

## EQUAL OPPORTUNITY FOR MEN AND WOMEN: THE CHALLENGE OF THE 21<sup>st</sup> CENTURY.

At the Headquarters of the United Nations in New York, in March of this year, and within the framework of the yearly revision and evaluation of the implementation of the Action Platform approved in Peking at the IV Women's World Conference, more than 100 countries with their official delegations and NGOs that were attending said meeting, reached the same conclusion: equality is the great challenge to overcome in the 21<sup>st</sup> century.

The balance that the United Nations offers shows some partial advancement, although clearly insufficient to correct the existing imbalance. The panorama identified after the last decade is worrisome and calls for action and political, economic, cultural and social activism.

Today, more than ever, the proposal to NETWORK for gender equality acquires strategic importance. Why?

□ **Poverty.** The cultural, economic, educational, legal and political factors continue that contribute to the percentage of poor women is higher every day, according to the UN. It is calculated that out of every 10 poor people, seven are women. Work discrimination, salary differences and the inequality in the access to productive resources, among other factors, perpetuates discrimination. One of the difficulties of identifying the situation in its entire scope and dimension continues being the lack of up-to-date data that is broken down by sex in order to evaluate the situation of women and men and the real impact of the policies and action programs.

□ **Education.** The improvements achieved in education have been recognized; however, in primary education, girls attend school in a smaller percentage than boys. The UN identifies that the principal achievement of the last decade is the “notable” increase of feminine enrollment in higher education. It has widened the fields of study and more women choose disciplines that are not traditional for women, such as engineering, science and technology. However, this tendency does not reflect in the job market

integration figures for women. In the less developed countries, students come up against serious problems, especially in the rural areas. In many cases, girls and adolescents have to combine their studies with domestic housework. Frequently, they don't even attend school, or have to drop out without finishing primary school in order to help out with the family. 75% of the illiterates that live in the world are women, according to UNICEF calculations.

- **Health.** The panorama is not uniform. While some countries revise their policies in order to specifically take into account the health problems of women, others turn a blind eye. Although the use of birth control methods has been extended to a good part of the world, the problem of adolescent pregnancies and unsafe abortions persists. The conclusion of the UN on this subject is evident: feminine health needs “are not covered”.
- **AIDS.** AIDS advances among women. They now account for 47% of those infected, according to UNAIDS. The situation is especially serious in Sub-Saharan Africa, where 9 out of 12 youths infected are women. There are 13 million Africans in this region that are HIV carriers, 57% of all those infected. The inequality in the relations between sexes, the discrimination and social models are behind the spreading of the pandemic between women, to which we must add the difficulties of access to antiretroviral medicine. The UN urges the guarantee of universal access of women to prevention, attention and treatment, in order to reduce their vulnerability and that of their children against the disease.
- **Violence.** Physical, sexual and psychological, the different forms of violence practiced against women, just for the mere fact of being women, is one of the priorities of the national and international programs. And it is clearly insufficient, even when they say that there are already 129 countries that have adopted specific measures, to end violence against women and girls. Lack of information to estimate this problem, lack of awareness among legal professionals, doctors and police to recognize the scope and seriousness of the matter, there is also a lack of resources to act quickly and effectively and a lack of public services, lack of coherent and efficient protocols that offer guarantees against reports of aggressions.

□ **Trade.** Measures are being adopted on an international scale in the fight against the trafficking of women for sexual purposes. But the UN insists that they should be firmer with this offence.

□ **Power.** For the UN, the constant marginalization of woman in decision making is, at the same time, cause and effect of the slow advancement carried out in many development fields. In 1995, there were 12 female Heads of State or Government and 11.3% of parliament members. Now, the number of women in legislative chambers has reached 15.7%, but the number of Heads of State has decreased to eight. The increased presence of women in the parliaments and national governments is a sample of the evolution of the woman in political power, especially on a local level. The problem now is that the positions they occupy remain under the legislative hierarchies or are assigned to fields “less relevant and closer to the Role of gender tasks, such as the family, social wellbeing and culture: social matters. To this, we must add the problem proposed in some countries on the establishment of quotas and other measures of positive discrimination, contrary to very rooted cultural patterns.

□ **Economy.** The UN states “considerable progress” in the promotion of rights and economic independence of woman. The majority of countries are adopting measures to assure the access of women to employment on equal footing and the support for women business owners. However, there is an important difference in professional careers. “The stereotypes continue to impede feminine performance in high-level positions in the private sector”, for this reason, measures should be reinforced that favor the conciliation of work and family life.

**In full view of the data it seems uncertain that the principle of equality of women and men, as well as the express prohibition of any type of discrimination for reason of gender are included in the different legal regulation.-**

The Convention on Elimination of all forms of discrimination against women, approved by the **General Assembly of the UN of 1979**, proclaims the principle of equality of women and men, committing its members to guarantee, by law or other means, the effective compliance of said principle.-



With the entry into force on May 1, 1999 of the **Treaty of Amsterdam**, the equality of women and men is proclaimed as a fundamental principle of the European Union.-

The **Statute of Autonomy** proclaims the right to the equality and non-discrimination for reason of gender, establishing to the political powers the obligatory nature to promote the conditions necessary so that the equality of the people and groups that integrate them be real and effective.-

The Basque Parliament declared priority the elimination effective of all forms of discrimination of women through the approval of the Law 2/1988 of February 5, created by the Emakunde Basque Institute for Women-. Since then, the Basque Government has approved IV Action Plans that include the strategic lines of intervention of the Basque public administrations in relation to the promotion of equality between women and men in all areas of life.-

The role that women and men have traditionally carried out in society is experimenting an important transformation. The increased participation of women in the job market, their access to all levels of education, increased access to training and to culture and, in a lesser amount, to the decision making areas, is generating social changes favorable to the advancement towards the equality of women and men; changes that would not have been possible without the fundamental contribution of the feminist movements and without the effort of all those women that from the anonymity have worked in favor of women's rights.

However, the data on the job market, the socio-political participation, doing the house work, violence against women, poverty, etc., continue showing the existence of a hierarchy in the relations and the social position of men and women with origin in the stereotypes and socio-cultural patterns of conduct based on sex that assign women the responsibility of the domestic area and the public arena to men, on the basis of a very unequal evaluation and economic and social recognition. Also, there are an important number of women that endure multiple discriminations because, together with the discrimination for gender reasons, they suffer other discriminations derived from factors such as race, ethnical background, language, age, disability, patrimony, sexual orientation, etc. All this is conditioning, in many cases, the full exercise of the rights inherent to women citizens.

**The challenge at this time is in guaranteeing the practical and effective application of the right to equality formally recognized in the legal texts, and, in this sense, the Basque Parliament approves the Law 4/2005 for the Equality of Women and Men. This law proposes mechanisms and specific measures to achieve that the Basque public administrations implement more decisive policies and actions to eliminate this structural and universal phenomenon of inequality between women and men.**

On the other hand, the **social consensus** is growing in relation to the acceptance of the right to equality for women in that which refers to employment, socio-political participation, economic autonomy, the enjoyment of leisure time, etc., as well as the need, the convenience and fairness of men participating more and being co-responsible for the obligations in the domestic area. A society in which women and men have an equal participation in the public and domestic arenas, that articulates a non-hierarchical relationship between women and men and between reproduction and production, where the value of the job does not depend whether it is done by women or men, and in which a better use is made of the potential of all people and groups, is, today, the model proposed as desirable from the theory and feminist groups and institutions that work for real and effective equality of women and men, and that is expressed in individual and group discourse. All these circumstances meant an important opportunity that the Basque Government took advantage of to propose to the Parliament the approval of the Law of Equality that we have in Euskadi and lead us to the incorporation of the perspective of gender to public policies.

Also, the development of the positive action plans during more than a decade, has contributed experience and important advancements in the Administration. It has facilitated the implementation and development of equality policies on three levels of the Basque public administration, the creation of structures for their operation, the establishment of stable coordination mechanisms and intra-institutional and inter-institutional collaboration, the capability of people for the advancement in said policies, as well as the equality of women and men is present in the current political agenda. However, it is no less true that there is still important work to be done in order to make the equality of women and men a strategic and priority objective for all the powers and Basque public administrations, and this law also tries to make an impact on this matter.

The law claims to establish the bases to reach conclusions on the work carried out up to the date in the development of equality policies, in order to situate the country at the same level of the more advanced countries in this matter. **All this in the conviction that the equality of women and men, besides being a human right, is a strategic need for the exploration in democracy and for the construction of a Basque society that is more fair, united and economically and socially developed.**

The last goal of the law is to move forward in the creation of an egalitarian society in which all people are free, in the public arena as well as the private and to do so, the law establishes the general principles that have to preside over the action of the political powers in matters of equality of women and men, and regulate a group of measures directed to promoting and guaranteeing equal opportunities and behavior in all areas of life.

Currently, there are two principles internationally considered the most suitable to achieve the equality of women and men: **the integration of gender perspective and positive action.** Precisely, the law intends to establish the bases for the effective application of said strategies in our country, as a means to achieve equality. Also, this title establishes the application area of the law, that, although it is limited to the Autonomous Community of Euskadi, it also proposes the need to promote the collaboration and the communal labor with other institutions and entities of Euskal Herria and exterior organizations in order to guarantee the equality of women and men for the entire Basque public.

The second title regulates a group of measures for the integration of gender perspective in the action of the powers and Basque public administrations. Chapter IV establishes the means to promote equality in the regulatory and administrative activity and it is specifically in **Article 20.2 that literally states: “Without prejudice to the other measures that are considered opportune, the Basque public administrations, in the standard that regulates the subsidies and in the cases permitted by the legislation, will include among the adjudication criteria the evaluation of the integration of gender perspective in the offer presented, or in your case, in the project or subsidized activity. In the same cases, there will be an evaluation among the requirements that the beneficiaries of subventions should have, their track record in the development of policies or actions directed to the equality of women and men”.-**

In this regard, it is from this specific article of our Law of Equality which derives that the integration of the gender perspective be a matter to take into consideration when awarding subsidies.-

What is the integration of the gender perspective or gender mainstreaming?

In your case, it would consist in that the projects presented for subsidies include a previous analysis of the effects that they may have on women and men, in that said project has been considered from a global point of view, meaning from the point of view of men and women and not only men. You must also study the incidence that the project could have on men and women and in case of detecting harmful results for women, it will be necessary to establish measures that correct this deficiency.-

Specific examples will be proposed and the debate will be opened.-

Bilbao, July 2007.-