czech public. This situation is naturally reflected in the funding of women's NGOs – there was no systematic state plan for funding and financial support and organisations were dependent on foreign financial support. Unfortunately, this situation persists until today.

Important changes: for better or worse?

It is not certain how long it would have taken for any changes in the situation to occur without the impact of European integration, and also that of UN institutions. Still, it is clear that the pressure of the EU was crucial for the change of environment in which women's groups operate. Emerging institutions (as mentioned above) were welcomed by women's organisations as potential partners. The influence of the EU is evident due to the emphasis on cooperation between governmental structures and women's NGOs (the development of this cooperation is subsequently monitored). Similarly, the need for the harmonisation of Czech legislation with the European directives on gender equality was an exceptional opportunity for lobbying and the promotion of groups' goals to strengthen gender equality. Optimistic expectations faded after it became clear that changes in institutions and legislation would be rather formal and indirect¹⁹. In spite of this, the conditions described above enabled some women's groups to reach decision-making levels.

New state institutions for implementing gender mainstreaming were obliged to co-operate with women's/gender organisations. Unfortunately, the formalised approach to gender equality on behalf of state institutions had a major impact on this cooperation. Since at that time there were only few experts among state officials, experts from women's/gender organisations were often asked to provide their expertise, which was nevertheless unpaid (and often unacknowledged). Representatives of women's/gender organisations worked in various advisory bodies, and reviewed or created documents for the state. They were pressed to create an umbrella organisation since government institutions were more willing to communicate and negotiate with such bodies than with representatives of various NGOs. This all points to the fact that most of the changes on the level of decision-making processes were stimulated more by formalised NGOs than by informal women's initiatives. Most organisations were aware of this "exploitation" by the state. However, they accepted the status quo and tried to keep this marginal influence knowing that it was better than nothing. Probably the only time when there was a notable attempt from a government to pursue

¹⁹ For more information see part 1 of the text.

cooperation with gender organisations fell within the short period in 2009 when Michael Kocáb (on behalf of the Green Party) was active as Minister for Human Rights and Minorities. After Petr Nečas (of the Civic Democrats, a right-leaning conservative party) became Prime Minister, Kocáb was dismissed. Roman Joch, generally known for his negative attitude towards feminism and human rights, was given responsibility for the agenda of human rights. Nečas and his advisors were very eager to get rid of women's/gender groups, and this was reflected in the application for European Social Fund grants in the 2007–13 period. The Ministry of Labour and Social Affairs that managed the programme of “Equal Opportunities of Women and Men on the Labour Market and Reconciliation of Family and Working Life” accompanied their support with the following claim: "Supported projects cannot have a political nature or promote any political or ideological goals, including feminist or masculine ideologies."

In general, state conceptualisation of gender equality has been considered as rather formalised. In this regard, the efforts of women's/gender groups have remained focused on lobbying at the national level. Becoming a member of the European Women's Lobby has been used mainly to support Czech women's/gender organisations during lobbying, or when there has been a need to highlight demands on a national rather than international level.

Money, money, money

The EU has caused radical changes in the sphere of funding. The already described absence of state support of gender issues²⁰ meant a lack of stability for many women's/gender organisations. The European funds were expected to change this and they provided hope of sustainable and continuous funding. However, the EU finance has also brought many problematic aspects: a focus on projects rather than on vision, a change of basic aims to meet grant schemes (and consequently a low diversity of gender issues in the Czech Republic), an extreme administrative burden (at the expense of crucial activities), and high demands on the formal structure and functioning of organisations receiving the finance.

Due to the lack of state interest in the 1990s, many organisations drew their resources primarily from foreign foundations and private donors. This funding was often very flexible and allowed organisations further development and the chance to build capacity. The funding also covered personnel and operating costs and, above all, gave organisations the opportunity to engage in issues that chimed with their real visions. The enlargement of the EU (the Czech Republic became a member in 2004) also meant that previous donors moved their focus of interest farther to the East. The strict grant schemes regarding EU financial support led to a shift in emphasis of organisations from "development" to "project". As this labelling indicates, project financing primarily focuses on supporting the processes that directly lead to project outcomes. As a result, most organisations focus mainly on project objectives with a relevant call and look for ways to fit their needs to them, rather than the other way around. Projects supported by EU funding also demand many questionable requirements – one of them is the obligation to be innovative. Even activities that an organisation itself considers necessary and functional must be constantly innovated, otherwise there is a risk that they will not be supported and sustained. NGOs (and not only

²⁰ The exception here is the NGO Bílý kruh bezpečí, which focuses on domestic violence. However, this organisation is often criticised for a lack of gender sensitivity and for its links to the public institutions that established it.

those with a women's/gender focus) have struggled with the lack of prospects of sustaining their activities. However, it is important to point out that, for the most part, women's/gender NGOs have never looked for other forms of funding (from private individuals, corporate sources etc.), and while other organisations have had ten years of experience in private/individual fundraising, women's/gender NGOs have only recently started exploring this option.

Mission changed

Project financing has a fundamental influence on another issue - the impact of the EU that leads to the radical change of aims, activities, strategies etc. of many NGOs. Financial support becomes concentrated on topics that primarily relate to economic prosperity in Europe. Emphasis is put on equal opportunities for women and men on the labour market, followed by the issue of work-life balance. Most women's/gender NGOs that made an effort to access European donations (and then maintain their receipt), began to adapt or redefine their mission in line with EU grant schemes. This results partly in a diminishing diversity of topics, partly in compliance, and also in a too flexible adaptability of individual organisations to the issues defined by the funds. Even organisations that primarily focused on completely different issues (for instance on domestic violence) started, at least for some time, to implement labour market issues in their curriculum (in that case to organise retraining programmes for victims of violence). If an organisation focuses mainly on watchdog activities, it is usually run on a voluntary basis. This is also the case with the Czech Women's Lobby, a network of Czech women's/gender organisations. Chair of the CWL, Jana Smiggels Kavková, says:

“Activities of the CWL have always been based primarily on the voluntary work of its members. Apart from some exceptions, we have never had our own financial resources. Thanks to this, the CWL could (and can) openly and critically rail against the Czech government and other institutions, because it has never been financially dependent on them. This independence is certainly a great asset to the CWL, though on the other hand, it is often imperative that we work on a voluntary basis. The CWL has never used European funds and it has not applied for them either. Generally, throughout its history it has been almost impossible to secure any funding for the running of the organisation .”

However, Smiggels Kavková also acknowledges the influence and support of the EU:

“On the other hand, a number of activities are directly linked to the activities of the European Women's Lobby, which is primarily financed from European funds. Our involvement in the EWL has been de facto funded by the European Commission.”

However, it is generally true that gender discourse after EU accession is rather mainstream in the Czech Republic, and it adapts to corporations and political parties instead of challenging them. After 2004, gender issues started to appear in the mass media in a positive or at least more objective light – perhaps for the first time. Most of the NGOs have learned how to cooperate with the media and although it was, and still is, difficult to set up a radical agenda, they focused on issues other than just those regarding the position of white, middle class and educated women on the labour market. Other topics have either not been covered, or have stayed marginal or sensationalist. Issues like gender stereotypes, (sexual) violence against women, senior women, excluded groups of women etc. remain rather unreported.

Themes we could describe as feminist or queer are almost entirely missing. Helena Skálová, director of Gender Studies, describes the situation:

“If the organisation was financially independent, the spectrum of its activities would be very different from the current situation. The main focus of our work has recently focused on gender inequalities on the labour market, which is one of the priorities of the EU. Thanks to this, we can finance our projects via the European Social Fund – and this allows the whole organisation to function. The organisation is at the same time thematically limited and cannot perform activities that we consider necessary and have the necessary expertise for. This work is particularly connected to detecting and breaking gender stereotypes in society; raising gender awareness among children, youths and adults; and performing activist events, campaigns, and work in schools. Further to this, there are cultural activities, collaboration with female artists, and publishing work. Last but not least, there are issues such as gender and development cooperation, gender in media, watchdog activities, lobbying and cooperation on initiatives that promote gender equality. We have a considerable lack of working capacity that would enable us a flexible response to the topical problems resulting from political decisions or various surveys etc. The fact that our capacity is tied to a limited range of project activities decreases our immediate responsiveness.”

Obviously, not all of the organisations currently operating decided to head the way of finding resources in the European Social Fund. Jana Smiggels Kavková, now on behalf of Forum 50 %, an NGO focusing on the participation of women in politics, mentions the pros and cons of this approach²¹:

“Activities of the organisation are funded from sources other than the EU. This allows us to stay faithful to our mission and aims, and means we do not have to forcibly adapt our organisation to EU preferences. It means greater financial uncertainty and it brings a need to raise money from many smaller sources, including self-financing, but it clearly pays off in the end. The fact that we have never been dependent on ESF grants gives us much more freedom in what we do and how we do it.”

What next?

We could say that the strategy of women’s/gender NGOs has begun to change recently and these organisations have been trying to find new ways of fundraising (however, it must be mentioned that this situation is attributable to the draining of EU finance). Because of EU funds, the Czech state did not have to actively support the non-profit sector and gender issues (state officials, however, consider the obligatory co-funding of ESF projects as a state contribution to gender equality). Now we are returning to a situation similar to the one that existed in the Czech Republic in the 1990s, the difference being that there are almost no foundations and other private donors anymore. It is very likely that many organisations will cease their activities or will be fundamentally restructured.

²¹ However, even though the organisation was never dependent on ESF grants, it has also used this possibility during its history and for that reason also focused some of its activities on the issue of equality on the labour market.

The large financial support from the EU has also brought very high requirements on applicants and recipients - for many women's/gender organisations these have been devastating. The number one problem (mainly at the beginning) lay in the request that organisations had a solid financial base. This meant, in many cases, that a pre-determined minimum amount of a project budget could be absurdly high for smaller organisations – this automatically eliminated them from the competition. Long periods of waiting for the reimbursement of project expenses caused, and still causes, problems for many organisations. European grant competitions also demand that recipients have high managerial and organisational skills, and do not place importance on their expertise. Many representatives of women's/gender NGOs complain about the fact that they have become, to some degree, managers and/or clerks, and that this is at the expense of their work as experts in their fields. A significant portion of their time is spent filling in monitoring reports and in communication with managing authorities.

As mentioned above, organisations/groups that do not fit into the scheme of EU support, or smaller and informal organisations/groups, are financially marginalised. Organisations that can (and want to) acquire European finances have to fight for the remaining money, despite the emphasis on project partnership – and this fight is not only among themselves, but also with other bodies that may apply for grants. Before the number of projects submitted per organisation was limited, commercial entities (those that could afford to pay a professional fundraiser), made, for instance, ten applications that underwent formal evaluation, some of which were supported.

When trying to summarize the nature of the relationship between the EU and women's/gender groups and organisations, we form picture full of contradictory moments. There has been a fundamental shift and a raised visibility of gender equality as an issue. After several years of attempts and negotiations, the issue of gender equality reached the governmental level. The NGOs accessed European finance, which enabled their professionalisation, a degree of stability and, especially, allowed them to be considered trusted entities. On the other hand, some gender topics (as well as some groups and organisations) have been marginalised. Visible and audible activism, criticism and the ability to combat issues have faded. Obviously, it is questionable whether this is a consequence of EU integration. It is possible that the imaginary blanket in which, for some time, the EU covered women's/gender organisations, in paradox prevented a critical view and further action. In either case, it is not too late to realise that the EU can be a great help, and a tool for change, but that it is neither necessary nor desirable to fully rely on it.

3. Conclusion – a shift in power relations?

In general, the shift in power relations between men and women is not very visible. Some shift has been notable in the private business sector, where we can see more women in leading positions. In politics, a greater number of women is usually a coincidence. However, in a way, thanks to the Czech Republic' membership of the EU, it is clear that if there is no woman among any government's cabinet, the media will take note and this state of affairs will be criticised. In general, power (mostly in branches of the economy) stays in the hands of

men,²² and it is only when it comes to small entities, such as municipalities, that women have some political power, as there are women who hold positions as mayors of small towns, for instance.

A gender-related issue that shows most strongly the almost total dominance of men is the field of reproductive rights, especially obstetrics. Predominantly male physicians and male representatives of the state decide over women's bodies during births. The discussion over alternative forms of birth (e.g. home-birthing, birth-houses, doulas or midwife assistance) has been so emotive that those for and against often cannot, or are not willing, to meet in the same room. Female activists are seen by male policy-makers as "those crazy women". Birth and pregnancy are treated as if they were an illness. The key player in advocating alternative births is nowadays the Czech Women's Lobby.

The NGO sector gives women some power in advocacy and as NGOs have been getting more and more professional in the area of lobbying, it does give women some voice. However, it is necessary to point out that, as in other sectors, even here we're facing the same old pattern – the larger NGOs grow, the smaller the chance for women to reach higher positions within them.

4. Recommendations:

Policy-makers:

- Create public debates related to EU policies, invite the general public and the media
- Be active in EU policy-making and be responsible for its outcomes
- Include EU policies that you support in election programmes and inform voters why you are supporting these policies

Media:

- Inform on EU policies and analyse the impact of EU policies on the Czech Republic
- Create and attend public discussions about EU policies and their impact
- Study materials from NGOs and the academic sector

NGOs:

- Do not rely on European financing as a primary source of income: look for other alternatives
- Maintain the original mission and aims of the organisation, do not adapt to project calls
- Work with the general public and media in order to inform about specific topics
- Be critical and DO ACTIVISM
- Support each other in strategic work

EU policy-makers:

²² For example, during the economic crisis a new government counseling entity NERV (National Economic Council) was established, which was supposed to give solutions to economic problems. There was not a single woman in the group.

- Control the implementation of EU policies in the Czech Republic and put pressure on nation states to consistently promote gender equality
- Prepare discussions about EU policies and their impact for the media from the Czech Republic (and other countries)
- Prepare information for the media about upcoming EU legislation and describe it in depth
- Give financial support to diverse topics related to gender equality, to smaller projects, and to independent networks



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