

Gender mainstreaming in Spain¹

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Background

The political and social changes brought about in Spain since 1974 after a long and hard dictatorship and the entry into the European Community in 1986 are fundamental events in the introduction and strengthening of equal opportunity laws between men and women into the Spanish Constitution of 1978 as well as the adaptation of these laws through the transposition of European legislation on this subject. In addition Spain is signatory to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted in 1979 by the United Nations General Assembly including its optional protocol (Spain signs in 1984) and the Beijing Declaration and Platform for Action of 1995 and subsequent implementation, review and follow-up.

The creation in 1983 of the Instituto de la Mujer (IM, Institute for Women) as an independent body under the Ministry of Labour and Social Affairs, Secretariat for Social Affairs, represented an important step in the realisation of these national and international commitments. Its main objective is to promote and foster the conditions allowing equality between men and women and the full participation of women in the political, cultural social and economic life of the country. It is the main Central Government body in charge of promoting policies of equality between women and men but does not have the level of ministry. It therefore bases its work on cooperation with the relevant ministries and departments, as well as with women's NGOs and other stakeholders.

The main instrument used by this body to achieve its objectives is the approval, by the Spanish Council of Ministers, of the Equal Opportunity Plan (PIOM in its Spanish acronym³) which has recently closed its fourth edition (2003-2006). The concept of gender mainstreaming and the proposed instruments to achieve its implementation appeared for the first time in the third edition of the plan (1997-2000), in line with the adoption of its implementation by the Beijing Platform for Action. In the new fourth PIOM, gender mainstreaming is one (the first) of the eight main priority areas where the plan aims to have direct influence. More recently a different approach has been proposed and the central government is moving forward with a strategic plan (Plan Estratégico de Igualdad de Oportunidades) which aims, in the context of the new Organic Law for Effective Equality between Women and Men (3/2007 of 22 March 2007), to set out the measures in favour of equality that the whole of the public administrations should implement at the different levels of government.

Given the high degree of administrative decentralisation in Spain, which also affects equal opportunity bodies, the IM aims to strengthen consultation and information networks with its regional counterparts. These regional bodies, and also some at provincial and local level, also adopt PIOMs with a similar structure and objectives of the central body as well as that of the Community

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³ Plan para la Igualdad de Oportunidades entre Mujeres y Hombres, available at: <http://www.mtas.es/mujer/piom.htm>

Framework Strategy on Gender Equality and in some cases the recommendations by the Council of Europe. Practically all of the seventeen Spanish Autonomous Communities (regional governments) have adopted a PIOM albeit sometimes under different names. The details of the advances in introducing the concept of gender mainstreaming of the national PIOM and a sample of the regional and local ones, are discussed below.

Changes in the law that regulates the procedure for the introduction of new law projects and regulations (Law 50/1997 of 27 November) explicitly require a gender impact assessment be attached to each law or regulations project as of 13 October, 2003. There is, so far, no readily available information as to the effective introduction of this requirement, that would be a very efficient tool for mainstreaming gender at the national level if applied⁴ in the context of law-making and its binding regulations in Spain. However, as reflected in the national and regional PIOMs, know-how on gender mainstreaming by the administration continues to be a relatively new concept among civil servants in Spain so that, at least at the central level this expertise would have to be available immediately for this law to be effective.

Finally the most recent legislation on Violence against women and on Effective Equality between women and men must also be referred to in assessing the way in which gender mainstreaming will be carried out in future years in Spain. In the first case, the law itself represents recognition of the phenomenon of violence as a multidimensional one and consequently includes measures in virtually all the areas of the victim's life which are affected by violence: this can be considered as a legislation which has mainstreamed gender into all the aspects that affect a particular problem. In the second case, gender mainstreaming was also used in looking at all areas of legislation which needed to be reviewed or changed in order to bring about effective equality in a number of areas (for example payment of sanctions and payment to women who have been affected by discriminatory practices, granting of a legal status to positive action, burden of proof for all discrimination cases (not only sexual harassment), the worker's statute, increasing paternity leave to 10 days, etc.); a number of measures by the administration such as time use plans by local governments, strengthening equal opportunities education at basic and university levels, information society, sports, rural development, urban planning, development cooperation, public contracts, public grants, media, the army, etc.). Some of the most controversial changes have been in the areas affecting firms. Large corporations are expected to increase the number of women on boards. All firms are expected to introduce equal opportunity plans and reconciliation of work and family life measures.

Strategies for implementation of mainstreaming in a highly decentralised environment

As elsewhere in Europe, gender mainstreaming in Spain at the central, regional and local levels is perceived as a complementary strategy to the specific policies that promote gender equality, however this is not always duly reflected in the various approaches found in Spain. On the one hand, practically all the PIOMs or parallel gender mainstreaming strategies have similar actions and

⁴ Unfortunately this law was passed after the national PIOM was adopted and the PIOM itself did not mention this change as one of its measures.

activities proposed in order to implement and to institutionalise the practice of mainstreaming at the different levels of government. These can be summarised as follows:

- Increasing awareness
- Training
- Improvement of statistics
- Use of indicators for monitoring implementation
- Making available tools, such as gender responsive budgeting (which is at a very early stage in most of Spain except for Basque Country, the Province of Córdoba and the regional government of Andalusia), or gender auditing within government departments
- Research
- Reporting on the yearly advances
- Creation of gender units to service all government and/or designating gender focal points/representatives from all government departments

The list can be said to be common to a large extent, but, on the other hand, the variety of approaches, given the decentralisation of government, is one of the most interesting aspects of the process in Spain as, among other things, it poses challenges in advancing at the same pace throughout the country and in the exchange of good practice⁵. Although regular meetings are called by the IM, particularly to coordinate or discuss relevant National/European programmes or projects or issues (such as Violence against Women), coordination remains weak and in this sense the new PIOM aims to address this (8th priority area) although no specific mention of mainstreaming efforts is made.

As to the variety of approaches, it is important to view these more as the product of the administrative (i.e. competencies) and financial possibilities and constraints that the national and each of the regional or local bodies have, rather than a divergence from the main objective of mainstreaming. This variety is best understood in Table 1 at the end of this document which does not include all of the Autonomous Communities or local level bodies, but rather represents a sample of where things stand in Spain.

An analysis of this table shows that the different players and levels of government involved in the policy making process in Spain, which is deemed by the different bodies to be affecting gender equality, is quite varied. While some take a more holistic view (Andalusia and the Basque Country) others limit their actions to an area of the PIOM (Central government and City of Madrid, Valencia and Galicia) and others have focussed mainstreaming process as an approach that should affect government policies and measures only as they relate to the plan itself (Madrid or Catalonia).⁶

⁵ It is striking that in the web page of the Instituto de la Mujer there were no links to the rest of the regional counterparts until recently. This was found, for example, in the Andalusia web-page of the newly created Gender Unit in charge of mainstreaming gender in this Autonomous Community.

⁶ In the case of Madrid, a Monitoring Commission of the plan including members not only from all departments, but also social partners, local level representatives and chamber of commerce has been formally created through a legal order. Unfortunately NGOs have not been included in this commission. Upon reading both the plans for Madrid and Catalonia the impression is that most of the actions are

It is interesting to note that, as mentioned in the list above it is common to find such methods as training, developing indicators or gender budgeting in order to introduce gender mainstreaming and in others, where it is restricted to the PIOM itself, it is not specified. But we also find these methods scattered in other areas of the PIOM applied to more specific problems such as employment or reconciliation of work and family life. Very few PIOMs offer a specific target in budgetary terms such as the one for the City of Madrid and even in this case this objective is not linked to an objective measure of the needs.

Finally, it is worth mentioning that in referring to gender mainstreaming as a parallel strategy in these documents all of the machineries in Spain at national, regional and local level acknowledge the very early stages at which they are having to start in developing an implementation strategy. Given the scarce resources that most of these institutions face, it is not surprising that we find few examples that depart from including gender mainstreaming as one of the areas of the PIOMs or only affect the activities described in the PIOMs as they imply coordination with different government departments.

Mechanisms, methods and tools

As to the mechanisms and tools, Table 1 also shows the different approaches taken. The mechanisms established can range from separate units to give support to the rest of the Administration (Andalusia) to *ad hoc* mechanisms that reflect the need for a very flexible approach at the local level (City of Madrid). In most cases the idea is to use the mechanisms already established for the monitoring of the PIOM itself such as interdepartmental commissions or using the customary cooperation among relevant departments.

As mentioned in the preceding section, there are a number of common methods and tools to provide the basis within Administrations to enable mainstreaming to take place (awareness raising, training, statistical improvements and impact analysis studies, etc.).

In the scan of the different approaches we highlight two that seem to be a step ahead of the rest in the mechanisms and in the methods and tools used. The case of Andalusia is worth highlighting, where European funds have been used to create a unit where all other council areas or departments can draw expertise and methods of introducing mainstreaming into the Community Support Framework for 2000-2006. This unit provides training, information and tools to the entire Administration in Andalusia to ensure that mainstreaming becomes an integrated part in their every day work, in particular that which is financed by European Funds.⁷

undertaken by the regional equality body in cooperation with relevant departments, but that the mainstreaming objective is unclear. Catalonia has prepared its new PIOM where this problem has been somewhat overcome.

⁷ The web-site is also available in English at: <http://www.unidadgenero.com/default.cfm>

Another interesting case is that of the Basque country where significant advances have been made in developing gender responsive budgeting as a tool for effectively mainstreaming gender into all regional government programmes. Although this tool is mentioned in many of the regional and in the national PIOM, the Basque country, an initiative in the Province of Córdoba, and more recently a regional initiative in Andalusia, are the only ones recorded as having any significant advances. This latter case and the Basque country are the only ones in the scan presented here, and possibly the only ones in the country, that have truly set a separate strategy for gender mainstreaming from the goals and objectives of the PIOM, which focuses entirely on measures that consciously take steps in diminishing inequality for all women or groups of women. This has changed under the new law on effective equality which will strengthen these type of approaches at all levels of government.

Human and financial resources to carry out gender mainstreaming: expertise, awareness and action

The repeated reference to training and to creating a new professional or occupational degree (Equality Agent) in most of the plans points to one of the most urgent needs perceived by machineries at all levels of the Spanish Administration. The lack of expertise in carrying out gender impact assessments and even to have the most basic understanding of the term gender is still prevalent in some areas of the Administration in Spain. Although great advances have been made in some statistical areas and the level and quality of government technical teams is very high and improving, the introduction of gender concerns and importance of gender issues in public debate (other than domestic violence and most recently reconciliation) remains in its infancy. Although there are growing numbers of private consultancies specialised in gender⁸ and some Universities have gender studies departments or institutes, some public debates show the lack of understanding and also lack of authorised voices to address gender issues.

For example, although fiscal issues are certainly complex and the public knowledge is not very high (not only in Spain), some interesting fiscal policies have been introduced during the last year by the Spanish government in reconciliation of work and family life⁹. We believe that these have been positive for women. However, criticism by some feminists, opposition parties and even by labour unions reflect lack of knowledge of the positive effects for women, while on the other hand policies which can be characterised for their negative impact on women's labour force participation and also for their regressive nature in terms of income have not been criticised at all.¹⁰ This example for Spain is very relevant for other European countries, including new EU Member

⁸ The Basque Country, for example, has had a very innovative initiative whereby consultancies could obtain a certificate, through training, of gender expertise and to be included in a roster that could be hired by private business to introduce equal opportunities plans.

⁹ It must be said in passing that there are few public spaces where reconciliation is addressed as affecting women and men, usually this is widely viewed as a woman's problem.

¹⁰ We are referring here to the introduction of a 100 Euro per month benefit to all working women (which can on average pay for around half of monthly private child care fees) although insufficient is a policy in the right step, also because it does not go to the household, but to the woman herself. On the other hand we refer to the highly regressive tax deductions linked to children and spouses and other deductions on the taxable base relative to family expenses.

States, where important reforms to tax-benefit systems are being made which have highly relevant gender dimensions (see Steinhilber, *et al* (2003) for an excellent study). This also points to some of the challenges to Gender mainstreaming where not only the gender dimension is necessary, but also a very high technical expertise affecting the different policy areas.

As a weakness of most of the PIOMs, the lack of a detailed budget to carry out all of these activities already indicates the lack of resources with which gender equality organisms work and the challenges to gender mainstreaming. Although gender budgeting is in fact mentioned in a good proportion of them, and in only one of the PIOMs scanned for this publication a direct reference to a budgetary figure was found, all of the plans imply this financial problem as one to be addressed as the PIOM unfolds and cooperation with the diverse departments takes place. This is clearly inadequate from the point of view of implementation as well as from the point of view of evaluation. The wording promote, encourage, help, support and other synonyms reflect the lack of resources that the machineries have in implementing the PIOMs and that they will be facing in trying to introduce gender mainstreaming throughout their corresponding Administrations.

Finally, evaluation of previous PIOMs which feed into more recent ones have to focus more on the impact made and not simply to refer to the number of beneficiaries and money spent. In order to do this new methodologies and the use of indicators (which practically all PIOMs refer to) need to be developed. The main objective of PIOMs which is to address inequality must not be substituted by gender mainstreaming. Vertical and horizontal approaches must work together to bring about the ultimate goal of equality and machineries must make their contribution also more transparent and manifest.

Gender mainstreaming in National Reform programme, National Action Plans for Employment and Social Inclusion

One of the areas where gender mainstreaming has achieved greatest visibility in Spain, in addition to the PIOMs and the work by the efforts of regional and local women's equality machineries, is in the implementation of the European Employment Strategy and the European Social Inclusion Process. Both of these plans have had substantial problems in their first editions to incorporate an accurate analysis of the situation of women in these two areas as well as the corresponding policy instruments and targets to address those problems. However, more understanding of the issue in the Ministry of Labour and Social Affairs, the application of monitoring indicators, the suggestions by the Commission and the reports by the national independent experts and the gender experts have moved the more recent editions a little more in line with the spirit of gender mainstreaming efforts. Moreover, although the analysis has improved, particularly in the National Action Plan Against Poverty and Social Exclusion, gender impact assessments in general remain to be applied more consciously.

Moreover, formal recognition of the problems in these plans has not always materialised in specific policy actions. Although Spain can boast very high levels of employment creation over the last 9 years and that in fact most of the jobs created went to women,

unemployment rates for women continue to be double that of men. On the other hand the gap with respect to the European employment rate average is almost wholly explained by the low employment levels of women whereas men have closed this gap substantively (Gonzalez and Villagómez, 2002). It can also be said that for Europe as a whole the evolution of the employment rate for women during this same period has not been very good either. Moreover, the analysis of the employment rates by age in Spain show a worrying trend: while the rate for all women, except those in the youngest (16-19) and oldest (55+) age groups has increased tremendously, and after a period between 1980 and 1995 where women's employment in all age groups was showing a positive trend in entering and maintaining employment rates at the same levels after child bearing age (25-29) it is now dropping. More simply put, a growing proportion of women are not returning to work after child birth.

These simple indicators highlight the importance of effectively mainstreaming gender into the new European Employment Strategy guidelines and objectives as well as into the European Social Inclusion Process objectives. However, other situations such as feminised poverty and weak reconciliation of work and family life (affecting both women and men) which also affect entry and permanence into employment are two other important reasons why effective gender mainstreaming becomes an urgent and necessary step to ensure equity and equality as well as to reach economic objectives in Europe.

It must be added here in closing that practically all of the PIOMs revised here, and others that have not been included in the analysis above, have specific priority areas dealing with employment and with reconciliation of work and family life. Given that active employment policies and social policies are also highly decentralised, more synergy has to be found in the implementation of National Action Plans for employment and social inclusion and PIOMs. This is even more so in the light of the new growth and jobs strategy (revised Lisbon objectives) which are reflected in the National Reform Programme (NRP). The Spanish NRP explicitly recognizes the reduction of fixed-term unemployment as an area where the introduction of gender mainstreaming and the promotion of equal opportunities between women and men is a means through which productivity and employment can be increased without prejudice to social cohesion¹¹. However, the principle of equal opportunities in a wider sense is not considered in the NRP in a consistent manner.

Conclusions

Gender mainstreaming in Spain can be said to be making progress mainly through the PIOMs at central, regional and local levels as well as through the implementation of the National Action Plans for Employment and the National Action Plans for Reduction of Poverty and Social Inclusion. The limitations of the gender equality bodies as far as competencies and their restricted resources result in a variety of approaches and strategies that range from holistic to those restricted to the activities of the PIOMs themselves.

¹¹ There are improvements possible in both the diagnosis and the formulation of policies in this particular area.

It can be said that there is great influence from international (UN and Council of Europe) as well as from the European Commission as far as the advancement of the idea of gender mainstreaming and the need to show analysis and policy to address specific problems. In Spain, the efforts in awareness raising, training and the application of the latest tools, such as gender budgeting, are a step in the right direction, but that will need more political willingness at all levels of Administration in the country which should be reflected in proper finance for these efforts. The economic rewards of gender equality are certain to be greater than the resources spent in achieving the equality goal.

Finally, the acknowledgement of gender mainstreaming and positive action as parallel strategies should continue to be reinforced in order to avoid falling into a bureaucratic exercise that falls upon gender focal points and then is promptly filed away and out of sight until evaluation of results is due. Avoiding positive action that is still needed can not be abandoned until mainstreaming becomes a palpable and measurable reality.

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Table 1. Gender mainstreaming approaches in Spain

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	Part of the areas of the PIOMs	Parallel strategy	Mechanisms established	Methods and tools
Place and level of administration				
Central				
Instituto de la Mujer (Institute for Women under the Labour and Social Affairs Ministry)	Priority Area No. 1 " Introduction of a gender perspective in public policy"	Acknowledged, but remains part of the PIOM	Cooperation with Public Institutions and entire Central Administration	16 measures including training, statistics, indicators, gender budgeting, recognition of equality agents as an official degree, seminars, etc.
Regional (autonomous communities)				
Andalusia (Institute for women, under the Presidency of the Andalusia regional government)	PIOM and gender mainstreaming are separate but complementary strategies.	Considers separate from the PIOM in the context of European Community 2000-2006 programme. Andalusia is Objective 1 region.	Separate unit to service the rest of the Regional Administration	Identify needs and potential for introducing a gender perspective into the 2000-2006 Operational Programme for Andalusia. Facilitates training in the introduction of this perspective and offers specialised and permanent advise to managing centres of the programmes and funds includes training, gender budgeting, etc.
Basque Country (EMAKUNDE, Institute for women under the Presidency of the Basque regional government)	PIOM and gender mainstreaming are separate but complementary strategies. EMAKUNDE follows the requirements identified by the Council of Europe.	Considers gender mainstreaming separate from the PIOM, which addresses specifically the areas where women are still at a disadvantage and positive action measures must remain strong	Strengthening of legal and operative framework through adaptation of norms and programmes, training, and internal application of equal opportunities	PIOM used as reference for all activities of the administration; adaptation of administrative structure for introduction of gender mainstreaming; gender budgeting; adaptation of norms of the administration to the positive action proposals in the PIOM

Catalonia (Women's Institute under Presidency of the Catalanian regional government)	Gender mainstreaming is applied to the PIOM itself	Acknowledged, and only affects the PIOM itself as far as the different areas (from labour to violence) imply the work of various departments within the regional government	Not specified, cooperation with relevant departments implied	Not specified
Galicia (Galician Equality Service, within the Family Department of the regional government)	Priority Area 1 "Cooperation, social and economic participation and empowerment"	Acknowledged, but remains part of the PIOM	Gender Focal points that have already been established under the previous PIOM	PIOM used as reference for all activities of the administration; revision of regional norms; training; guarantee resources to apply equality policies; self application of equality and positive action measures; sex disaggregated statistics and propose law for equal opportunities at regional level.
Madrid (Directorate General for Women within the Employment and Women Department of the regional government)	Gender mainstreaming is applied to the PIOM itself	Acknowledged, and only affects the PIOM itself as far as the different areas (from labour to violence) imply the work of various departments within the regional government	Not specified for the regional government itself. Cooperation to introduce gender mainstreaming to local governments mentions as one of the activities under Priority Area 6 "Cooperation, Decision Making and Social Participation"	Not specified
Valencia (Directorate General for Women within the Social Welfare Department of the regional government)	Priority Area 1 "Introduction of gender perspective into norms and organisational structure of public administration of Valencia"	Acknowledged, but remains part of the PIOM	The interdepartmental commission of Equal opportunities between Women and Men will oversee implementation including gender mainstreaming in ESF 200-2006.	Gender Budgeting, laws and norms such as tenders, agreements and grants. Administrative structure (statistics, focal points)
Local				
Madrid (Equal Opportunities Office, within the Council for Employment and Services to Citizens)	Objective under Area 1 Cooperation and social Participation	Acknowledged, but remains part of the PIOM	To be created <i>ad hoc</i>	Assigning 2% of the total local budget to the PIOM, studies, statistics, developing indicators for monitoring women's situation

Source: Almenara Estudios Económicos y Sociales, S.L. based on the various PIOMs and web-site information

