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HANDBOOK ON GENDER EQUALITY REGULATORY IMPACT ASSESSMENT

Contents

Glossary	4
Objective of the Handbook	5
Who is this Handbook Intended for?	5
Introduction	6
What is Gender Equality?	7
Principles and Importance of Achieving Gender Equality.....	8
What is Gender Mainstreaming?	9
Legal Framework for Gender Equality.....	11
Regulations.....	13
What is Regulatory/Policy Impact Assessment?.....	14
Regulatory Impact Assessment in the Republic of North Macedonia.....	15
Gender Equality Impact Assessment	16
Step 1. Defining the Problem	17
Step 2. Defining Objectives.....	18
Step 3. Identifying Public Policy Options.....	19
Step 4. Impact Assessment and Selection of the Best Option.....	20
Step 4.1. Consultation.....	21
Step 4.2. Fiscal Implications	21
Step 4.3. Selection of the Best Option	21
Step 5. Monitoring and Evaluation	22
Checklist for gender impact assessment	22

Glossary

SEX refers to the biological and physiological characteristics which define men and women, i.e., the number and type of sex chromosomes, hormones, internal reproductive anatomy and external genitalia. These characteristics are universal and, in general, permanent. The exception are cases of intersex people who are born with a combination of male and female traits.

GENDER is used to describe all socially defined characteristics, roles, activities and responsibilities which are associated with being a man or a woman in a given society. Girls and boys are not born knowing how to dress, talk, think or react. Gender is manifested through socially learnt behaviour and expectations related to both sexes, through culture, tradition and what a given society deems appropriate for women and men (socially construed roles). These are just social “norms”, and they can be changed.

GENDER ROLES are defined as norms or beliefs in a society/community or other separate group that condition what activities, tasks and responsibilities are perceived as male or female. Gender roles are influenced by age, class, race, ethnicity and religion, as well as geographical, economic and political surroundings. Changes in gender roles most often appear in response to changes in the economic, natural and political circumstances, including general development efforts in society.

GENDER EQUALITY is a concept that means that men and women are free to develop their personal abilities and make choices without restrictions imposed by stereotypes, rigid gender roles and prejudice. Gender equality means that different behaviours, aspirations and needs of women and men are taken into account, valued and favoured equally. However, this does not mean that women and men should become the same, but rather that their rights, responsibilities and possibilities will not depend on whether they were born as men or women. Gender equality is a process of fairness and justice in the distribution of resources, opportunities and benefits for women/girls in relation to men/boys and vice versa. Equality stems from the recognition that due to historical and structural reasons certain groups are faced with disadvantages and therefore contextual measures must be taken to guarantee their unfavourable position is not eternal.

GENDER PARITY goes beyond the focus on equal treatment and is based on the importance of results. Gender parity is achieved with different treatment of groups, with an aim of putting an end to disparity, which would mean that women and men enjoy equal status. Gender parity means that women and men have same (equal) conditions for full realization of their human rights and the potential to contribute to national, political, economic, social and cultural development, and to benefit from such development.

EMPOWERING WOMEN represents the woman’s ability to control and manage her own destiny, life and future. It requires equal abilities, equal access to resources and opportunities, opportunities for leadership and participation in political institutions – the opportunity to use rights, abilities, resources and opportunities for making choices and decisions, as well as an environment free of coercion and fear.

GENDER AWARENESS is the understanding that there are socially determined differences between women and men that are based on learnt behaviour. This affects their ability to access and control resources. This awareness should be applied through gender analysis in projects, programs and politics.

GENDER SENSITIVITY accompanies the ability to recognize and emphasize existing gender differences, issues and equalities, and incorporate them in strategies and actions. Gender

sensitivity does not mean that we no longer recognize the differences between men and women. On the contrary, gender sensitivity is particularly manifested through the recognition of differences as a result of privileges and discrimination of men and women.

GENDER INTEGRATION is the process of assessing the impact of any planned activity (including legislation, policies or programs) on women and men in all areas and at all levels. The ultimate goal is achievement of gender equality.

GENDER PERSPECTIVE is the inclusion of the gender perspective in the main processes, policies and practices. It implies (re)organization, improvement, development and assessment of general policies, strategies and programs at all levels and in all phases by the actors involved in policymaking. It means a commitment to raise to policy level the obligation of the state to overcome the traditional patriarchal matrix of regulating the relations between men and women as an actual obstacle to achieving *de facto* equality.

Objective of the Handbook

This Handbook provides information and is a practical tool for regulative impact assessment at the central level and will facilitate the process of incorporating the gender perspective in decisions made at the central level.

The Handbook provides basic information and practical guidelines on how to assess the impact on gender equality of decisions/regulations adopted at the central level. The aim of the Handbook is to explain in simple terms the procedures and steps in making assessment of the impact of regulation on gender equality. The methodology and the practical “tools” presented in this Handbook can be applied to other vulnerable groups in society, such as: people with disability, minority groups, etc.

Who is this Handbook Intended for?

The Handbook is intended for civil servants who work in ministries and other state administration bodies, including entities entrusted with public authorizations, primarily:

- ✓ For all employees in the public administration who work on the development and implementation of policies at the central and local level, with the aim of ensuring gender sensitivity, understanding and the necessary readiness for full integration of the gender perspective in the legal regulations and decisions of the Government and the local self-government.
- ✓ For all employees at the central and local level, with the aim of ensuring gender understanding and the necessary readiness for full integration of the gender perspective in the planning and creation of services provided by the Government and the local self-governments, thus ensuring a concrete effect on the improvement of the position of women and men in all areas of social and public life.
- ✓ The Handbook can serve as a useful tool for other actors in society who work on the establishment and strengthening of gender equality, such as civil society organizations, chambers and other interest groups.

Introduction

The 2021 European Union report on the progress of the Republic of North Macedonia highlighted the progress of the country regarding the legal framework for the protection of the basic rights and maintains that it is largely in accordance with the European standards. *“Important progress was achieved, with the adoption of the Law on Prevention and Protection from Violence against Women and Domestic Violence, with cross-party support. An improvement is noted in gender mainstreaming and respect for women’s rights, although women are among the categories most severely affected by the pandemic”*¹. The European Commission stated that some progress was achieved in gender equality with further legal alignment with the Istanbul Convention, and emphasized that alignment of related laws, adoption of bylaws and of operating procedures are needed. Since the onset of the COVID-19 pandemic in 2020 and its continuance in 2021, there has been a significant regression in rights, opportunities and safety of women and girls². The overall effort for strengthening women for equal participation in economic, social and political processes, for equal roles of women and men in the family, household and society, has weakened during the crisis, and the negative effects on women are expected to be felt even more in the upcoming period of recovery.

The Gender Gap Index³ of the World Economic Forum, which quantifies the differences between women and men through economic, political, educational and health criteria, ranked the Republic of North Macedonia in 73rd place out of 156 countries in 2021, compared to 70th place in 2020 and 67th place in 2017. The country dropped from 28th place out of 58 countries in 2006 to 53rd place out of 130 countries in 2008. The Republic of North Macedonia is rated rather well in relation to political empowerment (53) due to the number of female MPs achieved through quotas, but with a low score in the areas of health and survival (85), economic participation and opportunity (97) and educational attainment (99).⁴

Given that the gender perspective enables more targeted, fair and efficient policies, the Government should pay special attention to the gender aspect when creating policies and adopting measures. Policy impact analysis enables making the gender aspect a part of the process of policy-making. At the same time, it enables assessment of the impact of measures on all subgroups of women (women with disability, older women, single mothers, women from minority ethnic communities, women from rural areas, etc.).

Since its independence, the Republic of North Macedonia has been striving to become a member of the European Union. One of the key preconditions for membership is the improvement of the democratic capacity, good governance and reforms in the rule of law. Reform and modernization of the public administration system is a continuous process in countries with developed democracies and market economy. In that regard, decision-making is particularly important, and the process of designing policies and laws even more so. Additionally, the EU and OECD member states put special focus on the evaluation of regulatory policies (how regulations are created and what they achieve).

In the last 15 years, the Republic of North Macedonia has undergone serious reforms in the system of creating and developing policies aimed at improving quality, reliability and applicability. The

1 The European Commission in the Progress Report on the Republic of North Macedonia for 2021, available online: https://ec.europa.eu/neighbourhood-enlargement/north-macedonia-report-2021_en.

2 Covid 19 and gender 2020, available online: http://www.crpm.org.mk/wp-content/uploads/2021/01/CRPM-Covid-19-и-родот_prvo_ENG.pdf

3 Global Gender Gap Report 2021, World Economic Forum, available online: https://www3.weforum.org/docs/WEF_GGGR_2021.pdf.

4 Ibid.

state is implementing regulatory reforms which include removal of administrative legal difficulties through regulatory guillotine and introduction of several mechanisms for developing smart policies/laws, such as, for example, regulatory impact assessment and ex-post evaluation of laws. Policy creation and coordination is one of the priority areas identified in the Public Administration Reform Strategy (PARS) 2023-2030. The Ministry of Information Society and Administration (MISA), through the Sector for Regulatory Reform, coordinates the regulatory impact assessment process (RIA) and checks the quality of conducted analyses.

What is Gender Equality?

Women and girls represent half of the world population and, thus, half of its potential. Gender equality, besides being a basic human right, is also of essential importance for achievement of peaceful societies with fully utilized human potential and sustainable development. The different forms of gender inequality and unequal rights are largely based on gender stereotyping through assigning different roles and responsibilities to men and women based on prejudice (gender prejudice mainly favours men). For this reason, it is especially important to build gender awareness and understanding for the different roles of men and women and their mutual relations in the context of power, status, needs, etc. Development of a certain type of sensitivity is necessary for understanding the issues and the necessity for addressing them.

In literature, the term “gender equality” refers to equal rights and is oriented towards promoting full and equal participation of men and women in society. Although equality and equal rights are sometimes considered as synonymous, equal rights refer to the legal equality of men and women (equal rights) and are therefore a precondition for achieving equality: inclusion of men and women in all aspects of life and society. Gender equality is not something that develops independently; it is a condition for development and a prerequisite for economic and social wellbeing. Moreover, social development encourages transformation, but experience shows that positive changes do not happen automatically, unless certain issues are put in the context of equal opportunities. This leads to the conclusion that issues of gender equality cannot be solved by themselves.

It is especially important to emphasize that the issue of gender equality is not a problem related exclusively to women. Gender norms, stereotypes, prejudice, perceptions in relation to the roles of men in society are a constituent part of the picture of gender equality, i.e., have negative consequences on both men and women. Sharing family and household responsibilities and balancing of professional and family life enables women to integrate into the labour market and utilize human resources more effectively.

Gender division of labour and distribution of resources, responsibilities and authorizations are determined by different rules and valuation systems according to the market or the state. It should be said that many activities performed by women are still not valued as part of the overall economic activity. The “invisible” work of women in the home, including unpaid work and work in the informal sector, are only part of the explanation for the weaker economic position of women in relation to their economic independence. Gender hierarchy in employment puts more women in reproductive activities, unpaid work and informal or poorly paid jobs in the formal sector.

For example, it is estimated that in the European Union women do 80% of the housework even when they are employed and that they spend twice as much time caring for children than men.⁵ Non-inclusion of the value of housework in GDP calculations was estimated by ILO at around 11 trillion American dollars globally.⁶ It is estimated that in most countries, the value of unpaid work is equivalent to around 50% of GDP. These illustrations are not only a question of rights, but also of the effectiveness of the economic system as a whole.

Principles and Importance of Achieving Gender Equality

Why is gender equality so important in the decision-making system? This is a question of efficient management of resources, while participation of women in politics is an indicator of openness, democratic character and development of institutions. Gender equality confirms the principle of civic equality and has undoubtedly contributed to the stability of society as a whole.

The fact that optimal allocation of labour, property and other resources is determined by gender equality is illustrated by the significant deviation we face when looking at the interrelationships between the levels of development and gender disproportionality. It has to be taken into account that the development of institutional environment and social courses are largely determined by the patriarchal organization of the family, prejudice, stereotypes and different perceptions of the role of men and women in society. In developed societies this may serve as an explanation of the pronounced disproportion and inequality, on one hand, and the level of development, on the other. In poor societies, the persistence of gender inequality significantly contributes to perpetuation of poverty and the vicious circle of poverty.

Inequalities and differences, including those based on gender, are the central part of the social and political theory of the state and democracy. Programs and politics that are based on inequality, and thus perpetuate inequality, bring into question the credibility of the basic principles on which modern countries are based.

The power and universality of human rights and the principle of gender equality should be taken into account as one of the basic principles of human rights, which is at the same time the basis of social justice and democracy. This principle includes active participation of all actors in all phases of equality policy processes and puts special emphasis on the political, economic and social role of women whose change in position would become key to understanding the corresponding social and economic needs.

Furthermore, active participation of women in politics, economy and other areas of life is a precondition for democracy and equality and development of society as a whole. Gender equality is also a human right and a principle that must be recognized, implemented and promoted as

⁵ 2019 Eurostat, "How do women and men use their time – statistics", https://ec.europa.eu/eurostat/statistics-explained/index.php?title=How_do_women_and_men_use_their_time_-_statistics&oldid=463738#Overview.

⁶ ILO 2018, Care work and care jobs for the future of decent work. Geneva: ILO, https://www.ilo.org/global/publications/books/WCMS_633135/lang--en/index.htm#:~:text=This%20report%20takes%20a%20comprehensive,inextricably%20linked%20with%20care%20work.

such. This means that it is necessary to eliminate the direct and indirect forms of inequality, as well as to build an economic, political, legal and broader social environment with equal rights and opportunities. In addition to active participation, strategic focus on strengthening the protection of human rights (civil, political, economic, social and cultural) is of special significance. Therefore, the promotion of gender equality, although it recognizes the right to be different, is imposed as a basic principle of equality.

Gender equality means equal opportunities for all to contribute to increasing social well-being and equal rights for all to be able to enjoy benefits from social protection. Gender equality is also based on:

- ✓ equal rights, access to justice and equality before the law;
- ✓ protection from all forms of sexual discrimination;
- ✓ equal rights, opportunities and access to resources;
- ✓ equal opportunities regarding economic independence;
- ✓ equal pay for equal work or work of same value;
- ✓ equality in sharing responsibility for the family and household;
- ✓ equal participation in decision-making processes;
- ✓ elimination of gender stereotypes and prejudice which serve as the basis for gender inequality; and
- ✓ dignity, integrity and freedom from gender-based violence.

At the same time, this means equal responsibility for removing other forms of inequality which contribute to imbalances and vulnerability in society.

What is Gender Mainstreaming?

Conceptualization of gender stems from the initial acceptance of the strategy for gender institutionalization in development programs and organizations (in the terms: "gender empowerment", "empowerment", "integration of women in development" and "women and development"). The integration of gender issues in the goals of economic growth, human rights, human development and the way in which they are treated, resulted in the absence of corresponding effects on gender equality. Equality policies that were characteristic of the 1970s were replaced by the formation of institutional bodies and a system of measures to improve the status of women. Numerous programs and projects were designed for "empowering" women but were more focused on entrepreneurship than on the challenges related to power balance. In a way, the individualistic focus corresponded to the trust in the market forces and liberal democracy. This approach contributed to ghettoization of women with different results, but, certainly, was unsuccessful in achieving the main goal – equality. As a result, gender lost its analytical power and became depoliticized.

The strategy of the "new" approach – gender mainstreaming – was mentioned for the first time in 1985 in Nairobi, at the Third Conference of the United Nations for Women, in the discussion on the

role of women in the development process. This encouraged the development of the strategy that was presented at the following Fourth World Conference on Women held in Beijing in 1995, adopted in the form of an action platform. The strategy for gender mainstreaming became an invitation to governments and international organizations and institutions to "...promote active and recognizable policy from the aspect of inclusion of the gender perspective into their policies and programs through analysis of their effect on women and men before making any decision (see COE 2005, p. 7).

According to the UN ECOSOC, gender mainstreaming is "the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels... The ultimate goal of gender mainstreaming is to achieve gender equality".⁷ In European literature, the most often used definition is that of M. Verloo, the Chair of the Council of Europe Group of Specialists on Mainstreaming, which in its 1998 report stated that "gender mainstreaming is (re)organization, improvement, development and evaluation of political processes so the gender perspective is incorporated in all policies at all levels and in all stages by the actors who are usually involved in policy-making".

Gender mainstreaming is seen as a conceptual framework, methodology and presentation of good practice. As such, it is a form of "rebranding" of feminisms in modern times, including gender mainstreaming in social, economic, political, cultural and legal systems in order to transform the social and institutional structure towards gender equality. The very concept of equality becomes part of the "new" ideology, strategy and policy.

Today, almost 20 years after the implementation of this strategy, which was the basis for thousands of plans, new strategies and initiatives are adopted. Therefore, it can be concluded that gender mainstreaming is a project with unexpected power and unbelievable energy. Still, regardless of all challenges, be they political, economic, religious, fundamentalist, economic crisis and austerity measures, etc., it remains the main strategy for achieving gender equality.

Indeed, there is a need to conceptualize gender integration in the context of open questions that mostly relate to the following:

- ✓ positioning of gender equality and gender mainstreaming;
- ✓ alternative options in the process of transforming gender equality policies (models for equal opportunities or equal treatment, "trilogy" of models for equal treatment, women's perspective and gender perspective);
- ✓ gender inclusion in the context of other forms of social inequalities;
- ✓ inclusion of gender aspects in the design of policies that rely on expertise or a more democratic process;
- ✓ implications of an international nature that might arise from gender mainstreaming.

⁷ UN ECOSOC, Gender mainstreaming <https://www.unwomen.org/en/how-we-work/un-system-coordination/gender-mainstreaming#:~:text=The%201997%20agreed%20conclusions%20of,areas%20and%20at%20all%20levels>.

Legal Framework for Gender Equality

Why should the Government include the gender aspect in policy-making? The Republic of North Macedonia has undertaken to achieve *de jure* and *de facto* gender equality and to ensure full development and promotion of women by signing CEDAW⁸, the United Nations Beijing Platform for Action (BPfA)⁹, the Istanbul Convention¹⁰ and by being a candidate country for membership in the European Union that holds gender equality as one of its fundamental values. Additionally, the participating states of the Organization for Security and Cooperation in Europe (OSCE), including the Republic of North Macedonia, declared their commitment to achieving gender equality in the 1999 Charter for European Security and the 2004 OSCE Action Plan for the Promotion of Gender Equality. Although significant efforts were made to promote gender equality, gender inequalities in the country remain pronounced in all areas of socio-economic and political life.

The status of women in the society of North Macedonia is a product of rooted sociocultural values and is reaffirmed with policies and norms. The Constitution of the Republic of North Macedonia does not have general provisions on antidiscrimination and makes no reference to gender equality, equal opportunities or affirmative action but does, however, guarantee equal rights and freedoms regardless of gender, race, skin colour, nationality or social background, political or religious beliefs of citizens and their financial or social status (Article 9). Legal provisions ensure equal opportunities for women and men in the country. The practical implementation of the concept of establishing equal opportunities started in 1999 when the Republic of North Macedonia adopted its first National Action Plan for Gender Equality.

In May 2006, the Assembly of the Republic of North Macedonia adopted the Law on Equal Opportunities for Women and Men in accordance with which the Second National Action Plan for Gender Equality for the period 2007-2012 was adopted.

The Law on Equal Opportunities for Women and Men¹¹ (hereinafter LEO) was first adopted in 2006 and regulated the basic and special measures for establishing equal opportunities for women and men in the country. For further harmonization of domestic legislation with the European standards and inclusion (embedding) of the recommendations of international organizations in 2012, LEO was amended by extending the list of situations in which discrimination can occur, regulating the discrimination grounds and introducing conceptual reforms.

Gender mainstreaming is defined as "integrating the gender perspective in each stage of the process of creating, adopting, implementing, monitoring and evaluating policies, having in mind promotion of gender equality between women and men."

Article 4, Law on Equal Opportunities of Women and Men

⁸ The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted in 1979 by the UN General Assembly is often described as International Law on Women's Rights. Comprised of a Preamble and 30 articles, it defines discrimination against women and sets the agenda for national action to put an end to such discrimination.

⁹ The Beijing Declaration and Platform for Action (BPfA) is an international declaration for women's rights established at the important Fourth World Conference of UN on Women, held in Beijing in 1995.

¹⁰ The Convention on Preventing and Combating Violence against Women and Domestic Violence was adopted by the Committee of Ministers of the Council of Europe on 7 April 2011.

¹¹ Law on Equal Opportunities for Women and Men, available online at https://www.mtsp.gov.mk/content/pdf/zakoni/2017/precisten%20tekst%202015%20na%20ZEM_nov.pdf.

The Law further regulates the grounds (Articles 5 and 6) and specific measures (Article 7) considered as interim measures for overcoming the current unfavourable position of women and men which is a result of the systematic discrimination or structural gender inequality that arises from historic and sociocultural circumstances. Basic measures for realization of the principle of equal opportunities for women and men are **the normative measures** in the area of healthcare and health insurance, social protection, access to goods and services, economy, labour relations and employment, education and professional development, economic and proprietary relations, use of public products and services (consumer rights), culture and sports, information and communication technologies, defence, judiciary and administration, housing, public information and media, state and public administration, and other areas. The basic measures also include the measures that introduce systemic inclusion of equal opportunities for women and men in the process of designing, implementing and monitoring policies.

The actors responsible for adopting and implementing the measures for establishing equal opportunities for women and men in accordance with the LEO are the Assembly of the Republic of North Macedonia, the Government of the Republic of North Macedonia, the units of local self-government, the Ministry of Labour and Social Policy, the Ombudsman, political parties and others. LEO obligates all institutions to submit an annual report to the Ministry of Labour and Social Policy (MLSP) on the specific measures taken for increasing gender equality by 31 March of the current year for the previous year (Article 8, page 4). In this regard, the Law is in line with CEDAW. In 2018, in accordance with the LEO (Article 21), a legal representative for equal opportunities for women and men was appointed within the MLSP, whose legal obligation was to implement the procedures for establishing unequal treatment of women and men.

Additionally, significant progress in the promotion of gender equality was made with the adoption of the Law on the Prevention and Protection against Discrimination, which represents a complete legal framework for protection against discrimination on different grounds. This Law represented a particularly important instrument in addressing dual and multiple discrimination, especially faced by women as a result of the intersection of gender with other identities.¹² In 2020, in order to provide better mechanisms, measures and activities for legal protection from discrimination, a new Law on Prevention and Protection against Discrimination was adopted, and gender identity was for the first time established as grounds for discrimination.¹³

With the amendments to the Law on Labour Relations¹⁴, provisions were introduced that contribute to economic empowerment of women, and the reduction of poverty and higher rate of unemployment among the female population. In accordance with this Law, women and men have equal rights and opportunities for access to the labour market and the workplace. The Law introduced the principle of prohibition of discrimination in employment, prohibition of direct and indirect discrimination in the workplace, harassment and sexual harassment. This Law guarantees equal conditions for professional development and promotion, as well as equal pay for equal work. Additionally, the Electoral Code, the Law on Election of Members of Parliament and the Law on Local Elections stipulate special measures for representation of both sexes on candidate lists for MPs and counsellors in the local self-government.

12 Article 3 of the Law on Prevention and Protection against Discrimination stipulates that: "Any direct or indirect discrimination, enticement and incitement to discrimination and facilitation of discriminatory behaviour on the grounds of sex, race, skin colour, gender, membership to a marginalized group, ethnicity, language, citizenship, social background, religion or religious beliefs, other beliefs, education, political affiliation, personal or social status, mental and physical disability, age, family or marital status, property, health or any other ground stipulated by law or by a ratified international document (grounds of discrimination) is prohibited."

13 The Law on Prevention and Protection against Discrimination is available online at Закон-за-спречување-и-заштита-од-дискриминација.pdf (kszd.mk)

14 The Law on Labour Relations is available online at https://www.mtsp.gov.mk/content/pdf/trud_2017/pravilnici/16,11-аконРабОдноси.pdf

At the national level, the Republic of North Macedonia has a strategic approach to ensuring gender equality through a series of significant measures for development of policies, reflected mostly in the Strategy for Gender Equality 2013-2020¹⁵ (SGE) and the national action plans for gender equality. Projected results of the National Action Plan 2018-2020 were the improvement of the gender perspective in legislation in accordance with the Law on Equal Opportunities for Women and Men, improved gender-sensitive laws and policies in education and harmonization of the national legislation with the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence – the Istanbul Convention.

The country made a strategic effort to close the existing gender gaps by adopting a policy and legal framework aimed at promoting gender equality. Although the National Strategy for Gender Equality 2013-2020 did not reach its full potential due to the COVID-19 crisis, the new National Strategy for Gender Equality 2022-2027 is adopted, and it is the most comprehensive strategic document developed to improve equal opportunities for men and women. This Strategy builds on the National Action Plan for Gender Equality 2018-2022 and, in this regard, provides a framework for continuing the country's efforts towards achievement of gender equality. The three main institutional mechanisms of the Strategy are gender mainstreaming, gender-responsive budgeting and intersectionality. With this document, the importance of gender equality has been raised to a high level because it provides intersectoral and horizontal perspectives for achieving universal social and political priorities.

Regulations¹⁶

Instruments for Creating Public Policies

Instruments for creating policies are the means made available to governments to help them implement their policies. Thus, it is not only necessary for the government to make a decision on a certain issue, but it also needs to undertake a series of activities to implement that decision so that we can say that the government has an active policy in that area. Numerous instruments are available to governments, and their classification is difficult. Nicolas Baxter Moore has made a rather simple classification of policy creating instruments based on the basic element: the presence of the state in the delivery of goods and services. He divides policy creating instruments into two groups: voluntary and mandatory.

Mandatory instruments are mechanisms aimed at directing individuals, companies or groups to certain activities. Through the mandatory instruments, the government uses its undisputed power to oblige citizens to undertake certain activities. It can establish public enterprises for performance of each public function or directly provide goods and services through its bureaucratic apparatus. These instruments enable the government to do whatever it wants within its broad constitutional powers and leave little discretion to individuals, groups, organizations and companies that these instruments are aimed at.

The majority of regulations are, in fact, administrative decisions that serve to facilitate the implementation of laws by administrative bodies or specialized government agencies. Regulations may take different forms and include rulebooks, standards, permits, prohibitions, resolutions and decisions. Some regulations are based on coercion (police and judiciary). They differ in nature and may be economic or social. Economic regulations control prices, scope of production, return

15 The Strategy for Gender Equality 2013-2020 is available online at http://mtsp.gov.mk/WBStorage/Files/strategija_rodova_april.doc

16 Risteska M. (2017), "Public Policy, Analysis of Public Policies and Public Value", 1.4.2.1. Regulations, <http://fb.uklo.edu.mk/wp-content/uploads/sites/10/2021/10/PUBLIC-POLICY-ANALYSIS-OF-PUBLIC-POLICY-AND-PUBLIC-VALUE-Pdf.pdf>

on investment and movement of companies from one industry to another. Their aim is to correct the inequalities resulting from the impact of market forces.

Unlike economic regulations, which are a traditional form of a mandatory instrument for public policy making, social regulations are a newer form. They regulate issues related to health, security and social practice (for example, discrimination in employment). All rulebooks on food safety, water quality, air quality, protection at work, protection from pollution, discrimination on the grounds of gender or ethnicity, pornography, etc. are a typical example of social regulations. Environmental protection regulations are a combination of economic and social regulations because issues they address are economic in nature, but also have an impact on the social life of citizens.

Regulations have several advantages.¹⁷ Firstly, regulations are very efficient and predictable, and therefore politically acceptable for those policies where the public wants to see a quick and final decision by the government on a specific issue. Secondly, in cases where an activity is not at all desirable, such as paedophilia, regulations can prohibit possession of paedophile material, as opposed to incentives aimed at reducing the production and distribution of such material. Thirdly, the adoption of a regulation does not require being familiar with the preferences of the entities it would apply to.

Regulations also have shortcomings.¹⁸ Firstly, regulations often disrupt the activities of the private and voluntary sector and may lead to economic inefficiencies. Secondly, by guaranteeing market security, regulations can have a limiting effect on technological development and innovations. Thirdly, it is impossible to adopt a regulation for every unwanted activity, so governments often leave entire areas of activity unregulated for the market or the community to take care of.¹⁹ Finally, implementation of regulations is sometimes costly.

What is Regulatory/Policy Impact Assessment?

The regulatory impact assessment (hereinafter RIA) tool was first designed in the United States of America, but the idea of RIA as part of the policy creation process rapidly spread internationally with the help of the Organization for Economic Cooperation and Development (OECD) through various reports, including the 1997 Report on Best Practices of RIA in OECD countries. In the European Union, special bodies spread the idea of RIA to member states. An example of this is the Mandelkern Group 155 – which prepared a report for the Laeken Summit of the European Council and the SIGMA Joint Initiative of the OECD and the European Union on public administration reform – which promoted RIA as a tool recommended by the European Union for improving the quality of policies in member states of the Union, and especially states that aspire for membership.

As Claudio Radaelli (2005) asserts: “RIA is the pillar of the policy creation process because it provides standards for the entire process, showing how public consultations should be conducted and how socioeconomic costs and benefits of adopting regulation should be calculated and predicted, and identifies the main deviations made with the proposed solution, which is taken into account in the development of legislation, including its impact analysis”. In all contexts, impact assessment

¹⁷ B.M. Mitnick, “The Political Economy of Regulation: Creating, designing, and removing regulatory forms”, Columbia University Press, 1980, p. 401-404.

¹⁸ James Anderson, “Economic Regulatory Policies”, Lexington Books 1976.

¹⁹ A typical example are the elderly care services in retirement homes that until recently were not regulated and left to the market (private service providers such as pensions) to deliver the service, or to the community on the basis of intergenerational solidarity in families where the younger take care of the older family members.

is used before regulation is adopted and is intended to inform the very decision to adopt the regulation. However, the RIA model differs in different political contexts and involves different procedures and uses different methods of analysis during the regulatory impact assessment process in different European countries.

Regulations are one of the instruments used to create public policies. In the era of globalization and rapid technological and social development, regulations can quickly become outdated. Therefore, as an instrument for creating public policies, they should constantly be subject to evaluation in order to keep pace with the fast-moving and changing world.

Regulatory Impact Assessment in the Republic of North Macedonia

The model of policy development in North Macedonia is close to the rationalist and synoptic policy making, conceptualized in detail by Sabatier (1999). This model includes five stages:

- I. Setting up a political agenda or defining the problem;
- II. Policy analysis or identification of policy options and their assessment;
- III. Adoption of a given policy option;
- IV. Implementation of a given policy option;
- V. Monitoring and evaluation.

In this regard, policy evaluation is a separate step or phase in the policy making process, which follows after the implementation of the new policy. Its aim is to “identify the lessons learnt in order to improve current policy making and its implementation” (OECD, 2012: 36).

The regulatory impact assessment was, on one the one hand, a reform encouraged by the European Union, but, on the other hand, with regard to the ex-post evaluation, Republic of North Macedonia took the lead and entered the club of countries that have created a framework for evaluation of regulations even before OECD developed its framework and indicators for policy valuation. In that regard, the regulatory reform efforts of the Republic of North Macedonia are not new but are a pioneering endeavour for the Western Balkan region and beyond.

The introduction of RIA in 2008 was regulated with the changes to the Rules of Procedure of the Government of Republic of North Macedonia. The Rules of Procedure stipulate that each ministry, based on the principle of proportionality, is obligated to determine whether the text of the draft-law will be subject to RIA through a preliminary assessment of whether a detailed/comprehensive RIA is required or not. The Regulatory Impact Assessment Methodology²⁰ adopted and upgraded in 2013 and 2017, foresees RIA to be developed for draft-laws submitted to the Government of the Republic of North Macedonia for review, with the exception of laws that are proposed for adoption in urgent procedures, laws on ratification of international agreements, laws intended for terminological harmonization with other laws, the draft budget of the Republic of

²⁰ Regulatory Impact Assessment Methodology, available online at https://www.mioa.gov.mk/sites/default/files/pbl_files/documents/pvr/Metodologija%20za%20PVR%20107-13.pdf.

North Macedonia and the Law on Enforcement of the Budget of the Republic of North Macedonia. However, RIA is not envisaged for laws proposed by the members of the Assembly of the Republic of North Macedonia or by civil legislative initiatives submitted to the Assembly of the Republic of North Macedonia. Moreover, RIA is not required for other policy making instruments that are not translated into laws, for example, strategies, programs, information and by-laws.

The Regulatory Impact Assessment Methodology determines its full compliance with the strategic planning and policy making process, and the application of RIA is supported by the IT system, i.e., through an electronic session of the Government of the Republic of North Macedonia and through the Unique National Electronic Registry of Regulations (hereinafter ENER).²¹ However, SIGMA found that “this technology has so far not ensured compliance with important procedures that embody the value of transparency and accountability, such as, for example, compliance with the minimum consultation period” (SIGMA, 2014). The regulatory impact assessment (RIA) is an integral part of the process of policy making and coordination and preparation of laws. Despite the fact that all stages of the RIA implementation process are formally and methodologically determined, there is an evident non-compliance with prescribed RIA procedures. Although in the period between 2014-2016 there was a trend towards an increase in the number of draft-laws for which RIA was prepared, when analysed individually by year, in the best case, only a little more than half (53.6%) of the draft-laws were substantiated with analyses.²²

Regarding the quality of the regulatory impact assessment, the analyses of the Ministry of Information Society and Administration related to the contents of the RIA reports show that the explanations of law proposals, objectives, options and possible impacts are general and insufficiently elaborated, while the data on fiscal, economic, social and other impacts do not offer sufficient information for making reasoned decisions. Apart from the limited information offered in RIA reports, there is also a noticeable derogation from the role of MISA as a competent ministry for quality control of the RIA process and the content of the analyses.²³

Gender Equality Impact Assessment

What is the meaning of the regulatory impact assessment from a gender perspective? First of all, this analysis enables introduction of the gender perspective in the earliest stage of policy making. Then, it allows us to see the gender aspect of the problem we are trying to solve by policy making. It also allows us to design a solution to the problem that would correspond to the different needs of men and women, i.e., be gender responsive. With RIA, we define policy goals and indicators. By recognizing the gender dimension of policy, we could set gender responsive goals, and measure their achievement with gender indicators. And finally, with the gender equality impact assessment, we can predict the expected policy impact on gender (in)equality and the ways to ensure implementation of the commitments for gender equality in the country.

The gender equality impact assessment means application of standardized methodology for defining options and choosing the best public policy option that would lead to solving the problem and promoting gender equality.

²¹ <https://ener.gov.mk/Default.aspx>.

²² Strategy for Public Administration Reform 2018-2022, available online at https://mioa.gov.mk/sites/default/files/pbl_files/documents/strategies/srja_2018-2022_20022018_mk.pdf.

²³ Ibid.

The step-by-step procedure is presented below:

Step 1. Define the problem which, among other things, takes into account the current situation between men and women in the sector where the regulation is created.

Step 2. Define the public policy objectives, including objectives to promote gender equality.

Step 3. Identify the public policy options for achieving the public policy goals, including the goals for achieving gender equality.

Step 4. Analyse the positive and negative, i.e., direct and indirect impacts of the proposed regulation solutions; assess the economic and social impacts and the impact on gender equality, as well as other impacts of each of the options.

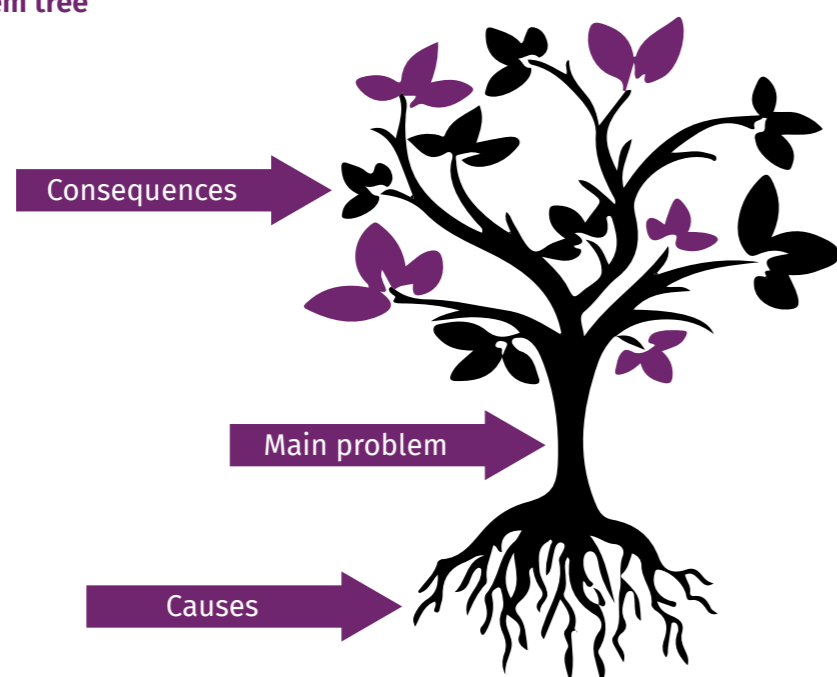
Step 5. Define the monitoring and evaluation mechanism by using gender indicators.

Step 1. Defining the Problem

The first step in defining the problem is to analyse the situation in the area that is subject to possible regulation. The analysis of the situation determines the causes, scope, consequences and priorities in solving problems in the area subject to regulation. When assessing the situation, national/local authorities are obligated to include an analysis of the situation of women and girls, men and boys, and their subgroups (for example, rural women or women who are members of minority groups or women with disability) in a given area, identify the problems, which might be the current differences between men and women, as well as the cause of the problem, including the different needs of men and women.

In the process of preparing regulations, the proposer collects information, works on their processing and analysis and classifies the identified problems in a so-called “problem tree” according to the scope and priority of the given problem. For the tree to have a gender dimension, the analysis of the situation includes considering whether, how and to what extent the situation impacts, positively or negatively, the rights, position and quality of life of women and girls, men and boys. This will allow for clear understanding of the needs and problems that need to be solved with the regulation in order to ensure gender equality. Just like any other, the problem tree has roots, trunk and branches. The root are the causes, the trunk is the problem, and the branches are the consequences of the problem.

Picture 1- Problem tree



The identified problems include the gender differences, consequences of gender inequality (for example, levels of violence, gender pay gap or unequal access to finances), and the causes may be the gender roles, gender stereotypes, customs, beliefs and norms, or lack of regulations as a result of which the problem could not be solved with the existing regulatory framework.

In order to define the problem, it is necessary to know the needs of men and women in the area of developing regulations. Men and women have different roles in society and their needs are different. Needs can be categorized into two groups: basic needs and strategic needs. Basic needs are related to survival and include the need for food, shelter, clothing and water. Due to the attachment to the material conditions of life, basic needs are short term and may be achieved by direct input of material. However, the improvement of living conditions does not affect the social status of women and men. Therefore, when we define a problem, we pay attention to the strategic needs that women identify due to “their subordinate position in relation to men in society”. These needs relate to power, control over resources and the ability to make decisions.

The strategic needs of women are influenced by many factors: marginalization – exclusion from processes such as decision-making; discrimination – different treatment based on factors over which the person has no control, such as gender, ethnicity, nationality, race, etc.; objectivization – dehumanization of women; infantilization – treating women as children; alienation – through the patriarchal system of property inheritance; subordination – treating women as inferior, for example, as second-class citizens; violence – physical, psychological or emotional abuse, which is culturally accepted as “fixing the wife” or harmful practices such as female genital mutilation to subdue the female sexual drive. It is not easy to identify the strategic needs of women and the way they relate to the socioeconomic and political position of women compared to men. The strategic needs can be achieved by adopting regulations to support equality, pinpointing the social values that need to be changed, and building the capacities and skills that women need to acquire to achieve equality.

Step 2. Defining Objectives

The second step of the regulatory impact assessment is dedicated to defining the objectives of the public policy for which the regulation is proposed. The public policy objective reflects the desired

situation in relation to the problems defined. If the previous step led to identification of problems that have a gender dimension, then the objectives should also address gender. If the process of situation analysis leads to identification of key and concrete problems, then general and specific operational objectives are defined. Considering that the number of objectives is often limited, and priorities should be clearly set, the established objectives must be in line with the strategies and policies of the Government of the Republic of North Macedonia. As gender equality is one of the priorities in relation to the European integration of the Republic of North Macedonia, at least one of the specific objectives should be related to gender equality.

OECD recommends that objectives be clear and concrete, measurable, realistic, acceptable and time-bound, as this ultimately contributes to better regulation. They serve to measure the impact on the implementation of regulations. The gender objective is what we would like to achieve – a concrete result in a set time frame.

Step 3. Identifying Public Policy Options

Once the objectives of public policy and regulations/decisions have been identified, the next step is to identify the solution to the problems identified in the first step. Public policy options are one possible way of achieving the objective defined in the second step. The options represent different measures, solutions to the identified problem and the defined objective. There is more than one solution to every problem.

First, appropriate options should be defined. What makes an option relevant is its connection with the cause of the problem and the objectives intended to be achieved. The proposer also considers the status quo option – which serves as the basic scenario against which other options are compared. This option means maintaining the current status. There are options which mean improvement of the current status or so-called incremental options, as well as radical options which have a tendency to radically improve the situation.

Options can be regulatory or non-regulatory, but the proposer has an obligation to determine a list of feasible options. To determine the feasible options, it is necessary to discard the options that cannot be implemented due to limited resources, money, complex legal procedures or other reasons. Of these options, two are finally identified and examined in detail in order to choose and explain the preferred option and its gender dimension.

Solving the basic need	Solving the strategic needs
<ul style="list-style-type: none"> ➤ Women to be involved as users, and maybe even as participants. ➤ The quality of life of women can be improved. ➤ Mainly, it does not change traditional roles and relations. 	<ul style="list-style-type: none"> ➤ Women as agents of change or enabling women to become agents of change. ➤ Improving the position of women in society. ➤ Strengthening women and transforming the relations between men and women.

In order to give the options a gender dimension, it is necessary to find a solution for the needs that women have and that are different to those of men. In the first step, the basic and strategic needs are defined. The options for solving the practical needs include women as users and maybe even as participant in regulatory measures. These measures can improve the quality of life, but do not affect the social status or do not transform gender roles and gender relations between women and men. The options related to the strategic needs include women as agents of change or enable women to become agents of change. These measures have the effect of improving the

position of women in society and include measures for strengthening women, which indirectly lead to transformation of the relations between men and women.

Step 4. Impact Assessment and Selection of the Best Option

This step helps take a detailed look at the two selected options, assess their impact and explain the preferred option and its gender dimension of the proposed regulation or decision. This assessment explains the positive and negative, or direct and indirect impacts of the solution of the proposed regulations on the economy, society and gender equality.

Assessment of the economic impact – based on the analysis of the economic impact, analysis is made of how the proposed regulation or decision impacts the competition, certain branches of economy and economic subjects, consumption and competitiveness of economy, labour and development of technology and innovation. The economic analysis includes the costs and benefits of the public policy options of the economy, and particularly of the individual economic subjects. Introducing the gender perspective in the economic analysis means taking into account the situation with women's businesses (businesses owned or managed by women), the effect of the measures on their market competitiveness and productivity and whether proposed measures specifically stimulate women entrepreneurs to invest in innovations and technological development, creation of jobs, etc.

Social impact assessment – based on the social impact analysis, it considers how the proposed regulation or decision impacts different groups in society (individuals and groups), especially those who are in a difficult and specific social position or whose situation may deteriorate with the adoption or implementation of the regulation. Target groups are usually the vulnerable and marginalized groups (single parents, the elderly, people from rural areas with low incomes, persons with disabilities). The European Union has issued guidelines that should be considered in the social impact assessment, namely the impact of the regulation on:

- ✓ employment and labour market;
- ✓ standards and in relation to the quality of work;
- ✓ social inclusion;
- ✓ equality and nondiscrimination;
- ✓ social protection system, healthcare system and education system.

The introduction of the gender perspective in the social impact analysis means that the regulations affect men and women differently as individuals and groups that are subject to detailed review, since women are the most vulnerable segment of population compared to the other specific groups. Thus, the gender analysis focuses on the impact that the regulation has on single mothers, unemployed women, rural women, women with disabilities, etc.

Environmental impact assessment – options implemented in agriculture, energy and transport have a significant impact on the environment, for example: construction of innovations, technological and industrial parks, expansion of agricultural land, construction of railways, etc. **The introduction of the gender perspective in the analysis of the impact on the environment means assessment of whether, for example, the regulation increases the number of poor women who cannot pay their electricity bills, or whether the number of poor women is decreased because of cheaper transport options with investments in new transport infrastructure.**

Gender impact assessment - the analysis of the impact on gender requires that all data available

to institutions be gender disaggregated. This data is then analysed by comparing men and women and establishing the differences between them. **The differences are gender inequalities that the proposer must analyse, regardless of whether the proposed measure affects their increase or decrease. This analysis helps identify the impact of the regulation on the relations between women and men and on gender equality.**

Step 4.1. Consultation

Once impact assessment is made of a regulation, draft-regulation or decision, all stakeholders are consulted. Consultations include collecting information, opinions and proposals from different actors. This phase also provides additional information and clarifies issues relevant for making a decision on the regulation in a previously established commission and/or municipal council. The interested public includes citizens, civil society organizations (trade unions, employers, associations, informal civil groups, civil society organizations and religious communities), representatives of the academic community, chambers of commerce or persons that may be affected by the regulations or persons who will be included in their implementation.

Key Aspects when Gender Equality is Integrated in Consultations:

- ✓ Whether the consultations take into account equal involvement of men and women; whether organized hearings were held when women were available; how the information from such hearings was disseminated; whether the information was available in places frequented by women (kindergartens, schools, etc.);
- ✓ Whether the consultation process identified differences in the experience, perception and needs between men and women; whether they have a specific position and role in society;
- ✓ Whether civil society organizations are involved in the process of consultations and public debate related to the protection of human rights, particularly the protection of human rights of women and gender equality;
- ✓ Whether the mechanisms that operate in the area of gender equality are included in the consultations and public debate, for example, civil servants in charge of introducing gender equality in policies at the local level, and whether their expert opinion is accepted and integrated in the regulation, and what their recommendations are.

Step 4.2. Fiscal Implications

This analysis includes an assessment of the financial resources needed for implementation of the regulation/decision and the possible sources from which those resources are provided, as well as an assessment of the impact of the implementation of the regulations/decisions on the municipal and/or central budget. This means that the assessment of the fiscal implications includes an assessment of the effects on public revenue and public expenditures. The analysis of the fiscal implications from the gender perspective monitors whether women are a source of financing of the regulations, and the expenditures monitor the distribution of costs and whether women and men benefit from it equally.

Step 4.3. Selection of the Best Option

Based on the impact assessment and consultations, and after the analysis of the fiscal implications, the preferred option for adoption is proposed. In that sense, the selection is made based on the following criteria for selection of the best public policy option: effectiveness, efficiency, political, financial and administrative feasibility, cost distribution, equity and sustainability.

First, a list of options is made, and then it is recommended to develop a success matrix in which scores are entered – points, analysis of advantages and disadvantages for each criterion. Then,

from the options examined in detail, the option that offers the best way of achieving change and attaining the set goals is selected. This analysis helps the proposer to explain why this option is selected and proposed for adoption.

Step 5. Monitoring and Evaluation

Monitoring is a process of systematic collection of data on the development, implementation and achievement of the goals and/or regulations of a public policy which takes place during the implementation at specific time intervals. Monitoring is done based on predefined indicators that can provide comparison against the baseline.

Evaluation is an independent process. Through evaluation, analysis is done on the cost efficiency, results, impact, sustainability and relevance of a certain public policy or regulation in relation to the set goals. Evaluation serves to show whether the regulation is achieving the desired goals and to inform about the process of making decisions, whether there is a need for introducing new or different public policy measures and changes in the regulation, or adoption of new regulations.

When evaluated from a gender perspective, it is necessary to find answers to the following questions:

- ✓ What kind of change has been achieved and what are the effects of this change on the position of women and men in the specific case?
- ✓ What solutions have proven to be successful in promoting gender equality and why?
- ✓ What could have been done differently?

The integration of the gender perspective in monitoring and evaluation guarantees that the results of the implementation have an impact on the position of women and men, as well as a general impact on the promotion of gender equality.

The indicator measures the goal that needs to be achieved, the effect of the mobilized resource, the achieved output, the obtained effect/change in the context – economic and social, or on the environment. To be able to monitor gender goals, the proposer must also propose gender indicators for the regulation proposed for adoption. Gender indicators measure gender changes (transformations in gender roles, equality in gender relations, participation of women in economy, public life, politics, etc., as well as the influence of women on social, economic and political trends) at the central and local level during the implementation of the regulation/policy. We can distinguish between basic gender indicators, which show the initial state, and indicators of results/effects, which show where we want to be.

When the impact assessment and the analysis of regulations or decisions are done, a report on the regulatory impact assessment is prepared.

Before the preparation of the report on the gender impact assessment of the proposed regulation/decision, it is necessary to check whether the guidelines are compliant with the checklist below.

Checklist for gender impact assessment

Preconditions
Is the composition of the working group adapted to the principle of equal participation of women and men, to the extent possible? <input type="checkbox"/>

Are persons with appropriate expertise in the field of gender equality involved in the phase of defining the problem? <input type="checkbox"/>
Are there any existing strategies, public policies and analyses that highlight the problem from a gender perspective in a specific area and have they been considered? <input type="checkbox"/>
Are there any gender-disaggregated data? <input type="checkbox"/>
Do these data include data on age, territorial representation and socio-economic indicators? <input type="checkbox"/>
Are there qualitative and quantitative data available? <input type="checkbox"/>
Are issues related to the gender aspect of the analysis included in the list of questions and the necessary additional information? <input type="checkbox"/>
Are the respondents able to answer these identified questions? Are statistical indicators disaggregated by gender? <input type="checkbox"/>
Does the consultation process ensure inclusion of gender mechanisms, key women and men (as users or stakeholders) and civil society organizations working on women’s rights and gender equality ? <input type="checkbox"/>

Step 1
Does the area of regulation apply to certain groups of society, and if so, which ones? Who does the regulation apply to? <input type="checkbox"/>
What are the needs of women and men in the field, and are there differences in the status of women and men, boys and girls or different social groups of the same gender? What are the differences and what is its scope? <input type="checkbox"/>
What is the effect of these differences on the everyday life, rights, position and role of women and men, or of girls and boys? <input type="checkbox"/>
What are the causes and consequences of this situation in relation to gender equality? Is there discrimination? <input type="checkbox"/>
Have problems related to gender equality been prioritized? <input type="checkbox"/>
Are there qualitative and quantitative indicators related to these problems? <input type="checkbox"/>
Do current public policies have an impact on the solution of the identified problems, and if so, to what extent? <input type="checkbox"/>
Are the identified problems related to gender equality integrated in the so-called problem tree in the given area? <input type="checkbox"/>
Does the area of regulation apply to certain groups in society, and if so, which ones? Who does the regulation apply to? <input type="checkbox"/>

Step 2
What is the desired situation regarding the identified key problem and the specific problems in the area addressed by the regulation? <input type="checkbox"/>
Has the expected change in society been identified by considering the specific needs of men and women? <input type="checkbox"/>
Does the problem (or problems) reflect gender inequality in opportunities, positions or rights, and does the defined goal (or goals) contribute to reducing or eliminating such inequality or discrimination? <input type="checkbox"/>
Do the defined goals contribute to achievement of the strategic goals for promotion of gender equality? <input type="checkbox"/>

Step 3

Have concrete options been defined for solving the problem and achieving the goals?

Has gender sensitive language been used in the formulation of the options?

There is an assessment about what information/statistical data on men and women should be used to assess the impact of the alternative options from the gender perspective. Is this information available and is there any additional information needed?

Has it been determined whether gender mechanisms, institutions or organizations, including civil society organizations, have the required additional information? Is there an assessment of the need for professional involvement of gender mechanisms or civil society organizations in the assessment of the impact of the options?

Step 4

Economic assessment:

Has it been determined how the economic effects impact the position of women and men?

Is their representation and impact on the market and the business environment strong or weak?

Environmental protection:

Has it been determined how the impact on the environment (climate, use of land, protection of food safety, etc.) affects the lives of women and men?

Social assessment:

Do proposed options have a positive or negative impact on certain social groups, especially women and marginalized/vulnerable groups in society?

Does the specific option strengthen the role and position of women?

Gender equality assessment:

Has it been determined how each of the proposed public policy options will impact gender equality?

Fiscal assessment:

Do regulations impose certain advantages or costs for citizens? How does that affect women? To what extent will regulation implementation costs be more of a burden to women than to men?

Is there proportional distribution of public budget funds for women and men?

Has it been identified which option, together with the impact assessment, will best contribute to achieving the strategic goals for promotion of gender equality?

Step 5

Does the list of data to be collected include data on the representation and the impact of the regulation on women and men, boys and girls (where relevant)?

Is it possible to measure the changes in the position of women and men, boys and girls (positive or negative)?

Can it be measured how these changes impact the achievement of the identified public policy/regulatory policy goals?