



Forschungsstelle Osteuropa Bremen
Arbeitspapiere und Materialien

No. 76 – September 2006

Participation of Civil Society in New Modes of Governance.
The Case of the New EU Member States

Part 3: Involvement at the EU Level

Edited by
Heiko Pleines

Forschungsstelle Osteuropa an der Universität Bremen
Klagenfurter Straße 3, D-28359 Bremen
Tel. +49 421 218-3687, Fax +49 421 218-3269
<http://www.forschungsstelle-osteuropa.de>

Arbeitspapiere und Materialien – Forschungsstelle Osteuropa, Bremen
Working Papers of the Research Centre for East European Studies, Bremen

No. 76: Heiko Pleines (ed.):

Participation of Civil Society in New Modes of Governance.

The Case of the New EU Member States

Part 3: Involvement at the EU Level

September 2006

ISSN: 1616-7384

This working paper has been produced as part of



NEW MODES OF GOVERNANCE PROJECT

Project no. CIT1-CT-2004-506392 Integrated Project www.eu-newgov.org

Priority 7 – Citizens and Governance in the Knowledge-based Society

Funded by the European Union under the Sixth Framework Programme

Reference number: 24/D8

Lead contractor for this deliverable:

Forschungsstelle Osteuropa (Research Centre for East European Studies), Bremen

Authors:

Kristýna Bušková, student of International and European Economic Studies, University of New York/
Prague, Czech Republic; guest student at the University of Bremen (NEWGOV project partner No.
38)

Joanna Einbock, Koszalin Institute of Comparative European Studies, Koszalin, Poland (by invitation)

Gesine Fuchs, Basel, Switzerland (by invitation)

Brigitte-Erika Krech, European Consulting - Research, Brussels, Belgium (by invitation)

Zdenka Mansfeldová, Institute of Sociology, Academy of Science of the Czech Republic, Prague, Czech
Republic (NEWGOV project partner No. 34)

Daniela Obradovic, Amsterdam Center for International Law (NEWGOV project partner No. 23)

Heiko Pleines, Research Centre for East European Studies, Bremen, Germany (NEWGOV project partner
No. 38)

Jose Alonso Vizcaino, Faculty of Law, University of Amsterdam, assistant to Daniela Obradovic, Am-
sterdam Center for International Law (NEWGOV project partner No. 23)

Language editor: Hilary Abuhove

Technical editor: Matthias Neumann

Cover based on a work of art by Nicholas Bodde

Opinions expressed in publications of the Research Centre for East European Studies are solely those of the authors.

This publication may not be reprinted or otherwise reproduced – entirely or in part – without prior consent of the
Research Centre for East European Studies or without giving credit to author and source.

© 2006 by Forschungsstelle Osteuropa, Bremen

Forschungsstelle Osteuropa / Research Centre for East European Studies

Publikationsreferat / Publications Dept.

Klagenfurter Str. 3

D-28359 Bremen - Germany

phone: +49 421-218-3687

fax: +49 421-218-3269

e-mail: fsopr@uni-bremen.de

internet: <http://www.forschungsstelle-osteuropa.de>

Contents

Heiko Pleines

Introduction	5
---------------------------	----------

Brigitte-Erika Krech

The Integration of Civil Society Organisations from the Post-Socialist Member States into the EU Decision-Making Process	7
---	----------

Daniela Obradovic and Jose M. Alonso Vizcaino

Good Governance Requirements for the Participation of Interest Groups in EU Consultations	19
--	-----------

Kristýna Bušková and Heiko Pleines

Case Study: Czech Environmental NGOs and the EU	45
--	-----------

Gesine Fuchs

Case Study: Polish Non-Governmental Women's Organisations and the EU	54
---	-----------

Zdenka Mansfeldová

Case Study: Czech Trade Unions and Employers' Associations on the Way to Multi-Level Dialogue	66
--	-----------

Joanna Einbock

Case Study: the Activities of Polish Trade Unions at the EU Level	79
--	-----------

Heiko Pleines

Case Study: the Polish Agricultural Lobby between Warsaw and Brussels	87
--	-----------

Working Papers of the Research Centre for East European Studies.....	101
---	------------

E-Mail Newsletters of the Research Centre for East European Studies.....	102
---	------------

Case study: Polish Non-Governmental Women's Organisations and the EU

Introduction

The European Union (EU) currently suffers from a democracy deficit, which in turn creates a legitimacy problem. The European Commission wants to diminish this deficit and enhance efficiency by integrating civil society actors into European governance. Since the late 1990s, a greater role has been assigned to “organised civil society” within political decision-making processes (see Finke/Knodt 2005). This integration presents

... a real chance to involve citizens in the implementations of the aims of the Union more actively and to offer them structured channels for feedback, criticism and protest. (European Commission 2001: 28).

Since 2003, minimum standards specifying which parties should be consulted on which issues (and when) have applied to the Commission (European Commission 2002). On the one hand, the purpose is to absorb expertise; on the other, consulting NGOs are supposed to popularise European policies in the member countries. Another expectation of the structured dialogue is that a kind of European umbrella organisational structure will develop in the long run. This kind of horizontal networking by organised civil society would offer a counterweight to disproportionately strong individual actors and pure lobbyism (Zimmer 2003, Section 5.3.1).

Certain overarching questions present themselves at this juncture. Can integration truly be accomplished, and will it offer real avenues of influence to newcomers? Which issues deserve attention? Are civil society actors seizing the opportunities available to them? I will explore these critical topics by focusing on Polish women's organisations, relative newcomers whose interests have traditionally been marginalised. The various steps and instruments the Polish women's movement has taken to influence political decision-making in the EU will be analysed.

This particular case is interesting on several different levels. To begin with, Polish NGOs in general are newcomers on the EU political scene as well as at home; they are not as firmly institutionalised on the domestic front as their counterparts in the EU-15. Women's interests in turn are fairly marginalised in the region. To compound matters, the general public does not yet see the EU as a standard channel of influence. On the other hand, the EU's gender policy is one of its most advanced, with relatively strong civil society participation. What women's organisations stand to gain from EU integration remains to be seen. National and regional actors in the new member states have been increasingly directing their activities on the EU level, and, as I will argue, have experienced political learning processes that are very useful for democratic consolidation.

After presenting EU gender policies and then moving on to describe and analyse the Polish women's movement and its role in the political decision-making on the EU level, I shall formulate some very tentative conclusions.

The significance of EU gender policies

Gender policy as it pertains to the employment sphere is one of the most elaborated policy areas of the EU (see Lemke 2003, Pollack/Hafner-Burton 2000, Wobbe 2001), but the results have thus far been mixed: Women are seldom found in European decision-making bodies like the

Commission or Council of Ministers, and no binding directives mandate the fair participation and representation of women in these entities.

EU gender equality policy rests on three pillars:

Graph 1: The three pillars of gender equality policies in the EU

EU law	Programmes for the Promotion of Women	Gender Mainstreaming
<p>Agreements</p> <p>EU directives on</p> <ul style="list-style-type: none"> • Equal pay • gainful employment • Access to social security • Maternity protection • Parental leave • Part-time employment <p>Concept of direct and indirect discrimination</p>	<p>Action programme on equal opportunities</p> <p>Action programme Daphne for combating violence against women and children</p> <p>Mainstreaming of equality objectives into other programmes and strategies, such as European employment strategy</p>	<p>Integration of gender equality efforts in all policy areas</p> <p>1996 resolution of the European Commission</p> <p>Treaty of Amsterdam</p>

- Equal treatment since the 1970s: A set of directives to ensure equal treatment in the labour force (equal pay, access to training and admission to professions) was enacted in the 1970s.
- Positive actions: “Positive actions” further contributed to the elimination of unequal starting positions and living conditions in a patriarchal society, via e.g. women-specific legislation and support programmes or quotas.
- Gender mainstreaming (GM): Thirdly, in 1996 the European Commission declared “Gender Mainstreaming” as the official policy frame (see Bretherton 2001). Gender mainstreaming is the systematic integration of gender issues (priorities, needs, effects) in all policy fields and governmental institutions with the goal of promoting the equality of women and men. This objective is to be pursued during planning, implementation and evaluation phases.

The cross-sectional concept of gender mainstreaming is very demanding; it requires specialised knowledge in all areas and the political will to implement it. Initially, some progress was made. (Pollack/Hafner-Burton 2000: 451). Recent experiences with gender mainstreaming, however, indicate that gender equality objectives are omitted or sustaining severe setbacks despite gender mainstreaming’s supposed status as a political priority. Furthermore, explicit positive actions promoting women are in effect becoming cut back (see Thiel 2006 on the European Employment Strategy).

In the primary and secondary law of the EU, gender equality plays a central role. In the Treaty of Amsterdam, gender equality was likewise laid down as a fundamental principle of Community law and as a Community goal, including the obligation to implement an active gender equality policy in all spheres, and not just in the economy (see Art. 3 and 141 ECT). Ten gender equality directives have been issued in the secondary law so far. Due to the implementation obligation in national law and the binding jurisdiction of the European Court of Justice, these directives have proven influential, particularly in the concretisation of equal pay and indirect

discrimination (see Wobbe 2001). However, the quality and speed of implementation are very disparate in EU countries (see the contributions in Liebert 2003).

The adoption of the gender *acquis* by the new EU members took place in record time. It went ahead much faster than in the old member states and with a more homogeneous result (for the entire *acquis communautaire*, see Schimmelfennig/Sedelmeier 2005, 225), albeit at differing speeds depending upon national gender policies. The pressure exerted by the Commission in the negotiations was never particularly forceful; it increased only toward the end of the process, as inferred from the progress reports. A comparative analysis similar to the one conducted for the EU-15 is still pending, however. Presumably, strong incentives (membership promises) and/or a reliable threat of exclusion may have tipped the scales (external incentives model, Schimmelfennig 2004 and Schimmelfennig/Sedelmeier 2005). A “Potemkin harmonisation” (Jacoby 1999) may now be impending: Since the removal of membership conditionality, the gap between adoption and implementation of gender equality directives is widening, and domestic political factors, such as national gender regimes, adjustment costs and resistance from the bureaucracy or societal groups are gathering steam.

In recent years, the European Union has proven itself as a political opportunity structure, in which women’s groups can affect national policy and place otherwise ignored demands on the agenda. The Polish women’s movement is aspiring to do just that – without much enthusiasm, however. The experience of “Real Socialism” proved that equality solely in gainful employment has a minimal impact at best on gender relations overall. Other important aspects of a comprehensive gender equality, such as political power in decision-making processes, comprehensive civil rights (including control over one’s own body) and the gender-specific division of labour between gainful employment and family work are substantially more difficult to launch onto the EU agenda.

Political influence of civil society in the EU and Polish women’s NGOs

The European Women’s Lobby

The European Women’s Lobby, or EWL (www.womenlobby.org), was founded in 1990 on the initiative of the European Commission, and, according to its own data, represents over 2700 umbrella organisations. It is thus the largest women’s NGO on the European level (see also in the following Schmidt 2000, here 211). The EWL is a member of the European Advisory Committee on Equal Opportunities for Women and Men and is represented on the Social Platform. About 80% of its budget comes from Commission funds; a small part comes from membership dues.¹ The EWL takes a stand only on “non-controversial” topics in order to represent as many member organisations as possible. These include the struggle against violence against women (including all forms of prostitution), increasing women’s role in decision-making processes, fighting discrimination on the job market and employment policy, combating multiple discrimination and enlargement issues. Preparing dossiers for the Councils of Ministers constitutes a substantial part of their work. In light of this agenda, the question arises whether the EWL is an alter ego of the Commission. The EWL worked for the new directive for the same access to services. It was also successful with the codification of gender equality and mainstreaming in the Treaty of Amsterdam (Schmidt 2000: 218–220).

On the European level, the EWL holds a quasi-monopolistic position, which weakens the legitimisation opportunities of other actors. For local women’s organisations and those which are

¹ A reason for the European Commission’s support surely was the fact that it saw women’s politics as an important tool for the expansion of its own authority and was able to legitimise it via the establishment of the EWL (Schmidt 2000: 222).

not members of the national EWL coalition, the hurdles for direct influence are thus very high (Schmidt 2000: 222). Women's NGOs active in at least four member states can join the EWL; smaller groups can affiliate with national co-ordinating groups. These in turn send members to the EWL General Assembly, which elects the executive committee. Organisations from candidate countries have only been able to join since January 2003.

Strong institutionalisation causes a "middle class bias": Poorly organisable interests (e.g. migrants) are at a disadvantage, with professional associations overrepresented in comparison with trade unionists (Schmidt 2000: 213). In 2004, the women's lobby set itself the goal of finding a national partner organisation and/or a national co-ordinating group in all new member countries in order to recruit as many national women's organisations as possible (Greboval 2004). Such co-ordinating groups exist in all new member states except Slovenia, as well as in the candidate country Bulgaria. In Slovenia and Romania single organisations are associate members. In political practice, the *de facto* motto is "Take it or leave it". The option is to move into the institution of the EWL and change it from within rather than to ignore it. However, alternatives to this channel of influence require further discussion.

Conditions and paths to political influence by Polish newcomers

Polish women's NGOs have had to fulfil several conditions and overcome numerous obstacles in order to influence the European Union as civil society actors. This has included the colossal undertaking of creating a civil society with the associated movements and NGOs, acknowledging the relevance of the EU for their own agenda and development of their own country. At the time, "Europe", was used as an argument, image and master frame. The organisations have since learned to move into the institutions and set the agenda. Last but not least, building capacities and alternative networks has been crucial for gathering momentum.

The "Europeanisation" of Polish women's organisations analysed here clarifies the contradictions of this Commission programme for civil society and for the dismantling of the legitimisation deficit. It is implicitly assumed – erroneously – that interests within a single group are harmonised, and that despite barriers, all interests can be organised.

The constitution of the movement

The Polish women's movement has crystallised around different issues since 1989. These include the planned ban on abortion since 1989 and the transformation of living conditions, along with issues of education and work and other gender-political conflicts. Only democracy and freedom of association allowed these controversial topics to be discussed and debated at all. In a first phase of "social self-defence", many informal women's groups that had already existed prior to 1989 registered themselves officially. The Federation for Women and Family Planning was founded in 1992 (www.federa.org.pl). On the abortion question, which is still heavily taboo today, activists began to formulate political interests and to define themselves as political actors. The debate between women's groups and pro-life politicians triggered numerous political and theoretical considerations in the formation of a new post-socialist state: Which concept of state and citizen was going to be implemented? What would the citizen be allowed to decide individually? How would the relationship between state, individual and nation be constructed? Were Polish women to be viewed as mothers or autonomous persons first? (cf. Gal/Kligman 2000, Ch. 3). In November 1994, twelve important women's organisations united to form the Social Committee of Non-governmental Organizations (SKOP). They proceeded to compile their own shadow report for the 1995 World Women's Conference and to exert pressure upon the government to produce an official report. The organisations seized the political opportunity presented by the conference to legitimise their own demands in terms of international and domestic law. SKOP linked the slogan of the international women's movement "Women's Rights are Human Rights" with the Polish conviction of being part of Europe. Until 1997 and between 2001–2005, a forum of the women's organisations co-operated with the government in the im-

plementation of the Beijing Action Platform as well as on other questions of gender equality. Since the World Women's Conference, almost all of the women's organisations' demands have been legitimised with reference to the law. The law became the primary medium for calling attention to violence against women, forced prostitution, job discrimination and severely restricted reproductive rights.

The terms of Polish conservative governments – 1997–2001, and since 2005 – have been characterised by inferior co-operation with state institutions and actual steps backwards in terms of gender policies (as evidenced in the now partially privatised social security system, to name just one instance). The post-communist government of 2001–2005 had appointed an equal opportunity officer in the ministerial rank, whose office launched many domestic as well as international co-operation projects. Among other things, equal opportunity officers were appointed in the regions. Overall, the implementation of gender equality machineries is weak, sketchy and overly dependent on changes of government. The office was dissolved in 2005 and a subsection for family issues in the Ministry of Labour and Social Policy was established. While the chairwoman of the Women's League (the former socialist front organisation), as well as a high-profile feminist philosopher formerly occupied the post (Izabela Jaruga Nowacka and Magdalena Środa, respectively), Joanna Kluzik Rostkowska is now at the helm. She represents moderate Christian-Democratic views in terms of economic opportunities – namely, that the gainful employment of women will remain a component of modern societies, but she advocates discrimination against gays and lesbians and knew virtually nothing about the principle of gender mainstreaming when she took office (see *Gazeta Wyborcza* of 8 November 2005).

Today, around 300 women's organisations, groups and research centers are active across the entire country, engaged in particular in the areas of employment and qualification, social assistance, violence and health. In recent years the work of the Women's Information Centre Ośka (Ośrodek Informacji Środowisk Kobietych, www.oska.org.pl) was instrumental for networking and discussion in the women's political environment. Numerous drafts for an anti-discrimination law and action alliances for the election of female candidates have sprung from this environment. In the new millennium, feminist points of view are gradually gaining momentum in public awareness: women are discriminated against, they are entitled to more political power and legal protection should be granted to homosexual partnerships. The movement has tried time and again to obtain strong public support by issuing public statements. Overall, it can be characterised as a small movement consisting of numerous organisations and an increasing number of sympathisers. It is carving out a niche in the general public by creating its own infrastructure and protest culture. The movement is thriving despite the current conservative-populist hegemony.

Europe in the movement's discourse

Up until roughly 1998, women's organisations usually deployed the “international law” master frame to mobilise followers and legitimise their goals in the public (on framing in general, see Snow/Benford 1988 and 1992; for the international women's movement, Joachim 2003). Framing is a very important strategy by which social movements assign new meanings to familiar events and conditions (realignments). Social facts once only seen as regrettable but tolerable, can now become a real scandal. If domestic violence is seen in the traditional frame of the domestic duties of housewives and mothers, it is usually perceived as an unfortunate by-product of male alcoholism; re-framing the phenomenon in the context of equal partnership, the fundamental right to physical integrity and adherence to international conventions reveals it to be an intolerable disgrace. Its unequivocal abolition is the responsibility of a state with a democratic rule of law.

In framing the issues, the Polish women's movement built upon the fact that the relevant political forces in Poland affirm the affiliation with the European value system as well as the adherence to international norms. Since the 1970s, the reference to Europe has been a vital argument

of the Polish opposition vis-à-vis the socialist state. Since the nation's accession to the EU, these norms and values now apply directly. If Poland is part of Europe, then it must adopt and obey the obligations resulting from international and European treaties. This is particularly important in terms of the civil rights of inviolability and individual freedom of choice, especially regarding the abortion question.

This argument strengthens the very meaning of the democratic rule of law both in citizens and the state (demanding the state to adhere to the rule of law). It contributes therefore to democratic consolidation.

Acknowledging the relevance of the EU and using Europe as a master frame

A more systematic reference to "European law" began in 1998 with the accession negotiations. Little by little, women's organisations began to decry the failure to adopt the "gender acquis". They proceeded to inform themselves about the gender equality policies of the European Union and launched their own projects with European Union support. In addition, they networked on the European level. They stressed the need for political action via comparison with other European Union states. This strategy can be seen as a consequence of the political learning process: Political changes do not come about via appeals to political decision-makers, but require self-initiative (especially if misleading information policies are to be improved).² The women's organisations' own information policy offensive ("Europe Supplement", "European Travel Kit for Women", etc.) effected a psychological distance from the state-society antagonism in Polish political culture. The state is no longer the sole addressee for political demands; society as a whole is increasingly seen as an invaluable participant in social change.

While the concepts of direct and indirect discrimination were finally embodied in the labour code (just prior to the conservative-liberal coalition's exit from office in 2001) after numerous protests and appeals, women's rights nevertheless remained controversial in the Polish public. The fate of the "Letter from 100 Women" ("list stu kobiet") of February 2002 illustrates the limitations of an appeal strategy and dependence upon external allies. The letter was addressed to the European Parliament and the Commissioner for Employment and Social Affairs, Anna Diamantopoulou. In it, prominent personalities (e.g. Wisława Szymborska) and the most important women's organisations expressed their concern about the course of the accession debate in Poland. Due to numerous public declarations, it could be inferred that a pact between the Catholic Church and government had been established: The Church would support the accession in exchange for the renouncement of a recent liberalisation debate on abortion. Furthermore, strong – and public – ideological intimidations had taken place. In a prime example, Bishop Pieronek criticised the equal opportunity minister by calling her "feminist concrete that does not melt even under hydrochloric acid",³ because she had flatly demanded this particular liberalisation as well as matter-of-fact sex education in schools. An open discussion about it should have been able to take place without intimidation. In her reply two months later, Diamantopolou pointed out that the abortion question was a "difficult topic" and fell under the exclusive legislative jurisdiction of the member states.⁴ The strategy of international criticism can only succeed if the persons and institutions being addressed are receptive and responsive to the demands.

² In April 1999, the Ośka Conference on "Government Politics vs. Women" wrote an open letter to the Integration Committee; it may strike its brochure "European Union – Women" (Unia Europejska – kobiety). Its incorrect, distorted contents exemplarily demonstrate that the importance of independent information, particularly in the climate of the reactionary gender politics of the conservative government at that time, can hardly be overrated.

³ In reaction, T-shirts which read "More feminism, less hydrochloric acid" soon emerged.

⁴ Text via www.oska.org.pl/infopage.php?id=41, available on 8 March 2002; Reply by Diamantopolous in Chołuj 2003, 224.

A letter from January 2003 demanding that the European Parliament reject the Polish “Declaration on Morality, Culture and Sanctity of Life” as part of the treaty of accession experienced a similar fate.

Over the course of the accession negotiations, the Polish public became increasingly critical and sceptical of the European Union. The information politics of the government improved only haltingly (see Grabowska 2001: 34). During the preparation for and the negotiations themselves, gender issues and gender mainstreaming did not factor in (see Bretherton 2001: 69–72). The ability to implement the *acquis communautaire* of the EU was indeed one of the three Copenhagen Criteria; however, in terms of the “gender *acquis*”, it was not central for either side.

Move into the institutions

However, the Committee on Women’s Rights and Gender Equality of the European Parliament repeatedly underscored the importance of adopting a gender perspective in the enlargement (see Hadj-Abdou/Mayrhofer 2006). It co-operated with women and women’s organisations in the accession countries by means of joint projects, hearings and delegations that initiated “deliberative processes”. Co-operation especially flourished in common problematic areas like political participation. However, work in parliamentary commissions is rather actor-centred, and therefore depends on the activities of its individual members. Of the three Polish MEPs, only the Social Democrat Lidia Geringer is attuned to gender equality. She co-operates with several women’s organisations in her constituency in Lower Silesia and highly appreciates the activities and accomplishments of the EWL as well as the Polish Women’s Lobby (Geringer 2006)⁵.

An important step in terms of European networking was the establishment of a co-ordinating group in Poland in the summer of 2004⁶ that should discuss and prepare the conditions for the accession to the European Women’s Lobby. Nearly all major organisations took part in it, but not without tension: The EWL had supposedly not been interested in co-operating with women’s organisations from the accession states for quite some time. They apparently ceded only upon pressure from the European Commission. In terms of content, there were numerous reservations, e. g. regarding the EWL’s conservative attitude towards the prohibition of prostitution. The idea of a platform of Eastern-Central European women’s organisations for the European level was ultimately rejected in order not to accentuate or perpetuate the East-West divide. The question was not if, but *how* one could become involved in the EWL. It was soon obvious that a “Polish Women’s Lobby” ought to take the form of a co-operative protocol based on an open formula rather than an umbrella organisation. It was also felt that organisations should be able to join at any time. After further consultations with EWL representatives and a Latvian colleague, it was decided at a nationwide meeting to set up the national co-ordination as well as its spheres of activity, authority and statutes. As far as the representation of Polish organisations and interests on the European level is concerned, the emphasis lies on the women’s lobby as well as on participation in the EU’s control and advisory committees (e.g. for structural funds). Information access for Polish organisations and the preparation of common (Polish) standpoints vis-à-vis European Union policies are two more critical goals. In the national co-ordinating committee, experts will analyse six areas: the labour market and social politics, women in decision-making processes, violence against women, women’s health (including reproductive health), women in rural areas and sexual and national minorities. In addition, the protocol states:

“The first three topics are fully compatible with the priorities of the EWL – the last three with the local priorities”.

⁵ Vgl. www.lgeringer.pl; she also points to the role of the Polish Lobby as experts for the Ukraine and Belarus.

⁶The following description is based on minutes and reports for the establishment of the *Polskie Lobby Kobiet* (Polish Women’s Lobby), which was available under www.oska.org.pl in October 2004.

About three dozen organisations have signed the co-operative protocol so far; however, some discord has surfaced. The Coalition for Gender Equality (Karat) did not participate in the preparations at all and the Family Planning Federation later withdrew.

If one compares the agendas of Polish women's organisations with the key activities of the European Women's Lobby, large discrepancies become apparent. In particular, questions concerning women's health and reproductive rights, namely access to legal and safe abortion, are non-issues for the EWL. For the Polish women's movement, however, the abortion question is *the* focal point, the *pièce de résistance*. Questions of economic and social rights beyond the labour market, such as future EU enlargements and the question of new dividing lines between EU and non-EU, are likewise ignored (evidenced in part by the institutional focus of the women's lobby). There is nonetheless agreement in the struggle against violence against women and demands for the sustained and balanced political representation of women.

The representation of Polish women's organisations at the EU level will probably prove tricky. The Polish Women's Lobby is closely affiliated with Ośka, whose former director was elected delegate to the Executive Board of the EWL. Recent debates on the strategic positioning of Ośka, an exchange of staff and slashing of funds have weakened its political impact. However, the co-ordination of the political discussion in the women's movement facing the new conservative-populist government has been taken over by another organisation.⁷

Building capacities and networks

Since the early 1990s, regional networks of women's organisations reaching from Central Eastern and South Eastern Europe to the CIS have been emerging. Karat, or "Coalition for Gender Equality", was officially established in Warsaw in 1997 as a result of discussions among regional organisations during the Women's World Conference in Beijing (see Marksová-Tominová 2006). Karat consists of about 30 women's organisations and focuses on the UN level, but addresses the EU as well. It monitors the implementation of international agreements, lobbies for national gender equality mechanisms and supports the political participation of women leaders in the region. Since 2002 Karat has repeatedly warned against a new division in Europe due to the accession processes of certain Eastern European states. It has emphasised the importance of considering the viewpoints, achievements and problems of non-candidate countries. Enlargement must not lead to a widening of the economic gap in the region or to the breaking of ties between member and non-member countries.⁸

In a joint declaration with the German NGO Women's Forum at the end of 2003, the human rights-oriented approach was emphatically endorsed throughout the entire legal infrastructure of the EU. On the agenda were reproductive as well as social and ecological rights, which will have to be safeguarded and promoted against the purely economic objectives of the EU. Effective mechanisms for actual gender equality as well as for the balanced representation of women in elected and appointed committees are considered essential (Karat/NGO Frauenforum 2003). In a common position paper for the 49th session of the UN Commission on Women in 2005, Karat and the Stability Pact Gender Task Force for South Eastern Europe (SPGTF) stated:

KARAT and SPGTF proved in practice that political action towards gender equality could be strengthened through broad regional partnerships ... and exchange of best practice with the strong support of EU, Council of Europe, Stability Pact for South Eastern Europe, OSCE/ODIHR, UN agencies and donor governments. (...) Developing common agenda for the women in the whole Europe is crucial to prevent a new South/East-West

⁷ NEWW, the Network of East-West Women, organised a national strategic conference in December 2005; see www.neww.org.pl.

⁸ See www.karat.org/eu_and_economy/regional_contribution.html, available on 12 October 2004, as a letter to the Convent for the Future of Europe in 2002.

divide (...) Hence the EU should accelerate their efforts to implement the new neighborhood strategy (Karat 2006, 2).

Karat builds strategic partnerships with other organisations (e.g. with the above-mentioned SPGTF) for campaigns on specific issues. Since 2001, Karat has concentrated on economic issues (including economic empowerment) and literacy in the context of EU enlargement. In 2005 an Economic Literacy Kit for CEE/CIS (Russian translation 2006) was published to enable women's organisations to lobby effectively for the improvement of the economic situation of women. Together with WIDE (Women in Development in Europe, see www.eurosur.org/wide/home.htm), the so-called Gender Assessments were compiled, which can be seen as the shadow reports to the Joint Assessment Papers for the new member countries to the European Employment Strategy. The "Labour Market and Entrepreneurship: Overcoming Gender Stereotypes" project has been running since 2005. To this end, Karat is involved in twelve national reports on the position of women in the labour market. In 2004, Karat conducted a survey in cooperation with the Clean Clothes Campaign (CCC) about the working conditions in four textile factories in Poland (Łódź) and reported the results to the 49th session of the UN Commission on Women.⁹ It is important here that Karat addresses the negative impacts of globalisation and neo-liberal reforms on women's social and economic status as well as the feminization of poverty. Karat integrates economic rights into the human rights discourse. These activities somewhat counter the frequently expressed criticism that feminist women's organisations in post-socialist Europe have ignored burning questions of economic transformation and social inequality, concentrating instead on a classical liberal agenda of individual freedoms (e.g. Miroiu 2006).

Another important regional network worthy of mention is Astra, which advocates sexual and reproductive health rights (SRHR) as fundamental human rights (www.astra.org.pl/articles.php?id=127, 26.06.06). Astra is engaged in awareness-raising and elevating SRHR to the top of the agenda, particularly in the EU and UN. Instruments for this mission include monitoring and reporting on the status of implementation of SRHR and gender-related policies. The network organises public events, conferences and workshops. In February 2006, Astra and the Polish Delegation of the Socialist Group held a hearing in the European Parliament. Its goal was to draw the European policymakers' attention to their obligations in this area. If, as Astra argues, SRHR are human rights, then EU institutions (which are fundamentally committed to the guarantee of human rights) are obliged to develop policies which secure them. (www.astra.org.pl/news.php?id=21, 26.06.06).

These examples show how the master frames of human rights and Europe are being employed to legitimise the movement's demands and that several channels for influencing the EU institutions are available. Co-operation is crucial to these activities, but not without pitfalls. Central to the deliberations for co-operative efforts is the anticipation of competition for funding (Holz 2006) and the dwindling access to European Union funds in particular. With the departure of important donors from the new member countries as well as the EU's increasingly restrictive funding policies, these fears have largely been borne out. The funding periods barely exceed two years and are insufficient for the long-term development of NGOs (which EU evaluations confirm time and again). The required consortia and networks, to which they have limited access and/or in which they would be impotent, are high barriers for smaller and informal. To put it bluntly, the patriarchal hierarchical organisational model of the EU is once again present here (Payer 2006, based on field research in Bulgaria). In recent years only a fraction of the EU funds have gone towards the support of the development of democracy and a free-market economy in the sphere of civil society, of which women's organisations represented only a small part (see Funk 2006, 76–77).

⁹ See www.womenslabour.org/_en/conditions/ccc_rep.html, accessed on 26 June 2006.

Conclusion

This analysis has pointed out how important involvement in European civil society is for newcomers and marginalised interests like Polish women's organisations. The process-oriented analysis showed that the Polish women's movement has learned by doing: Step by step, from appeals for information, to fundraising and networking, it has become clear just how important and effective political activism can be in multilevel governance. Civil society has succeeded in making a critical step towards the elimination of the gap between political actors and European policy. It has contributed, not least with spreading information of funding opportunities, to the popularisation of the EU. However, the Europeanisation of civil society on the one hand and integration on the other also means that new members are becoming lost in the shuffle. Their experiences and points of view must be integrated.

The Polish women's movement's emphasis on Europe, the EU and European law was a useful political strategy, but one which nonetheless has clear limits. Joining the European Women's Lobby was therefore a logical next step towards Europeanisation, one which took place after a lengthy deliberative process and was linked to compromises. The Women's Lobby itself appears to be a prime example of a European umbrella organisation which is already well integrated into the negotiation system and can definitely boast successes. However, the exclusion of minority interests is also clearly illustrated by the principle of the "smallest common denominator". The solution to the dilemma lies in the establishment of alternative networks and coalitions, such as Karat or Astra, also wishing to exert influence on the EU. One can speak in this instance perhaps of a division of labour rather than competition: several issues, several channels.

It is difficult to assess if women's organizations gained from European integration, especially if one takes funding policies into account. Generally speaking, gender policies in the new member states now rely more on European regulations, but are still contested and without ongoing political pressure backlashes are probable. There are some areas for future research. Analyses should be done on how the described lobbying policies, initiatives and protests are in fact received on EU level. What is their impact and what outcomes can be measured? Comparative research with other policy areas would be especially useful in order to assess the special character of gender policies.

In principle, the legitimisation deficit in the EU can only be eradicated if the diverse and sometimes conflicting interests of a social group are represented effectively. This would entail a proliferation of advocating entities, which may be seen as counterproductive to the EU's desire for efficiency. Accordingly, the Commission's hopes to integrate European civil society by means of more or less uniform umbrella organisations will probably not be fulfilled.

Literature

- Bretherton, Charlotte (2001): Gender mainstreaming and EU enlargement: swimming against the tide? – In: *Journal of European Public Policy* 8, No. 1, pp. 60–81.
- Chołuj, Bożena (2003): Die Situation der Frauen-NGOs in Polen an der Schwelle zum EU-Beitritt. – In: Miethe, Ingrid; Roth, Silke (eds): *Europas Töchter: Tradition, Erwartungen und Strategien von Frauenbewegungen in Europa*, Opladen: Leske + Budrich, pp. 203–224.
- Chołuj, Bożena; Neusüß, Claudia (2004): *EU Enlargement in 2004. East-West Priorities and Perspectives from Women Inside and Outside the EU*. Discussion Paper written with support from Unifem. Warszawa; Berlin, 2004.
- Europäische Kommission (2001): *Weißbuch Europäisches Regieren*. – Brussels.

- Europäische Kommission: KOM(2002) 704 endg. Mitteilung der Kommission. Hin zu einer verstärkten Kultur der Konsultation und des Dialogs – Allgemeine Grundsätze und Mindeststandards für die Konsultation betroffener Parteien durch die Kommission. – Brussels.
- Funk, Nanette (2006): Women's NGOs in Central and Eastern Europe and the Former Soviet Union: The Imperialist Criticism. – In: *femina politica* 15, No. 1, pp. 68–83.
- Gal, Susan; Kligman, Gail (2000): *The Politics of Gender after Socialism*. – Princeton: Princeton University Press.
- Geringer De Oedenberg, Lidia Joanna: "Re: Komisja Praw Kobiet i Równouprawnienia", E-mail to the author, 4 July 2006.
- Grabowska, Magdalena (2001): Euroskeptyczk i euroentuzjastki [Euroskeptikerinnen und Euroenthusiastinnen. – In: *Ośka Pismo : Pismo Ośrodka Informacji Środowisk Kobiety* No. 16, pp. 33–38.
- Greboval, Cécile (2004): Author's telephone interview with the policy coordinator of the European Women's Lobby, 9 January 2004.
- Hadj-Abdou, Leila; Mayrhofer, Monika (2006): FEMMinistische Politik nach der EU-Erweiterung. – In: *femina politica* 15, No. 1, pp. 58–67.
- Holz, Anna (2006): Vorwärts oder rückwärts? Die Entwicklung der Frauen- und Geschlechterpolitik in Polen, Tschechien und Ungarn. – In: *femina politica* 15, No. 1, pp. 48–57.
- Jacoby, Wade (1999), Priest and Penitent: The European Union as a Force in the Domestic Politics of Eastern Europe. – In: *East European Constitutional Review* 8, No. 1–2, www.law.nyu.edu/eecr/vol8num1-2/special/priestpen.html.
- Joachim, Jutta (2003): Framing Issues and Seizing Opportunities: The UN, NGOs, and Women's Rights. – In: *International Studies Quarterly* 47, No. 247, 274.
- Karat/NRO-Frauenforum (2003): Rechte erweitern, Handlungsspielraum schaffen? Die EU-Reform und der Erweiterungsprozess aus der Geschlechterperspektive. Positionspapier des NRO-Frauenforums und der Karat-Koalition. Ms. Berlin.
- Karat; Stability Pact Gender Task Force (2005): Gender Equality. Social and Economic Justice. Position Paper to the 49th UN CSW. – www.karat.org, section publications, accessed 26 June 2006.
- Lemke, Christiane (2003): Die EU-Verfassung: Eine Chance für nachhaltige Gleichstellungspolitik? – Ms. Berlin.
- Liebert, Ulrike (ed.) (2003): *Gendering Europeanisation*, Bruxelles: Peter Lang.
- Marksová-Tominová, Michaela (2006): Die Koalition KARAT: Ein Zusammenschluss von Frauenorganisationen der ehemaligen sozialistischen Länder. – In: *femina politica* 15, No. 1, pp. 115–117.
- Miroiu, Mihaela (2006): A Mayflower turned Titanic: The Metamorphosis of Political Patriarchy in Romania. – In: *femina politica* 15, No. 1, pp. 84–98.
- Payer, Silvia (2006): Re: Anfrage EU funding policies, E-Mail to the author, 29 June 2006.
- Pollack, Mark A.; Hafner-Burton, Emilie (2000): Mainstreaming gender in the European Union. – In: *Journal of European Public Policy* 7, No. 3, pp. 432–456.

- Schimmelfennig, Frank (2004): Starke Anreize, ambivalente Wirkungen: Die Europäisierung Mittel- und Osteuropas. – In: *Leviathan* 32, No. 2 (2004), pp. 250–268.
- Schimmelfennig, Frank; Sedelmeier, Uwe (eds.) (2005): *The Europeanization of Central and Eastern Europe*, Ithaca: Cornell University Press.
- Schmidt, Verena (2000): Zum Wechselverhältnis zwischen europäischer Frauenpolitik und europäischen Frauenorganisationen. – In: Lenz, Ilse et al. (eds): *Frauenbewegungen weltweit. Aufbrüche, Kontinuität, Veränderungen*. Opladen: Leske + Budrich, pp. 199–230.
- Snow, D.; Benford, R. D. (1988): Ideology, Frame Resonance, and Participant Mobilization. – In: Klandermans, B.; Kriessi, Hanspeter; Tarrow, Sidney (eds): *International Social Movement Research*, Vol. 1. London: J. A. Press, pp. 197–217.
- Snow, D.; Benford, R. D. (1992): Master Frames and Cycles of Protest. – In: Morris, A. D.; McClurg Mueller, C. (eds): *Frontiers in Social Movement Theory*, New Haven; London: Yale UP, pp. 133–155.
- Thiel, Anke (2006): Zwischen Lissabon und Tallinn – Europäische Beschäftigungsstrategie und Frauenerwerbstätigkeit nach der EU-Osterweiterung. – In: *femina politica* 15, No. 1, pp. 20–34.
- Wobbe, Theresa (2001): Institutionalisierung von Gleichberechtigungsnormen im supranationalen Kontext: Die EU-Geschlechterpolitik. – In: Heintz, Bettina (eds): *Geschlechtersoziologie*, KZfSS Sonderhefte Opladen: Westdeutscher Verlag, pp. 332–355.
- Zimmer, Annette (2003): Der Dritte Sektor als organisierte Zivilgesellschaft im politischen System der EU (Lerninheit „Interessenvermittlung in der Europäischen Union“, Kapitel 5). – www.politikon.org, 30 September 2004.