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Section for Research, Analysis, Library and Documentation**

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The role and competences of working bodies dealing with gender equality issues

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Foreword

The concept of gender equality is mentioned for the first time in the Universal Declaration of Human Rights, dating from 1948, while the fundamental document regarding gender equality is the Convention on the elimination of all forms of discrimination against women, which was adopted in 1979.¹ Additionally, there are several documents at the EU level, which aim to achieve equality between men and women. In this context, one of the most important documents is the Charter of Fundamental Rights of the European Union, which, *inter alia*, envisages the integration of the principles of gender equality in all policy areas and activities (gender mainstreaming). The Strategy for equality between women and men for the period 2010-2015 represents a strategic document which determines the policy of active participation towards gender equality. This Strategy aims to establish gender equality in the EU member states, as well as in candidate and potential candidate countries. The EU law also comprises several Directives that regulate gender equality issues in various segments, with which the national legislation must be harmonised. With that being said, the substantiation of gender equality also becomes one of the issues of EU integration.²

The Law on Gender Equality, adopted in 2007, represents the main legal framework for achieving gender equality in Montenegro. There are two institutional mechanisms for achieving gender equality in Montenegro: The Gender Equality Committee of the Parliament of Montenegro, which was founded on 11 July 2001 and the Office for Gender Equality of the Government of Montenegro, founded in 2003.³ According to the Rules of Procedure of the Parliament of Montenegro⁴, the Gender Equality Committee considers law proposals, other regulations and general acts related to exercise of gender equality principles; monitors application of these rights through enforcement of laws and improvement of gender equality principles, particularly in the area of rights of children, family relations, employment, entrepreneurship, decision-making process, education, health care, social policy and information; takes part in preparing, drafting and harmonising laws and other acts with European legislation standards and EU programmes related to gender equality; affirms signing of international documents treating this issue and monitors their application; cooperates with relevant working bodies of other parliaments and non-governmental organisations in this area.

The importance of parliamentary working bodies in charge of gender equality usually lies in the fact that these working bodies act as incubators of political ideas and enable issues regarding gender equality to be included in the parliamentary agenda. Their advantage consists of working closely with the national authorities dealing with women's rights, the ombudsman for gender equality and non-governmental organizations, and also retaining their permanent essence and resources (the budget and professional service), a

¹ Internet presentation of the UN <https://www.un.org/en/globalissues/women/> (25 March 2013)

² Internet presentation of the European commission http://ec.europa.eu/justice/gender-equality/index_en.htm (25 March 2013)

³ Since 2009, The gender equality department became an integral part of the Ministry for Human and Minority Rights

⁴ Rules of procedure of the Parliament of Montenegro http://www.skupstina.me/cms/site_data/poslovnik/1poslovnik1.pdf (25 March 2013)

characteristic shared by all the working bodies of the Parliament. Gender equality committees have an impact on a number of important policies and issues, including education, health care and employment. However, some parliamentary gender equality committees have a different status, respectively, they may have a consultative role, which limits their ability to act based on their recommendations.

Generally, gender equality committees are as effective as other parliamentary committees. However, factors that could potentially limit their effectiveness often arise in the area of their competence, the number of women in the parliament, the capacity of the chair of the committee and the extent to which the leadership of the parliament supports the committee. Gender equality committees may also provide support to other committees and work with them, hence encouraging them to consider issues related to gender equality when addressing issues within their competence. In this regard, gender equality committees can perform their role by initiating, supporting and scrutinizing the activities of the other committees in the promotion of gender equality.

However, in case the parliament does not form a special gender equality committee, issues from this area shall be considered by other committees within the limits of their competence, i.e. committees on social policy and committees on human rights. These multi-function committees may apply the gender perspective to a broader range of issues, but generally have less time for special issues related to gender equality.⁵

In order to better understand the existence, competences and the manner of functioning of parliamentary committees dealing with gender equality issues, and their position when considering parliamentary materials, the Section for Research, Analysis, Library and Documentation of the Parliament of Montenegro submitted a questionnaire⁶ through the European Centre for Parliamentary Research and Documentation (ECPRD) to all the members of the ECPRD Network, including to the Parliamentary Assembly of the Council of Europe, European Parliament, EU member states and countries in the region.

The questionnaire contained questions involving: the existence of a special parliamentary committee dealing with the issue of gender equality, its competences, its manner of functioning and the relationship between this committee and the plenary, as well as the relationship between this committee and other committees, with particular emphasis on the parliamentary mechanisms, used in order to submit issues related to gender equality directly to the plenary. Finally, given that parliaments have been paying more attention to this issue, and that certain parliaments have even adopted strategic documents within their parliamentary services, the Section has, in order to achieve the integration of gender equality in all policy actions, requested information regarding the existence of a strategic plan, respectively an action plan that addresses the issue of gender equality in these parliaments. In addition to the information obtained through the ECPRD network, this paper was also supplemented by information available on the website of the Inter-Parliamentary

⁵ Dr. Sonia Palmieri, Gender Sensitive Parliaments: A Global Review of Good Practice, Inter-parliamentary Union, No. 65 – 2011, page 39-45, <http://www.ipu.org/pdf/publications/gsp11-e.pdf> (18.3.2013)

⁶ ECPRD Request No. 2246 *The role of the Committee that deals with gender equality issues*, March 7, 2013.

Union (IPU) and the website of the European Parliament.

Based on the collected answers and information, the Section systematized the data received from the Parliamentary Assembly of the Council of Europe, the European Parliament and the Parliaments of 19 EU countries, as follows: Austria (Österreichisches Parlament), Belgium (Senate), Estonia (Riigikogu), Finland (Suomen Eduskunta) France (Assemblée Nationale), Greece (Hellenic Parliament), the Netherlands (Tweede Kamer der Staten Generaal), Italy (Camera dei Deputati), Latvia (Saeima), Lithuania (Seimas), Hungary (National Assembly), Germany (Bundestag and Bundesrat), Poland (Sejm), Portugal (Assembleia da República), Romania (Camera Deputatilor), Slovakia (National Council), Slovenia (National Assembly), Spain (Senado and the Congreso de los Diputados) and Sweden (Riksdag), including four countries of the region: Bosnia and Herzegovina (Parlamentarna skupština), Croatia (Hrvatski sabor), Macedonia (Sobranie) and Serbia (Narodna skupština).

The remainder of this document provides the main findings of the research paper, tabulation of the key findings covering the parliaments that have a special parliamentary working body that deals with the issue of gender equality, as well as a comparative overview, which describes more specifically how this working body operates in all the parliaments included in the paper.

The complete document in Montenegrin language can be found at: http://www.skupstina.me/images/dokumenti/biblioteka-istrasivanje/Uloga%20i%20nadle%20C5%BEnosti%20parlamentarnih%20radnih%20tijela%20koja%20se%20bave%20rodnom%20ravno%20pravno%20A1%20C4%87u_pdf%20.pdf