



Universität Potsdam

Mara Kuhl

Gender mainstreaming in Estonia

first published in:

Between success and disappointment : gender equality policies in an enlarged Europe / Susanne Baer; Miriam Hoheisel (eds.). - Bielefeld : Kleine, 2008. - 301 S. : graph. Darst. - (Gender kompetent ; 4). - ISBN 978-3-89370-446-0

Postprint published at the Institutional Repository of the Potsdam University:

In: Postprints der Universität Potsdam

Wirtschafts- und Sozialwissenschaftliche Reihe ; 017

<http://opus.kobv.de/ubp/volltexte/2009/3335/>

<http://nbn-resolving.de/urn:nbn:de:kobv:517-opus-33357>

Postprints der Universität Potsdam

Wirtschafts- und Sozialwissenschaftliche Reihe ; 017

Gender Mainstreaming in Estonia

Mara Kuhl

The implementation of Gender Mainstreaming (GM) is a particularly challenging undertaking for femocrats.¹ This applies particularly to the young, post-communist democracies in Eastern Europe: depending on the course democratic transformation has taken, structures for public policy either already exist or, in newly founded states, still have to be developed; the reception of equal opportunities strategies and state intervention in shaping society is strongly linked to the political culture and legacies of the respective country. This paper aims to show how the Estonian executive authority – i.e. the ministerial administration – implements GM. The paper will first describe the development of the national structures for equal opportunities² policy and the conditions for implementing GM in the Baltic EU member state.³

Estonia is situated on the EU's far northeastern border. Due to a history characterised by occupation and foreign rule it is a country unable to provide a

¹ The term 'femocrat' was coined in Australia and denotes "both feminists employed as administrators and bureaucrats in positions of power and [...] women politicians advocating gender equality policies" (Siim 1991 in Stetson/Mazur 1995: 10).

² The term 'equal opportunities' is used here exclusively to denote equal opportunities for men and women.

³ The article summarises the conclusions of the Ph.D. thesis "Umsetzungsbedingungen für eine europäische Gleichstellungsstrategie im post-kommunistischen Kontext: Gender Mainstreaming in Estland" (Kuhl 2007), which focuses on the Estonian executive. See here for argument in length and detailed bibliography. For GM in Estonian trade unions see Angerjäv (in preparation). Thanks to Ülle-Marike Papp from the Gender Equality Department in the Estonian Ministry of Social Affairs for providing up-to-date information on the developments within the field of equal opportunities policy.

“glorious national history”, instead it has accounts of resistance, of self-assertion and its own particular cultural history. With only 1.4 million inhabitants and spread over an area of just 45,100 m² it is one of the smallest countries in Europe. A majority of the population (just under 70 %) are Estonians, followed by Russians (approx. 24 %). Russian was long the official language; today, Estonian – a Finno-Ugric language with 14 cases and lacking articles or grammatical gender – has been reinstated as the sole official language.

Estonia was the first Soviet Republic to declare its sovereignty (16th November, 1988) and was one of the first membership candidates for EU eastward expansion. The first years of transition following the declaration of independence on 20th August, 1991 were marked by major changes and crises (see, for example, Böddener 2005). The independent republic of Estonia was founded and recreated just as existing economic relations with the East were collapsing. Now, with its high-speed reforms and rigorous economic liberalisation, Estonia has become the “Hong Kong of the North” (Gilly 2002: 168). The public administration is a model example of a contemporary bureaucracy that is not only online but also maintains transparent communication practices.

As in all former communist states, political change was accompanied by a dramatic decline in the political influence of women (Matland 2004) as well as deterioration in their economic and social situation (Titma et al. 1998).⁴ In the current governments women are always under-represented, never holding more than two of the 14 ministerial posts. At about 17 % the proportion of women in parliament is below the European average (22 %) (Statistical Division 2005). Labour participation of women at almost 60 % is very high (Sepper/Linntam 2005).⁵ Unemployment (ca. 10 %) affects both women and men equally (Ministry of Social Affairs of Estonia 2004). Women earn on average 25 to 30 % less than their male colleagues (Sepper/Linntam 2005), placing Estonia, like Portugal and Germany, in the league of the European countries with the largest gender pay gap. At higher levels of educational achievement women are over-represented with 62 %, but only a third of all Ph.D. holders and only a sixth of all university professors are female (Ministry of Social Affairs of Estonia 2004). The high rate of domestic violence (Ministry of Social Affairs of Estonia 2004) along with the trafficking

⁴ For gender-specific exclusion effects of transition see van der Molen/Novikova (2005).

⁵ See also Reitelmann (2007).

of women and prostitution (Estonian Women's Associations Roundtable 2007)⁶ are pressing human rights problems.

Adoption of the *acquis communautaire* and EU membership in 2004 involved the implementation of a number of political and social standards and commitment to a Europe of shared values. These values include equal rights and equal opportunities for men and women. Preconditions for establishing a new field of policy such as equal opportunities are properly functioning political and administrative state institutions. On the one hand, the possibility of initiating a political process has to be opened to potential participants; they must then be in a position to utilise it.⁷ The assumption is that these conditions are given in a democratically formed state, which is not at war or under occupation and that is not newly embarking on the course of democratic transformation (Valiente 2005). On the other hand the state and public administration must cooperate with civic and social groups. This necessitates a state-citizen relationship, which is characterised by a minimum standard of democracy and that allows citizens to address claims to state officials who are then under the obligation to respond. Since achieving independence Estonia has fulfilled both these aspects.

1 The Development of the Estonian Gender Policy Machinery

Following comparative research on gender and state⁸ (Stetson/Mazur 1995), the term *gender policy machinery* is used here to describe state structures for equal opportunities policy.

In the area of equal opportunities policy Estonia, as a state in transition, was also facing the "dilemma of simultaneousness" ("Dilemma der Gleichzeitigkeit", Offe 1994: 57 et seq.). Due to international obligations, the budding administration had to pursue a policy of equal opportunities even before the

⁶ The government has passed a resolution for a national plan of action against human trafficking (Estonian Women's Associations Roundtable 2007: 8).

⁷ The two-stage differentiation of empowerment through institutional conditions (1. providing scope, 2. empowerment to use it) is connected to a fundamental distinction made in the debate on freedom and equality: it is comparable to the two stages of equality, "de jure" and "de facto", or, with the concept of "negative liberty" and "positive liberty". The distinction is between the right to freedom and equality and the actual possibility of exercising this right (see, for example, Berlin 1984).

⁸ See 'Research Network on Gender and the State', available at (13.12.2007).

legal basis for installing administrative units to deal with the task was in place. As in all other fields of policy, the task was being dealt with while the foundations (legislation, institutions) were still being laid.

1.1 Initiation of Institutionalisation as a Result of International Commitments

In 1991, Estonia ratified the UN Convention on the Elimination of All Forms of Discrimination against Women.⁹ However, it was only after the 4th World Conference on Women in Beijing (1995) that an inter-ministerial working team on women's politics and equal opportunities policy was created. In adopting the *Beijing Platform for Action* (the conference outcome document) Estonia committed itself to, among other things, creating and strengthening effective state structures for equal opportunities policies, and integrating equal opportunities into all policies (Gender Mainstreaming). Initial priority assignments included examining laws for their conformity to international standards, compiling gender-specific data and improving women's situation with regard to the labour market and their political representation.

An official from the Department of Further Education at the Ministry of Social Affairs convinced the head of the ministry to set up a *Focal Point* for compiling data and statistics on gender relations in Estonia, thus enabling the state to fulfil its duty to report (e.g., to the CEDAW and the Beijing Platform). This led to the creation in 1996 of the *Gender Equality Bureau*, a sub-unit of the Department of Further Education under the charge of the ministerial chancellor.¹⁰ The Bureau's main duties were to compile a knowledge base on gender relations in Estonia and "[...] to coordinate the mainstreaming of a gender equality perspective into socio-political development" (Laas n.d. a: 2).

Adopting the *acquis communautaire* upon beginning membership negotiations with the EU in 1997, the treaties and directives governing equal opportunities policy became legally binding in Estonia. Estonia hereby committed itself to the principles of equal treatment, to legally prohibiting discrimination and to actively implementing equal opportunities policy with, for ex-

⁹ See <http://www.unhchr.ch/html/menu3/b/e1cedaw.htm> (10.04.2008).

¹⁰ The chancellor (est. kantsler), or secretary general, is head of the ministerial administration and assistant to the minister.

ample, affirmative action and GM. In March 1998, the government passed the *National Programme for the Adoption of the Acquis* (NPAA), which gave details of intended governmental action from 1998 to 2003. In a memorandum to the EU, Estonia also pledged participation in the Framework Strategy on Gender Equality (2001–2005). Estonia therefore committed itself to implementing gender equality, e.g. in the field of social policy, even before joining the EU.

International requirements went beyond Estonian state legislation, which up to 2004 only provided for a discrimination ban according to § 12 of the constitution. It was the UNO and the EU who compelled the Estonian government to create a legal basis and to implement anti-discrimination policies, affirmative action in a number of sectors and GM. Estonian equal opportunities policy can therefore be classified as a “dual strategy” (Facon et al. 2004: 8), in which specific women’s politics, including affirmative action, and mainstreaming aspects of gender equality into policy fields are pursued simultaneously.¹¹

1.2 Institutional Measures Facilitating EU Membership

In 2000, two years after the start of intense preparation for EU membership, amendments were made to the law determining governmental structures (*Government of the Republic Act*¹²). The Ministry of Social Affairs – responsible for public health, social security and labour – was also given responsibility for the “promotion of equality between men and women, for the coordination of activities in this field and for the preparation of relevant bills” (§ 67 (1) *Government of the Republic Act*). Initiation of these measures was by the prime minister, a member of the co-governing Moderate Party (now the Social Democrats). The Gender Equality Bureau was assigned to the Department for European Integration at the Ministry of Social Affairs, thus remaining directly assigned to the head of the ministry, i.e. the ministerial chancellor. Provision was also made for a second staff member. In 2003, owing to a

¹¹ Examples of this are the Netherlands and Belgium. In contrast to this, with ‘successive strategy’ Mainstreaming is carried out *after* the establishment of affirmative policy for women’s politics – as is the case in Germany, for example (see Verloo 2000; Stiegler 2000).

¹² Available in English, as are all Estonian laws, at <http://www.legaltext.ee/en/andmebaas/ava.asp?m=022> (13.12.07).

structural reform, the Bureau became a staff unit of the then ministry chancellor before being finally assigned to the Social Security Department.

With EU membership in May 2004, the long-planned law on equal opportunities for men and women (Gender Equality Act) was passed. In the process the Gender Equality Bureau was upgraded to a department in its own right and incorporated into the statutes of the Ministry of Social Affairs.¹³ Today (December 2007), there are six employees, eight – if the two employees in the newly established unit for family policy are included. The specialist, who was continuously responsible for equality issues from 1996 on, now holds a position of head advisor.

The main issues are women's representation, domestic violence, the trafficking of women and prostitution.¹⁴ In addition to its national duties, the Gender Equality Department works continually with the EU task force on equality law and equality programmes. The Gender Equality Act also provided for the establishment of an independent equal opportunities ombudsperson. After some delay, the position of 'Gender Equality Commissioner' was filled in 2005. The tasks of the Gender Equality Commissioner include monitoring implementation of the Gender Equality Act and advising on related topics, carrying out law impact assessments and mediating in cases of individual discrimination.

1.3 Assessment of the Gender Equality Machinery

When the issue of equal opportunities was introduced into the ministerial administration it was assigned to the Department of Further Education. For a time it had high political status. An indication of this is the fact that the prime minister dealt personally with the question of institutionalisation of equal opportunities policy in the ministerial administration, and that it was

¹³ § 13 (3) Statutes of the Gender Equality Department, Regulation no. 47, 4th May, 2004, Ministry of Social Affairs. This defines the area of responsibility: "[T]he main function of the Gender Equality Department shall be to plan gender equality policy and measures to reduce inequalities and ensure equal treatment, and coordinate the implementation of these measures and the gender mainstreaming strategy [...]."

¹⁴ For an overview on the importance and non-importance of key issues in Western feminism (e.g., abortion) in post-communist societies, see Wallace (1995). The reception of Western feminism in the East is discussed e.g. in Jalušič (2001) and Markus (1999).

temporarily under the auspices of the ministerial chancellor. That EU membership provided a strong incentive for addressing the issue is visible in that it was assigned to the Department for European Integration. In the end, the option chosen was of organisational subdivision, which was further away from the head of department. Despite organisational changes key staff remained the same. This is typical for an Estonian administration characterised by the specialisation and personalisation of assignments (for details see Randma 2001).

The equipment and staffing of the units – specially in the early days – were, however, hardly adequate for accomplishing the tasks at hand. In 2002, the CEDAW shadow report commented that neither GM nor implementation of the CEDAW could be ensured without adequate equipment (Laas/Ringmaa 2002: 7). The department does, however, receive important support from women's organisations. Organisations and individuals can be mobilised for equal opportunities policy, supporting it with voluntary work. This is where the strength of the collaboration between femocrats (the state) and Estonian civil society and gender research (science) becomes apparent ("velvet triangle", Woodward 2003). These parties are in the position of being able to offer mutual aid, which is quite remarkable, given the Estonian population's pronounced anti-statism.

With the Gender Equality Commissioner, women have a direct contact person and can be afforded individual support in cases of discrimination.

According to the typology developed by the *Research Network on Gender and the State* (Stetson/Mazur 1995), which classifies gender policy machineries throughout the world, Estonia's machinery corresponds to type 3. This type has limited policy influence and extensive policy access for NGOs promoting equal opportunities. It is therefore grouped with those with limited potential to influence gender relations in society.

2 Conditions for Gender Mainstreaming in Estonia

The parameters for political activities with regard to the implementation of GM through the gender policy machinery are set by social and administrative factors (Kuhl 2007). On the one hand, the social climate provides legitimacy and potential starting points for state equal opportunities policy. On the other hand, the ministerial units are the main players in the implementation of GM due to their responsibility for equal opportunities policy.

2.1 Social Conditions

After decades of Soviet propaganda, normative political discourse has a negative connotation in Estonia. This is specially true if it comes from a supranational institution such as the EU, that also demands compromise with regard to the long-awaited national sovereignty. Importing values into formerly totalitarian communist states is particularly difficult if these values imply ideals that were allegedly already promoted by communism. This applies particularly to Estonia with its strong anti-Soviet sentiments. The terms employed by the EU are often the same as those employed during the communist era, even if the concepts they transport today are very different. The EU, for example, employs the term 'equality' to denote the social goal of equality of opportunity and not the communist ideal of equality as the result of a process of distribution (equality of results). EU gender policy, the basis of which is *equality* of the sexes and *equal* opportunities, therefore has a fundamental communication problem (Kuhl 2006). In addition, in an "ahistorical reconnection" essentialist gender concepts from the period of the first independence (1918 to 1940) are reactivated. An example being, the historical gender discourse, according to which women's supposedly better-developed philanthropy entitles them to equal political rights.

The promotion of political values is therefore received with a large degree of scepticism in Estonia, and if the new standards do not contrast strongly with the old communist paradigms they are suspected of being ideological. In contrast, "turbo-modern" concepts such as economic liberalism are received uncritically. This is part of Estonia's quest for a new identity as the pioneer of a new Europe. The societal climate is strongly characterised not only by values responding to the transition process, but also by a low level of expectation towards the state by its citizens, as well as an aversion to feminist issues. In this climate the state does not possess the legitimacy to shape (or help shape) social relations, such as gender relations.

2.2 Administrative Conditions

Partly due to the heterogeneity of its organisational structure and administrative culture the Estonian ministerial administration is in command of few effective coordination structures. Its political governability is difficult, not least due to the shattered relations between political leaders (government) and public administration. Under these conditions, it becomes generally quite difficult to carry out effective cross-sectoral reforms and imple-

ment a top-down approach, as intended by the EU for GM. What is more, given the political elite's low esteem for the issue of equal opportunities, a top-down approach would probably not be very effective (Kuhl 2007).

The majority of Estonian public administration staff tends to have a neutral attitude towards equal opportunities; however, there is in general little interest for the topic. Equality is considered to be important, but due to everyday understanding of gender and the level of knowledge of gender relations ("Geschlechter-Wissen", Andresen et al. 2003), state intervention is not deemed necessary. Gender is regarded as a person's individual attribute, and its structural dimension is not realised. Moreover, the structures of human resource management in public administration render comprehensive and sustainable further educational training difficult to organise.

3 Gender Mainstreaming Activities in the Estonian Public Administration

In Estonia, GM is not considered to be a "new" strategy complementing women's politics and equal opportunities policy. Mainstreaming, as mentioned above, is in fact an integral part of equal opportunities policy. This means: "Studying gender mainstreaming in Estonia is a complicated task, because there are no [explicit GM] policy documents on the national level. However, there are many activities that are being carried out as part of the process of introducing gender mainstreaming as a tool for improving the gender balance in society." (Laas/Lamesoo 2004: 2, square brackets: MK). Essential activities are the creation of the legal foundations, inter-ministerial coordination structures, personnel development – including professional instruments for the integration of equal opportunities into the different fields of activity – , knowledge management and administrative collaboration with external groups.

3.1 The Legal Foundations

Estonia has had a law on gender equality (soolise võrdõiguslikkuse seadus, Gender Equality Act) since 2004.¹⁵ Among other things, the law requires that all state institutions systematically promote equal rights and carry out

¹⁵ The first Estonian law on equal opportunities of the sexes was passed in 1918 (Press and Information Department 2004).

equality-oriented impact assessments (GM). Over and above that, it stipulates the appointment of a Gender Equality Commissioner. In §11 employers are obliged to encourage equal opportunities measures and to compile relevant data and statistics.

The basis for this law was the United Nations Development Program (UNDP) 'Promotion of Gender Equality Mainstreaming' (1998/99) for implementing the Beijing Platform. The project financed a full-time post for an external expert for one year. The task was to examine the Estonian legislation in terms of equal opportunities and gender discrimination and to develop principles for suggested amendments. In 2000 the expert became the Gender Equality Bureau's second staff member (see above).

The decision in 2001 to create a gender equality law was taken by the prime minister at that time, Mart Laar. Prior to this, instead of passing a separate law the approach had been to integrate (mainstream) aspects of equal opportunities into existing laws. One reason in support of a separate law was that, at that time, a great number of new laws were being passed and others were being amended, partly in view of forthcoming EU membership (see Grabbe 2001: 1017). The additional task of integrating equal opportunities appeared impossible to accomplish. For this reason, in 2001 the Ministry of Social Affairs began drafting a bill with the intention of introducing it in early 2002. Completion was repeatedly delayed due to resistance by the Ministry of Justice. In December 2001, the government was finally able to introduce the bill into parliament. On 28th January, 2002, the government collapsed (Dahlmann 2005: 9) and in accordance with the statutes those draft bills still to be read were handed over to the newly formed government (Laas/Ringmaa 2002). The progress report on Estonia's future EU membership criticised that the law had not been passed and that there was no plan for the realisation of such a law (European Commission 2002: Chapter 13). Consequently, the EU exerted pressure to accelerate the passing of the bill, explaining why the subsequent neo-conservative government did not stop it. However, the Ministry of Justice then drafted a bill of its own. The Ministry of Social Affairs further pursued the gender equality law approach, whereas the Ministry of Justice planned an anti-discrimination law that included numerous discrimination-related features.

Equal opportunities policy actors in the Estonian Ministry of Social Affairs were apparently aware of the dangers (cf. Kriszán/Zentai 2004) of such a task-overload when they argued a "gender only" equal opportunities law. The Ministry of Justice's reluctance was directed against the deviant legal systematic of the gender equality law draft as it rendered equal opportunities

policy binding for private enterprise. The introduction of a Gender Equality Commissioner was also a legal novelty; for the first time a state institution was given legal authority to supervise private enterprise. In doing so, the Ministry of Social Affairs invoked the requirements of EU membership. Particularly the more progressive regulations in Estonian law can be traced back to EU Directives (Angerjäv 2006: 172), such as the reversal of the burden of proof and the establishment of an institution to which complaints can be directed that is not responsible for citizen-state relations (ombudsperson) but for those between citizens and private enterprise.

The new government was unable to decide between the drafts by the Ministry of Social Affairs and the Ministry of Justice and submitted them both to the parliament. There was an evident knowledge gap between the staff of the Ministry of Social Affairs who were equal opportunities policy experts and the politicians, who thus far had not dealt with gender issues. Their attitudes, based upon specifically Estonian concepts of masculinity and femininity, ranged from naive to openly misogynous and included a great deal of anti-European polemics. "Political and emotional arguments in these political debates concerned weak men, angry women who want revenge on men, Estonia as a unique country where gender equality is inapplicable and unwanted, and gender equality as imported terrible good from European Union." (Laas n.d. c: 1). Bitter opposition also came from the private enterprise lobby.

Nevertheless, the decision to discuss both bills in parliament brought decisive change. The bill presented by the Ministry of Social Affairs was supported by Estonian women's organisations, by several citizens' forums, by the Estonian Chancellor of Justice¹⁶ and by human rights organisations. In August 2002, 60 women's organisations, with others, signed a petition in support of the bill (Laas n.d. b). On 1st May 2004, on the exact day of EU accession, it came into effect as the Gender Equality Act.¹⁷ Thus, although the burden of responsibilities inherent to states in transition had prevented equal opportunities policy being successfully integrated into individual laws – this would have conformed to the GM-ideal – , GM did become statutory in the Gender Equality Act.

¹⁶ The Chancellor of Justice has the function of ombudsman and monitors state activity for conformity with the laws.

¹⁷ In the current debate on an anti-discrimination law, however, suggestions are again being voiced to extend the scope of the law to cover other features of discrimination; they include assigning responsibility for all groups targeted by discrimination to the Gender Equality Commissioner.

3.2 Inter-ministerial Cooperation

In February 2002, an inter-ministerial task force “Strategy for promotion of gender equality” was set up under the control of the Ministry of Social Affairs. Its aim was to develop a national strategy for equal opportunities for men and women and the consideration of equal opportunities policy in political measures and government programmes (GM) (Oesterhaus 2004: 19).¹⁸ At task force level specialists or advisors represented the ministries. In accordance with EU standards (Article 2 and 3, EU treaty) the task consisted of framing strategic aims for different fields of policy and preparing institutional anchoring of equal opportunities. Once the goals were defined a plan of action was to be developed and the necessary resources made available. This Estonian national strategy for equal opportunities was expected to be ready in 2004 (Open Society Institute 2005).

The fact that specialists and not the heads of department took part is – seen from the top-down perspective – not necessarily negative as internal work division in Estonian ministerial departments assigns mainly organisational-administrative tasks to heads of departments. There was, however, no higher-level parallel task force where political or administrative standards for the subordinate task force could have been formulated. A further problem was the lack of political mandate at government level. This was probably responsible for the high rate of staff fluctuation in the task force. The ministries participated irregularly, constantly sending different delegates. It was therefore not possible to establish continuous debate and a homogeneous level of knowledge.

The draft for an equal opportunities strategy developed by the team did not comply with the standard of quality expected by the Gender Equality Bureau and, consequently, was not passed on to the government. The government did not actively pursue the issue so that the non-existence of a strategy draft bore no consequences. In November 2005, the task force was adjourned (Oesterhaus 2005).

The inter-ministerial task force shared the fate of other task forces that had been set up without having a clearly defined political goal (see Sootla/Velthut 2001: 13). As a result of the failure of the inter-ministerial task force,

¹⁸ According to the Open Society Institute’s report (Open Society Institute 2005), the task force was officially set up in November 2003. It is, however, already mentioned in the NPAA (National Programme for the Adoption of the Acquis) from 2001 (State Chancellery – Office of European Integration 2001: 374).

the Gender Equality Department is presently preparing a discussion forum. Planning is based on the idea that inter-ministerial cooperation can become more appealing with the inclusion of external experts and by focusing on carefully chosen political projects (for example, programmes, regulations). The forum will be accessible for a larger circle of participants, such as external gender experts as well as for the local administration level. The plan has yet to be implemented (December 2007).

3.3 Gender Mainstreaming Training

In connection with the EU Phare Twinning Project 'Development of Administrative Capacities of National Authorities in the Field of GM' and in cooperation with the German Federal State Saxony-Anhalt (July 2004 to December 2005), an internal demand analysis was carried out in public administration (Kirch/Kuhl/Sellach 2006). It compiled information on the level of knowledge, abilities and requirements of state and local authority employees with regard to GM implementation. Taking the results as a starting point, 17 external trainers were qualified to train public administration employees in GM. Training had originally been planned for 300 employees at state and local authority levels. Effectively, 181 people took part, partly due to the simultaneous occurrence of local election campaigns.

Each training session took place over a two-day period. Between mid-August and late September 2005, a total of 15 courses were held in seven different locations. Having different locations facilitated participation at local authority level, as it enabled all districts to participate. Seven of the sessions were targeted specifically at the state administrative level. Seven of the 11 ministries participated in training. One of the ministries sent its complete management because the chancellor had requested the participation of all heads of department. The cabinet took part in a distinctly shorter programme in the form of a one-hour lecture. Given the fact that 35 % of the participants were from management level, the top-down approach was deemed successful. Measured against their proportion in public administration and in top positions, male participants were only slightly underrepresented. Subsequent evaluation has shown that both the training concept and the materials used were highly successful (Kirch/Kuhl/Sellach 2006).

3.4 Knowledge Basis

In connection with the project Gender Equality in Estonia – in collaboration with the Danish Ministry of Foreign Affairs – a UNDP equal opportunities manual was translated into Estonian (2002 to 2003) (Oesterhaus 2004: 13). In 2004, the Gender Equality Department published basic information on GM and instructions on how to carry out gender impact assessments (Mõjude hindamine sugupoolte aspektist: Juhendmaterjal. Sotsiaalministeerium 2004). There were, however, no binding rules for applying the impact assessment; a characteristic weak point in the implementation of GM throughout Europe.

In addition, there is a trilingual web page (Estonian, Russian and English) that provides basic information on equal opportunities (definitions, legal foundations, data bases etc.).¹⁹ The plan was that NGOs and people in Estonian ministries would write articles on their respective fields of expertise. However, lack of gender expertise and ministerial work overload proved too great a hindrance for providing the groundwork. Besides, there were not sufficient resources to enable NGO-participation (Oesterhaus 2004: 11). In the end ministerial collaboration was, for the most part, confined to authorising the publication of information compiled for individual departments by the Ministry of Social Affairs (Oesterhaus 2004: 17). External web links were created to knowledge bases at the Gender Studies Unit at the University of Tartu and the Estonian Women's Studies and Resource Centre (ENUT).

3.5 Lack of Standards for Data and Statistics

In accordance with the Beijing Platform, Estonia identified the availability of gender-specific data as a state priority. In a state plan for the Adoption of the acquis (NPAA, 2002) a regulation on statistical surveys was announced, aimed at improving the database for bills and indicators (State Chancellery – Office of European Integration 2001: 376). To date, however, neither in the Official Statistics Act nor in any other document are there guiding principles for compiling gender-specific data (Laas/Ringmaa 2002: 8; see also Official Statistics Act). The only existing proviso for monitoring and compiling gender-specific data is the Gender Equality Act and concerns private enterprise. A regulation determining how this will be executed has still to be developed.

¹⁹ See <http://gender.sm.ee> (10.04.2008).

As the state statistics office does not systematically collect gender-specific data this is produced and published primarily in the course of research carried out by the Gender Equality Department.

3.6 Non-administrative Liaisons

The Gender Equality Council conceived in the 2001 NPAA (State Chancellery – Office of European Integration 2001: 377) is provided for in the Gender Equality Act (chapter 7 § 24). Its duties as a governmental advisory body include the assessment of GM implementation in state institutions.

Plans by the Gender Equality Department include that the council be comprised partly of well-known public and political figures and partly of gender experts from the scientific community and from women's and men's organisations. The Gender Equality Department is also a member of the council. This structure is intended not only to lend weight to the council and to make it heard, but also to guarantee a high level of specialist knowledge and administrative competence.

The prospective secretariat of the council, the Gender Equality Department, will be responsible for the majority of the tasks in as far as it is already responsible for assessing government and developing political strategies. The council would then be comparable to advisory bodies in other countries²⁰ whose tasks include the publication of effective statements on socio-political issues. The council's task can be understood in terms of being a public relations instrument, the purpose of which is to confer legitimacy and objectivity on the issue of equal opportunities, which until now has been met with sentiments ranging from disapproval to hostility.²¹ This committee has not yet been set up (December 2007).

²⁰ In Belgium Raad van de Gelijke Kansen" (established 1993), in the Netherlands Emancipatieraad" (1981–1997). Councils in other countries, such as the German Frauenrat" and the UK's "Women's National Commission" are umbrella associations and not to be compared to committees that have been specifically set up to advise the government (for Netherlands and UK, see Facon et al. 2004).

²¹ In the course of passing the Gender Equality Act, the issue was critically discussed in the media. There were also articles on the training of public administration staff in connection with the EU Capacity Building Project. Reporting was prejudiced, derisive of the topic, dubbing it irrelevant. The importance of gendered toilets in theatres, for example, was depicted as being a key GM issue.

Within the framework of EU alliances for the support of new Member States, the currently running project “Equality between men and women – principle and goal for effective and sustainable enterprises” promotes equal opportunities in private enterprise. A survey on Estonian employers’ attitudes and knowledge of equal opportunities has been carried out in cooperation with the twin partner France. Recommendations for implementing the Gender Equality Act will be based on the results of this survey and put into effect in cooperation with the social partners.²²

4 Conclusion

Estonia’s social climate, marked by post-communism, presents specific problems of legitimacy for a state policy focused on equal opportunities. The weak equal opportunities lobby in civil society has only limited influence on the issue. The characteristics of Estonian ministerial administration are not favourable for wide-ranging, sustainable and top-down implementation of GM. Attempts to organise inter-ministerial task forces and integrate equal opportunities into fields of policy failed mainly because of weak coordinating skills in the ministerial administration. One reason for the practically nonexistent pressure to act applied to the administration can be found in the lack of understanding for equal opportunities both in society and in the political sphere.

In this respect, the high level of professionalism and political experience of the small equal opportunities policy elite within the ministerial administration has proven to be extremely effective. This is propelling implementation of GM forward by initiating alliances with international players, influential powers within Estonian civil society and interested individuals from within the administration. They made use of EU membership negotiations to build up political pressure to modernise the administration through GM. When this pressure could not be maintained after Estonia joined the EU, the implementation strategy was changed. In future, the focus will no longer be mainly on the attitudes and professional competences of the administrative staff and in-house training. Instead, the administration is to cooperate with experts and public figures. External opinion leaders from the public sector will convey the legitimacy and necessity of GM for democratic development and administrative quality.

²² See for example http://ec.europa.eu/employment_social/equal/news/200801-gender-twinning_en.cfm (20.02.2008).

The growing orientation towards third party allies can be seen in the strategy to train external experts to educate the public administration, in the forum concept for a new inter-ministerial task force, as well as in the preparations for the Gender Equality Council. Femocrats in Estonia are not only pinning their hopes on implementation by the administration (the *expert-bureaucratic model*), but increasingly on a participatory implementation approach (*participatory-democratic model*, Beveridge et al. 2000).

As in other new Member States (Beveridge 2005), the EU had the decisive role of launching the debate on equal opportunities and supporting local femocrats and women's organisations. It would appear, however, that EU commitment is not adequately tuned into the actual national development of equal opportunities policy issues. The EU's involvement may have been downgraded a few years too soon to instigate the sustained democratisation of equal opportunities. International monitoring and assessment through progress reports and other measures related to accession to the EU eventually declined significantly following EU eastward expansion. Resources acquired through EU accession aiding projects and public trusts, were no longer available to the extent they had been previously. As a result, the democratisation effect of EU intervention in the area of equal opportunities policy is rated unsustainable and a "missed opportunity" (Bretherton 2002). The limited scope, due to the lack of external pressure and a money flow that has been dwindling since May 2004, seriously hampers femocrats and women's organisations alike. The question for Estonia is whether the state of the social debate on equal opportunities and equal rights, together with the successfully institutionalised gender equality machinery are now sufficient to promote equal opportunities for women and men.

References

- Andresen, Sünne; Dölling, Irene; Kimmerle, Christoph, 2003:** *Verwaltungsmodernisierung als soziale Praxis. Geschlechter-Wissen und Organisationsverständnis von Reformakteuren.* [Interdisziplinäre Organisations- und Verwaltungsforschung, Bd. 12]. Op-laden: Leske + Budrich
- Angerjävrv, Jane, 2006:** Geschlechtsbezogene Diskriminierung von Frauen in Estland. *Utopie kreativ* 184: 168–175
- Angerjävrv, Jane (in preparation):** *Estnische und deutsche Gewerkschaften als Akteurinnen zur Implementierung der Gender Mainstreaming Strategie in privatwirtschaftlichen Arbeitsverhältnissen*
- Berlin, Isaiah, 1984:** Two Concepts of Liberty. In: ders.: *Four Essays on Liberty*. London: Oxford University Press

- Beveridge, Fiona, 2005:** *Gender, the Acquis and Beyond*. Paper presented at the ECPR Joint Workshops, Workshop 5: The Future of Gender Equality in the EU, Granada, April 14–19 2005
- Beveridge, Fiona; Nott, Sue; Stephen, Kylie, 2000:** Mainstreaming and the Engendering of Policy-Making: a Means to an End? *Journal of European Public Policy* 7 (3): 385–405
- Böddener, Astrid 2005:** *Die Estnische Ministerialverwaltung am Beispiel der Landwirtschaft: Ein Musterfall der neuen EU-Mitgliedsländer?* Forschungspapiere “Probleme der Öffentlichen Verwaltung in Mittel- und Osteuropa“, Heft 5, Lehrstuhl für Politikwissenschaft, Verwaltung und Organisation der Universität Potsdam. Potsdam: Universitätsverlag Potsdam. Also available at http://www.uni-potsdam.de/u/ls_verwaltung/onlinepaper/onlinepaper.htm (24.04.2008).
- Bretherton, Charlotte, 2002:** *Gender Mainstreaming and Enlargement: The EU as Negligent Actor?* Paper presented to conference on the European Union in International Affairs. National Europe Centre, Australian National University. July 3–4 2002
- Dahlmann, Olaf, 2005:** *Government Stability in Estonia: Wishful Thinking or Reality?* Potsdam: Universitäts-Verlag
- Estonian Women’s Associations Roundtable, 2007:** Shadow Report on the Convention on the Elimination of All Forms of Discrimination against Women. [http://www.iwraw-ap.org/resources/pdf/Estonia %20SR %20\(EWAR\).pdf](http://www.iwraw-ap.org/resources/pdf/Estonia%20SR%20(EWAR).pdf) (17.12.2007)
- European Commission, 2002:** *Regular Report on Estonia’s Progress towards Accession*, COM (2002) 700 final. Brüssel. Available at http://www.fifoost.org/estland/EU_Estonia_2002/node8.php (08.12.2007)
- Facon, Pedro; Hondeghem, Annie; Nelen, Sarah, 2004:** *Gelijkekansenbeleid onderweg: een internationaal vergelijkend onderzoek*. [Instituut voor Overheidsbeleid: Overheidsmanagement 18], Brugge: die Keure.
- Gilly, Seraina, 2002:** Kulturelle Affinitäten in den Gesellschaften des Baltikums seit der wiedererlangten Unabhängigkeit. In: Goehrke, Carsten; von Ungern-Sternberg, Jürgen (eds.): *Die baltischen Staaten im Schnittpunkt der Entwicklungen*. Basel: Schwabe & Co. AG Verlag: 157–177
- Grabbe, Heather, 2001:** How does Europeanisation Affect CEE Governance? Conditionality, Diffusion and Diversity. *Journal of European Public Policy* 8 (6): 1013–1031
- Jalušič, Vlasta, 2001:** Freedom versus Equality? Some Thoughts About Attitudes Towards Gender Equality Politics in Eastern and Central Europe. In: Nagel, Stuart; Robb, Amy (eds.): *Handbook of Global Social Policy*: New York, Basel: Marcel Dekker, pp. 297–316. Also available as IWM Paper No. 1/1998 at http://www.iiaav.nl/epublications/1998/Freedom_versus_Equality.pdf (09.12.2007)
- Kirch, Marika; Kuhl, Mara; Sellach, Brigitte, 2006:** *Capacities of the Estonian Civil Servants in the Field of Gender Mainstreaming*. Tallinn: Estonian Ministry of Social Affairs. <http://gender.sm.ee/failid/Preposteng.doc> (08.12.2007)
- Krizsán, Andrea; Zentai, Violetta, 2004:** Gender Equality Policy or Gender Mainstreaming: The Case of Hungary. *Policy Studies* 27 (2): 135–151. Also available at <http://www.mageeq.net/docs/magpap03.pdf> (08.12.2007)
- Kuhl, Mara, 2006:** Allianzen für die europäische Wertegemeinschaft: Staat und Zivilgesellschaft in Estland. In: *Osteuropaforschung – 15 Jahre “danach“: Beiträge für die*

14. *Tagung junger Osteuropa-Experten*. Veranstaltet von: Forschungsstelle Osteuropa an der Universität Bremen, Deutsche Gesellschaft für Osteuropakunde, Europäische Akademie. Bremen: Forschungsstelle Osteuropa an der Universität Bremen: 126–130 [Arbeitspapiere und Materialien No. 77]
- Kuhl, Mara, 2007:** *Umsetzungsbedingungen für eine europäische Gleichstellungsstrategie im post-kommunistischen Kontext: Gender Mainstreaming in Estland*. <http://opus.kobv.de/ubp/volltexte/2007/1515/> (11.12.2007)
- Laas, Anu, n.d. a:** *Work Package 1: Conceptual Framework (Executive Summary)*. Enlargement, Gender and Governance (EGG), EU Framework 5. <http://www.qub.ac.uk/egg/> (08.12.2007)
- Laas, Anu, n.d. b:** *Work Package 3: Estonia*. Enlargement, Gender and Governance (EGG), EU Framework 5. <http://www.qub.ac.uk/egg/> (08.12.2007)
- Laas, Anu, n.d. c:** *Work Package 4: Implementing the equality Acquis (Executive Summary)*. Enlargement, Gender and Governance (EGG), EU Framework 5. <http://www.qub.ac.uk/egg/> (08.12.2007)
- Laas, Anu; Lamesoo, Katri, 2004:** *Work Package 6: Gender Mainstreaming (Executive Summary)*. Enlargement, Gender and Governance (EGG), EU Framework 5. <http://www.qub.ac.uk/egg/> (08.12.2007)
- Laas, Anu; Ringmaa, Selve, 2002:** *Supplementary Report to Estonian National Report. The CEDAW 26th session on the implementation of the UN Convention on the Elimination of all Forms of Discrimination against Women. From Local to Global, January 14th to February 1, 2002*. <http://www.hot.ee/gendertartu/eng/Papers.htm> (13.10.2006)
- Markus, Piroksa, 1999:** To be or not to be a “feminist”? *The New Presence* (November): 19–23
- Matland, Richard E., 2004:** *The Representation of Women in Political Parties in Central and Eastern Europe*. Paper presented at the ECPR Joint Sessions, Workshop 2, Uppsala, April 13–18 2004
- Ministry of Social Affairs of Estonia, 2004:** *Social Sector in Figures*. Tallinn. Also available at http://www.sm.ee/eng/HtmlPages/social_sector_2004/file/social_sector_2004.pdf (10.4.2008)
- Oesterhaus, Ilona, 2004:** *Report on Phare Twinning Project – Development of Administrative Capacities of National Authorities in the Field of Gender Mainstreaming. 1st Quaterly Report (Inception Report) – Tallinn, 19. of November 2004*. Tallinn: Sotsiaal Ministeerium
- Oesterhaus, Ilona, 2005:** *Report on Phare Twinning Project – Development of Administrative Capacities of National Authorities in the Field of Gender Mainstreaming. 5th Quaterly Report – Tallinn, 22nd of November 2005*. Tallinn: Sotsiaal Ministeerium
- Offe, Claus, 1994:** *Der Tunnel am Ende des Lichts. Erkundungen der politischen Transformation im Neuen Osten*. Frankfurt/Main, New York: Campus
- Open Society Institute, 2005:** *Equal Opportunities for Women and Men – Monitoring law and practice in new member states and accession countries of the European Union. Network Women’s Program*. Budapest: Open Society Institute. http://www.soros.org/initiatives/women/articles_publications/publications/equal_20050502 (08.12.2007)
- Press and Information Department, 2004:** *Fact Sheet October: Estonian Society: Women and Men – Equal Rights in Estonia*. http://www.vm.ee/estonia/kat_399/4188 (13.12.2007)

- Randma, Tiina, 2001:** *Civil Service Careers in Small and Large States: The Case of Estonia and the United Kingdom*. Baden-Baden: Nomos Verlagsgesellschaft
- Reitelmann, Eha, 2007:** *Estonian's Women's Organisations' Statement to the CEDAW Committee*. http://www.iwraw-ap.org/resources/pdf/39_oral_statements/Estonia_oral_statement.pdf (17.12.2007)
- Sepper, Mari-Liis; Linttam, Marika, 2005:** *Equal Opportunity for Women and Man – Monitoring Law and Practices in New Member States and Accession Countries of the European Union*. Budapest: Open Society Institute. http://www.soros.org/initiatives/women/articles_publications/publications/equal_20050502/eowmestonia_2005.pdf (17.12.2007)
- Sootla, Georg; Velthut, Annika, 2001:** *Politico-Administrative Dichotomy the “Centre of Government“ [sic!]: The Estonian Example*. Paper presented to NISPAce 9th Annual Conference, Riga.
- State Chancellery – Office of European Integration, 2001:** *National Programme for the Adoption of the Acquis*. http://www.riigikantselei.ee/failid/NPAA2001_Estonia_.pdf. (22.02.2006)
- Statistical Division of United Nations Economic Commission for Europe, 2005:** *Gender Statistics Database*. <http://www.unece.org/stats/gender/database.htm> (17.12.2006)
- Stetson, Dorothy McBride; Mazur, Amy G., 1995:** *Comparative State Feminism*. Thousand Oaks, London et al.: Sage Publications
- Stiegler, Barbara, 2000:** *Wie Gender in den Mainstream kommt: Konzepte, Argumente und Praxisbeispiele zur EU-Strategie des Gender Mainstreaming*. Bonn: Wirtschafts- und sozialpolitisches Forschungs- und Beratungszentrum der Friedrich-Ebert-Stiftung. Also available at <http://www.fes.de/fulltext/asfo/00802toc.htm> (10.04.2008)
- Titma, Mikk; Tuma, Nancy Brandon; Silver, Brian D., 1998:** *Winners and Losers in the Postcommunist Transition: New Evidence from Estonia*. *Post-Soviet Affairs* 14 (2): 114–136
- Valiente, Celia, 2005:** *Developing Countries and New Democracies Matter: An Overview of Research on State Feminism Worldwide*. *Politics & Gender* 3 (4): 530–541
- van der Molen, Irna; Novikova, Irina, 2005:** *Mainstreaming Gender in the EU-accession Process: The Case of the Baltic Republics*. *Journal of European Social Policy* 15 (2): 139–156
- Verloo, Mieke, 2000:** *Another Velvet Revolution? – Gender Mainstreaming and the Politics of Implementation*. IWM Working Paper 05/2001. Wien: Institut für die Wissenschaft vom Menschen
- Wallace, Claire, 1995:** *Eine Westfeministin geht in den Osten*. *Transit* 9: 128–145
- Woodward, Alison, 2003:** *Building Velvet Triangles: Gender and Informal Governance*. In: Christiansen, Thomas; Piattoni, Simona (eds.): *Informal Governance in the European Union*. Cheltenham (UK); Northampton (MA, USA): Edward Elgar: 76–93