

Source: European Centre for Parliamentary Research and Documentation

On 26 November 2020, the Italian *Camera dei Deputati* submitted request 4571 to the ECPRD network. During the discussion of the 2020 budget in the Chamber of Deputies, a specific agenda (9/Doc. VIII No 6/18) was adopted, requesting the Chamber of Deputies' Research Department to conduct a gender impact analysis of draft legislation under consideration by the standing Committees. The Italian request sought to better understand which parliaments already conducted such assessments, as well as the methods and practices governing them. The request received 42 replies from national parliaments and chambers, from 33 countries, including 11 third countries.

Replies revealed a very variable situation among respondents. All scenarios were represented, ranging from conducting a separate gender-specific impact assessment to not assessing possible gender impacts at all.

## Who conducts gender impact assessments?

Approximately half of the countries which responded indicated that they carry out gender impact assessment of legislation, while the other half does not. The gender impact assessments generally take the form of a questionnaire.

Countries or chambers which generally carry out a gender impact assessment	Countries or chambers where a gender impact assessment is sometimes but not systematically conducted	Countries or chambers which generally do not carry out a gender impact assessment
Albania, Austria, Belgium, Canada, Cyprus, Czech Republic, Denmark, Estonia, European Parliament, Finland, France, Luxembourg, Portugal, Spain, Sweden, Switzerland	Israel, Norway, Polish Sejm, Slovakia  Georgia, United Kingdom (see detail in next section)	Bulgaria, Croatia, Hungary, Latvia, Lithuania, Italy (until 2020), Moldova, North Macedonia, Polish Senate, Romania, San Marino, Slovenia, Turkey

## The place of gender in impact assessments

However, practices vary significantly in both groups. Among countries carrying out such assessments, only four indicated that they carry out a separate gender impact assessment: Canada, Portugal, Spain and Sweden. In Canada, this is mandatory for memoranda to cabinet but not for all bills.

For the others, gender-related factors were considered as part of a broader impact assessment. In Austria, Belgium and Switzerland, gender is one of several criteria guiding impact assessments. This is also the case in Luxembourg, though one full chapter is always dedicated specifically to gender in their impact assessments. In Norway, a gender impact assessment is conducted only if the proposed legislation raises fundamental issues regarding gender or gender equality. In the European Parliament, Albania, Cyprus and the Polish *Sejm*, gender is (or can be) taken into account in the social or socio-economic part of the impact assessment (in the 'equality' chapter for Cyprus, and only for bills put forward by the government).

Differences could also be observed among countries which generally do not carry out gender impact assessments. In Bulgaria, Italy and Slovenia, gender is not currently listed as one of the criteria used for impact assessments. In Latvia, Lithuania, Romania and Turkey, there is no regulation or established practice on the matter. Both Georgia and the UK indicated that though there

is no legal requirement for a gender impact assessment, they had sometimes been performed on an *ad hoc* basis. In Georgia, when this happened impact assessments were carried out by the committees, with the Permanent Parliamentary Gender Equality Council actively involved in the process.

It is to be noted that the situation as regards gender impact assessment is evolving. Both North Macedonia and Slovakia indicated that they do not currently carry out gender impact assessments, but that this may soon change. Slovakia is currently developing a gender impact assessment methodology and trialling gender budgeting as part of a recent gender mainstreaming plan. Similarly, North Macedonia adopted in January 2020 a Plan of Activities on the Advancement of Gender Sensitivity of the Assembly for 2020 and 2021, and said that the answers to the ECPRD request could be used for enhancing the gender sensitivity of the Assembly. Albania has also recently adopted such a plan. The European Parliament's Ex-Ante Impact Assessment Unit also suggested that the European Commission's impact assessment should better cover gender aspects.

### **The role of parliaments vis-à-vis the executive**

All parliaments which provided additional information also pointed out that impact assessments are the responsibility of the executive. More specifically, it is generally the relevant ministry which is tasked with carrying out the impact assessment. This tends to take place at a preparatory stage, before the proposed legislation reaches parliament for a first reading. Estonia also cited lack of data as an obstacle for this kind of work being carried out by at parliamentary level. There are however some exceptions. In Portugal, in addition to a gender impact assessment prepared by the regional or central administration, the Portuguese Assembly's relevant departments draw up a technical note for each bill, which contains the gender impact assessment report, prepared in accordance with the respective legal regime. The Italian Chamber of Deputies' Research Department is now also expected to conduct a gender impact analysis of draft legislation under consideration by the standing Committees.

As such, the role of parliaments in carrying out formal gender impact assessments is often limited because impact assessments do not fall within the scope of their responsibility. This does not however mean that parliaments do not play an active role as regards gender and proposed legislation. Many parliaments recalled that non-discrimination principles are enshrined in their constitutions or fundamental law, giving them a mandate to uphold this principle. As such, numerous parliaments mentioned having a dedicated committee on gender equality (names and precise mandates vary) which plays an active role in the legislative process. Where practices regarding gender impact assessments are changing in a given country, parliaments often seem to be leading the way.

**Directorate for Relations with National Parliaments - Institutional Cooperation Unit**

[www.europarl.europa.eu/relnatparl](http://www.europarl.europa.eu/relnatparl)

Author: Esther Luigi, [esther.luigi@europarl.europa.eu](mailto:esther.luigi@europarl.europa.eu)

Contact: Pekka Nurminen, [pekka.nurminen@ep.europa.eu](mailto:pekka.nurminen@ep.europa.eu)

