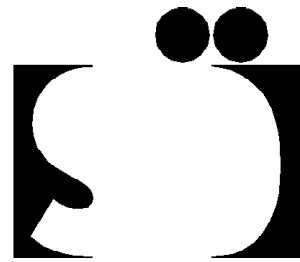


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**Scientific consultancy for  
the introduction of gender mainstreaming  
in the daily practice of the Federal Ministry  
for the Environment, Nature Conservation  
and Nuclear Safety**

**Summary of the final report**

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The research study called “Scientific consultancy for the introduction of gender mainstreaming in the daily practice at the Federal Environment Ministry” was carried out by the Institute for Social-Ecological Research (Institut für sozial-ökologische Forschung (ISOE)) in Frankfurt am Main in collaboration with the Gender Mainstreaming project team of the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety. It follows up on the findings and the experience gained in the ongoing gender mainstreaming process at the Ministry which was started in autumn 2000.

### **Framework and tasks of the research project**

The research project “Gender Impact Assessment in the field of radiation protection and the environment” was concluded at the end of 2002 with the development of a gender mainstreaming instrument, the Gender Impact Assessment (GIA) which makes it possible to take gender aspects into account in all environmental policy measures. The GIA consists of two components: a GIA check list tailored to functions in environmental policy to assess equality of men and women and the organisational and institutional implementation which is adapted to the day-to-day work of measures carried out by the Federal Environment Ministry. The testing of the GIA checklist in two exemplary cases showed that the GIA is feasible in the field of environmental policy. It also showed that the GIA can provide helpful findings to improve the work of the Ministry. The practical application of the GIA checklist proved to be a complex endeavour which is new for many members of staff and for which support is therefore needed.

The Interministerial Working Group (Interministerielle Arbeitsgruppe (IMA)) on Gender Mainstreaming adopted the basic structure and core elements of the check list for the development of guidelines on Section 2 of the GGO: “Gender mainstreaming in the preparation of legal provisions“ (gender specific law impact assessment: guidelines on legislation in brief). These guidelines were tested in all federal ministries and discussed and revised at the meeting of the IMA Gender Mainstreaming at the end of 2003.

The research project accomplished four central tasks. As a first step, the *guidelines on legislation and the Gender Impact Assessments were updated* using two exemplary applications. The second task was to *develop tools* for supporting the implementation of gender mainstreaming and the third to set up a scheme for *preparing the organisational and institutional implementation* for the optimisation and continuity of the gender mainstreaming process at the Environment Ministry. The fourth element was the presentation of the results of the research project at an *expert conference*.

### **Updating the guidelines on legislation**

Two legislative proposals, the revised version of the Environmental Information Act (Umweltinformationsgesetz, UIG) and the amendment of the Environmental Statistics Act (Umweltstatistikgesetz, UStatG) were chosen to test how practicable the guidelines on legislation are. Both measures were in the process of discussion at the time of the research project and thus it was possible to integrate gender mainstreaming into the ongoing work.

### ***Applying Gender Impact Assessment to the Environmental Information Act***

The Environmental Information Act (UIG) makes provisions for the access of the public to environmental information. This means that the public can request access to information from entities with a duty to provide information (passive duty to provide information). Furthermore, the UIG also stipulates that authorities need to actively provide information to the public on the state of the environment (active duty to provide information). The revised version of the Environmental Information Act will promote maximum systematic availability and distribution of environmental information.

The relevance test that was carried out in the context of the application of the GIA to the revised version of the UIG showed that there was no difference in the treatment of men and women and that it stipulated the same right to information for every man and every woman. This Act thus contributes to *gender mainstreaming in a formal (legal) way*. At the same time it was assumed that the legal provisions were used differently by men and women because of the different use of electronic media by different population groups. This means that there may be *factual disadvantages in the use of the possibilities the Act offers*. However, there was little information on who used the Environmental Information Act and how it was used. Against this background it was decided to conduct a survey (questionnaire supported by expert interviews) on the use of the Act. The survey showed that, compared to associations and organisations, it was mainly “ordinary citizens” who were faced with major problems. Apart from the fact that many people do not know the UIG, there is a particular lack of information on how to file a request. In the survey, the fees were mentioned as another core problem. Furthermore, the applicants lacked the preconditions for being successful with their request: assertiveness, perseverance, experience in dealing with authorities, time, money, expertise in understanding records and legal competence. With regard to the differences in gender specific use, it was assumed that women had a greater interest in environmental information due to their daily circumstances. Topics such as nutrition/quality of food, pollutants in breast milk, health hazards and pollution in the neighbourhood of children (nurseries and schools) were of particular interest to them. In addition to gender aspects, diversity aspects were named as relevant. It was pointed out that socially disadvantaged groups and groups with poor linguistic skills as well as foreigners were particularly affected by environmental problems. The survey revealed that low-income groups could not make use of the UIG because of potential costs. In this light, proposals were made to facilitate access to information: alongside transparency, service orientation and financial resources made available by the authorities, these included measures to inform the public and to provide training and information for staff in public offices on how to apply the UIG. To support the “ordinary citizens”, it was proposed to issue a “check book” that provides answers to main questions for the use of the UIG and contains a sample cover letter, a sample letter of complaint and a list of the most important addresses.

The findings of this survey proved that structural barriers could be assumed to exist in the use of the UIG which underline the need for a UIG *marketing*. The prototype of a marketing tool was developed aiming at improving access to environmental information

beyond the revised version of the UIG. This consists of a leaflet showing examples of how the broader public can make use of the UIG, and what its limits are.

While developing the leaflet, particular attention was paid to the language to ensure that people without legal expertise could understand their right to information as provided by the UIG. Using case studies, the leaflet shows for whom and in what social situation the UIG could play a role and could be of interest. A sample cover letter illustrates what a letter to the authorities could look like. Gender and diversity aspects were at the forefront for choosing the example (in the example the request for information referred to harmful substances in the soil of a playground in front of a house in a suburban settlement, i.e. a housing estate for low-income families, the fictitious applicant had a Turkish name etc.). The sample leaflet comes with a supplement that contains the authorities of interest for UIG purposes. The addresses can be inserted by the respective counties. The Federal Environment Ministry plans that a model county will develop such a UIG leaflet, in order to gain experience in communicating the UIG. The findings of the survey will be presented to different bodies (such as the working group of the Federation and the Federal States (Länder) on environmental information systems, other joint commissions, round table talks with associations) and transmitted to the Conference of German Environment Ministers. This aims at providing extensive information to the authorities on the problems of using the UIG and to make them aware of the need for user-oriented marketing.

The UIG team underlined the additional gain through the application of the GIA to the Environmental Information Act. By means of the GIA not only the formal (legal) equality of men and women was analysed but the view was extended to include issues of the actual effects of the act. In addition to studying formal aspects of the Act, the potential impacts of the Act were also scrutinised. The distinction between male and female users not only refers to the different treatment of men and women but also shows various social contexts, life circumstances and daily practices which account for the need for environmental information. These factors might either encourage the use of the UIG or present an obstacle. The various gender and social specific impacts can hardly be taken into consideration in laws such as the UIG because of the principle of equality before the law. This is the reason why accompanying measures such as public relations work which incorporates the different realities in the lives of the target groups play such an important role. The UIG team identified this to be true for all provisions that guarantee participation rights for citizens. Gender and target group specific communication and marketing for measures taken by the Federal Environment Ministry should be used to a greater extent and be considered possibilities to integrate gender aspects.

### ***The application of Gender Impact Assessment to the Environmental Statistics Act***

The amendment of the Environmental Statistics Act (UStatG) is a result of the progress in the requirements for environmental statistics at national, European and international level. In addition to the requirements of ecological modernisation, it aims at adapting German legislation to the altered framework conditions at EU level, e.g. concerning the new EU regulation on waste statistics. The UStatG is basically an instrument to fulfil

reporting requirements and environmental reporting. The amendment will harmonise and, if possible, reduce the data requirements for official statistics and the requirements from reporting obligations. The data to be included in the statistics and their differentiation as well as the volume of the data to be collected are largely determined by timeliness and efficiency. Before data is collected, there needs to be an examination as to what data is necessary and in what volume, or whether data can be estimated by referring to existing statistics. The guiding principle is the usability of the data and their informational added value for environmental policy and the potential for streamlining the statistics.

In an initial relevance test, the purpose of the UStatG, its positioning within the official statistics and its significance for the environmental decision-making process were highlighted. A potential conflict between streamlining on the one hand and a possible extension to collect additional data to include gender aspects was identified across all subject areas of the UStatG. Firstly, the analysis showed that the persons *directly affected by the UStatG* are the persons needing to provide data and no gender relevance was found as these are legal persons such as companies and enterprises. *Indirectly* however, every citizen is *affected* if political decisions based on the statistical data from the UStatG lead to changes. With regard to the *kind of impact*, it can be noted that the Act is not only concerned with statistics on how many people work in environment-related jobs, but primarily with data on substances and installations such as “volume“ (e.g. of waste) and “number” (e.g. of installations). With regard to the *different impact on women and men*, there were no different regulations found for men and women in the UStatG. However, it was also noted that the access to decision-making processes could possibly differ for men and women, if environmental information from the data collected under the UStatG was used as the basis for the participation in the decision-making process. In this case, the measure – indirectly – affects access to decision-making processes. The question of whether there are factual gender specific differences in the use of the information available in the UStatG could not be answered.

The relevance test was carried out in the individual expert working groups of the different subject areas waste, air, water, nature conservation and economy. The working groups were asked to scrutinise the purposes of the amendment of the UStatG (their purpose in the context of the environmental policy objectives) on the one hand and their equality policy objectives on the other hand. These two objectives needed then to be weighed according to the evaluation approach of the GIA (target trade-off approach). In addition to verifying all data, particular focus was placed on the data on “staff”. The expert groups worked along the checklist for GIA to review the *relevance of gender issues*. This concluded that the UStatG had no direct impact on groups of people and thus no direct impact on women or men. As far as the *indirect impact* was concerned, the analysis considered the question of whether gender specific data collection on staff through the UStatG would be of an “informational added value” as defined by the UStatG and if a non-gender specific collection would result in disadvantages of gender relevance.

The provision of data on people working in environmental-related jobs is gaining more and more political significance, because environmental protection plays a growing role as a factor for future oriented jobs. Studies show that to date, almost 1.5 million people work in the field of environmental protection. In this light, there is a need for additional data. These might be collected by statistical offices, for instance in the context of their primary data collection at chosen producers. Sources for secondary statistics are labour statistics from the Federal Employment Agency, statistics on staff in public and civil services, statistics on road passenger transport and surveys from other institutions. In some areas the data on the number of staff members is not collected separately but calculated on the basis of sales figures and the labour coefficient.

Breaking the figures down to the number of employed men and women would be helpful for purposes of equality of men and women. This would make it possible to see whether women and/or men have access to the future-oriented labour market in the field of environmental protection. Furthermore, the importance of gender specific data is pointed out time and again in the context of gender mainstreaming.

In the current version of the UStatG the numbers of staff are given in the number of heads, i.e. the *total numbers*. The amended UStatG will continue this practice. Including a key for gender specific data would mean extending the collection of data considerably. It would mean that next to the number itself, it would be necessary to include an additional figure for women and another for men in every subject area (e.g. waste). Arguments against such a differentiation are that figures for female and male members of staff would provide only limited information on the situation unless they were accompanied by additional details such as different types of work they do (to illustrate horizontal segregation), income and position (to illustrate vertical segregation) and educational background (to illustrate differences in qualification). Such gender relevant data are already collected in employment statistics.

On the whole, the impact assessment showed that the additional breakdown of employment data to include gender specific data would result in significant additional administrative burden that would contradict the purpose of streamlining the statistics. Furthermore, it would not be possible to provide gender relevant data for the whole environment sector, because the UStatG only provides employment data for selected areas. An “informational added value” that would justify the significant increase in the administrative burden cannot be seen for the time being. In conclusion, it can be said that the UStatG has no gender relevance and that the requirement to collect gender specific data does not need to be incorporated into the amendment of the UStatG. The Act itself thus does not have a gender impact although in principle a collection of gender specific data would be possible under the UStatG. Since the relevance test had a negative result, the main analysis of the GIA did not need to be carried out. The justification of the amendment thus states the conclusion that “the amendment of the UStatG is considered gender neutral”.

In addition to this conclusion, the study stated that *gender relevant questions in the context of social policy* that could be answered through the UStatG and other environ-

mental data had not been defined as yet. Such gender relevant issues should be identified in the framework of a research and development project if possible.

The application of the GIA to the UStatG made clear that assessing the collection *and* evaluation of data for gender relevance always focuses on data on persons and how gender specific it is. In the long run, it could be helpful to find out what categories of non-person related data (such as data on substances and installations) are “always” of interest from a gender perspective. With regard to the general significance of data and statistics in the context of the implementation of gender mainstreaming, the study concluded that the question of data collection and data evaluation for all political fields should be discussed at the IMA on Gender Mainstreaming.

### ***Conclusions for the update of the guidelines on legislation***

The two examples described above for the application of the guidelines were considered tests for the practicability of the instrument and were aimed at finding ways to improve the instrument. The practical experience can be roughly classified in two categories: on the one hand there are the *positive aspects* which could be strengthened in the guidelines themselves or in accompanying activities, and on the other hand there are the *weak points* which showed that the GIA check list or the guidelines need to be more precise or compensated for in accompanying activities.

The participants carrying out the tests pointed out that one benefit of the application of the guidelines lay in the awareness of aspects of different living conditions and increased the awareness of gender relevance in general. Dealing with gender and equality issues leads to an incorporation of social aspects which are not taken into consideration in environmental issues in a systematic manner. The positive aspects were identified as follows:

- *GIA as “eye-opener” for different impacts and uses of legal provisions:*  
One possibility to strengthen this aspect was seen in making it explicitly clear in the guidelines that accompanying measures can be considered a possibility or necessity in the main impact assessment. This requirement has already been implemented in the revision of the guidelines in the IMA Gender Mainstreaming.
- *Early incorporation of the GIA in the development of measures:*  
The GIA was applied to the Environmental Statistics Act at an early stage – parallel to the preparation of the ministry draft. This application showed the ideal for gender mainstreaming, i.e. to take equality of women and men into consideration right from the start. This point has been highlighted and incorporated into the scheme for the institutional and organisational implementation.
- *Making gender expertise available:*  
During testing of the guidelines they were considered practicable in principle by the participating teams and seen as a helpful instrument. The groups emphasized that the GIA applications had support from gender experts. These were particularly involved

in working out gender relevant questions. The “tool kit” shows three subject areas as examples. A systematic examination of *all* central subject areas in the field of environmental policy with regard to gender relevant aspects (e.g. in the framework of a research project) would mean strengthening the availability of gender expertise in general.

The weak points which could be improved by making the guidelines more precise or which could be prevented by other activities were identified as follows:

- *Political implementation of legislative proposals:*  
The two Acts, the UIG and the UStatG, which were selected as examples aim at the adaptation of German provisions to the provisions of EU Directives. This sets the framework for their contents and reveals the fact that the provisions that need to be transposed into national legislation are not automatically gender sensitive – despite the front-runner role of the gender mainstreaming process. This fundamental problem can only be countered by establishing a closer network of gender mainstreaming activities. This could be accomplished, for instance, if the German Environment Ministry integrated gender mainstreaming activities into the negotiations at EU level at an early stage.
- *Definition and limitation of an environmental measure:*  
The application of the GIA relevance test showed that the weighing of environmental and gender aspects of a measure depends on whether its scope is broad or narrow. The requirements for the amendment of the UStatG are stipulated clearly: the amended version is not to be extended as compared to the existing version. Against this background, expanding data on people working in environment-related jobs to include women and men and further gender relevant breakdowns would result in an extension. The conclusion that gender relevant societal questions relating to environmental protection which could be answered by environmental data have not yet been defined shows that the state of research and debate on environmental gender aspects needs to be intensified and pertinent research needs to be promoted.
- *Necessity of a relevance test:*  
When the relevance test of the amendment of the Environmental Statistics Act led to a negative result, the project team on gender mainstreaming resumed the debate on the necessity of carrying out a relevance test. The debate resulted in the finding that the example of the UStatG and the conclusions that were drawn made the importance of a relevance test evident. On the one hand the relevance test leads to narrowing down the gender analysis to the given definition of a measure. On the other hand the test does not remain without findings and effects as it identifies where there is a need for research and debate with regard to gender aspects that are specific for environmental policy and adds substance to these issues.

Apart from the positive aspects and the weak points that were identified in the framework of the application test and which in essence can be used to improve the GIA instrument, there is one core conclusion to be drawn from the implementation test. Tools such as the GIA are vital for the implementation of gender mainstreaming, because they



also enable people without comprehensive gender competence to take gender aspects into account in the preparation of measures and to integrate them into the measures.

Against this background the project team Gender Mainstreaming decided to develop a GIA for strategies and programmes which is an area not yet covered in the development of tools. A working group will apply the GIA prototype to on-going measures and modify it according to the needs of strategies and programmes.

### **The variety of gender mainstreaming activities in the Federal Environment Ministry, in particular the implementation and development of a “tool kit”**

#### ***Implementation of gender mainstreaming***

The scheme for “Implementing gender mainstreaming in the German Environment Ministry” was prepared in the framework of the research project. It establishes the basis and conditions for its success and also indicates the core areas of implementation and sets up a schedule for measures to be taken.

Basic elements for the implementation are the following: Gender mainstreaming is a *systematic strategy* for the implementation of the classic political goal of *equality of men and women* and is thus a cross-sectional requirement that calls for specific measures for its implementation. Gender mainstreaming stands for “*good governance*” which is based on the assumption that working towards equality must not be seen as an exceptional circumstance but as an integral part of every topic, of relevance to everyone.

The following conditions are decisive for a successful implementation:

- The implementation needs to be supported by a high-level decision.
- Clear objectives need to be set.
- Flexible offers need to be developed to support the staff.
- The responsibilities of gender mainstreaming need to be clearly defined to safeguard the continuity of the implementation. To achieve this, the responsibility for the gender mainstreaming process should be placed separately from the responsibility for the “gender equality” objective.

As a follow-up to these basic factors and conditions, measures need to be taken in three areas:

- The training sector includes offers that support the components on “Raising awareness”, “Information” and “Workshops (training on the job)”.
- Responsibilities and procedures need to be established for
  - the implementation of gender mainstreaming (top level)
  - decisions that need to be taken on variants and alternatives with diverse effects on equality of men and women (Directorate-General level)
  - the evaluation of the equality assessment, if necessary evaluating assessments of all measures with an impact on equality (Directorate level)

- the formal assessment of the application of the Guidelines (planned: Cabinet Division)
- the consultancy during and reflection on the gender mainstreaming process (project team Gender Mainstreaming).
- A *Gender Service* should be offered on the intranet of the German Environment Ministry which provides general information on gender mainstreaming but also specific gender expertise in the field of environmental policy.

The *2004/2005 schedule* outlines specific measures and procedures for these three areas. These are medium-term oriented and indicate first central steps to be taken towards long-term implementation. When the schedule was worked out, issues of urgency and priority (e.g. training measures) were taken into consideration as well as potential integration into the on-going work (e.g. integration of gender mainstreaming into the current process of revising the rules and procedures at the German Environment Ministry).

### ***The development of a “tool kit”***

Since gender mainstreaming is a new concept for many members of staff in the Environment Ministry, flexible offers for supporting it were developed in the framework of the research project. These measures were summarised under the heading “*Gender Mainstreaming tool kit*”.

The intranet-based tool kit was designed in particular for those employees who “have no clear idea of what they are supposed to do” (quote from an introduction to the tool kit). The term “tool kit” illustrates the point that there is an overall scheme (kit) that accommodates several individual components (tools). The tool kit answers questions on the following subjects: general questions, questions on information and examples, questions about specific procedures, on organisations, experts and events, on data and statistics.

A first version of a comprehensive and substantial tool kit is already available. In the long run, the project team Gender Mainstreaming will add more details and update it. The tool kit will be put up on the intranet in the second half of 2004 and this will be accompanied by information events for the introduction and presentation of the tool kit. A printed version has also been planned (either as a brochure or a loose leaf edition which will be supplemented regularly), in order to reach people who prefer hard copies or who wish to establish their own reference material.

### **Outlook**

The gender mainstreaming process in the Federal Environment Ministry has so far been characterised by a multitude of activities. These activities are aimed at making the integration of gender aspects a matter of course for environmental policy. By including all subject fields and all administrative levels at the Ministry right from the start, the cause of mainstreaming was made visible.

The expert conference “Future prospects of gender mainstreaming in the environmental field”<sup>14</sup> which was held in the framework of the research project was used to present the findings of the research project, but it was also useful for setting up a network between

the Federal Environment Ministry and other players in the field of environment field. In addition to the topics and the organisation of the conference, the commitment and enthusiasm of the nearly 100 participants in the discussions contributed largely to its success. As far as the future of gender mainstreaming in the field of environment is concerned, the conference was a complete success. It constituted a first step towards networking in the environmental field and thus was a good starting point for the implementation of gender mainstreaming in the broad area of environmental policies.

The implementation process in the Federal Environment Ministry was characterised by target-oriented planning, a good structure and steering mechanism, by the integration of all separate activities and their incorporation into the overall scheme. The concepts that were worked out, in particular in the fields of training, communication and support measures as well as the implementation scheme show that the long-term view is a core maxim for the implementation of gender mainstreaming in the Federal Environment Ministry. Offering more training and setting up support measures will lay the basis for gender mainstreaming to become not only a prescribed procedure but a process involving more and more members of staff.