OECD Public Governance Reviews

# Gender Policy Delivery in Kazakhstan



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# *Foreword*

Over the past decade, Kazakhstan has made important progress in promoting women's empowerment in public life. Some important achievements include a Law on Equal Rights and Opportunities and the Law on the Prevention of Domestic Violence in 2009 as well as a National Gender Equality Strategy (2006-16). There have also been important advances in women's participation in public life in Kazakhstan. Nevertheless, women remain underrepresented in key decision-making posts. Currently, the share of women in parliament is 27.1% in the House of Representatives and 6.38% in the Senate. To close the remaining gaps, the country has developed a new Family and Gender Equality Policy, which seeks to achieve, by 2030, equality of rights, benefits, responsibilities, and opportunities for men and women in all areas of social life, and the eliminate all forms of gender discrimination. This presents an unprecedented opportunity to develop a whole of government approach to achieving gender equality in practice.

This review seeks to help the Government of Kazakhstan enable and sustain gender equality and the full participation of women and men in society and in public life based on international good practice and the highest standards of performance. It also aims to support Kazakhstan in strengthening its gender policy delivery mechanisms to ensure a whole-of-government implementation of gender equality policies throughout the country, based on the 2015 OECD Recommendation of the Council on Gender Equality in Public Life. It identifies strengths and weaknesses in addition to potential areas for policy reform in the context of gender equality and mainstreaming in Kazakhstan. It provides actionable policy recommendations on the institutional, policy-making and accountability frameworks needed to advance and sustain gender equality and mainstreaming initiatives and support the implementation of the forthcoming Family and Gender Policy in the Republic of Kazakhstan.

There is commitment at the highest political levels in Kazakhstan to promote gender equality. Yet, the ability of Kazakhstan to reach its gender equality objectives within the framework of its long-term development agenda will depend, to a large extent, on measures to strengthen the broader

capacities of the public sector for planning, policy making, regulatory frameworks, data collection, monitoring, evaluation, and horizontal co-ordination. Therefore, the recommendations of this report should be seen as complementary to and mutually reinforcing the provisions of the 2015 OECD Recommendation on Gender Equality in Public Life, the 2014 OECD Review of the Central Administration in Kazakhstan and the rest of the reports prepared under the Kazakhstan Country Programme on public governance.

The OECD Review of Gender Policy Delivery in Kazakhstan was carried out under the programme of work of the OECD Public Governance Committee, based on its longstanding expertise in public governance reforms, gender equality and strengthening administrative capacities of member and non-member countries. This work was conducted within the 2015-2016 OECD Kazakhstan Country Programme, which aims to support Kazakhstan's policy and institutional reforms, including the "Kazakhstan-2050" strategy and 100 Concrete Steps to Implement the Five Institutional Transformations (Plan of the Nation). The Country Programme seeks to facilitate the implementation of public governance reforms, including the organisation and management of the public sector, decentralisation, openness and transparency and gender-sensitive decision-making processes, while promoting Kazakhstan's adherence to the OECD instruments and use of OECD standards and best practices.

This review is part of the series of reports prepared in the framework of the Country Programme on public governance that includes the reviews *Towards an open government in Kazakhstan, Decentralisation and multi-level governance in Kazakhstan* and *Towards a more effective, strategic and accountable state in Kazakhstan*. All of these reviews aim to deepen the analysis and support the implementation of the recommendations outlined in the 2014 OECD Review of the Central Administration in Kazakhstan. This review comprises four chapters. The first chapter provides an overview of the state of play on gender equality in Kazakhstan and highlights the objectives and the methodology of the review. The second chapter focuses on developing a robust strategy for gender equality in Kazakhstan in order to ensure effective policy outcomes for all women and men. The next chapter outlines key elements of institutional framework and capacities to design effective and gender-sensitive governmental policies and programmes in Kazakhstan, including oversight and accountability mechanisms. The final chapters focus on integrating gender aspects into policy, programme and budget design and implementation and highlight the availability and accessibility of gender-disaggregated data for evidence-based policy making.

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# Executive summary

Over the past two decades, the Republic of Kazakhstan has made a range of international commitments, enacted numerous laws, and developed policies that have been instrumental to the improvement of women's participation in public life. Building on its international commitments – such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Beijing Declaration and Platform for Action, the Millennium Development Goals and the recently adopted Sustainable Development Goals – Kazakhstan developed its 2006-16 Strategy for Gender Equality.

The OECD Review of Gender Policy Delivery in Kazakhstan comes at a unique point in time, when the government has prepared a new Concept on Family and Gender Policy for 2030 to succeed the 2006-16 Strategy for Gender Equality. The policy recommendations of this Review will provide an important basis for the development, implementation and evaluation of this forthcoming gender equality policy.

## Strengthening the impact of gender policies

In the framework of its Gender Equality Strategy for 2006-16, and under the direction of the National Commission on Women's Affairs, Family and Demographic Policy (hereafter referred to as National Commission), Kazakhstan has made important gains in gender equality. Recent achievements include two important laws: the Law on State Guarantees of Equal Rights and Equal Opportunities for Men and Women and the Law on the Prevention of Domestic Violence. Major progress was made in women's representation in the House of Representatives, which rose from 10.4% in 2006 to 27.1% in 2016.

Other important achievements include women's integration in the labour market and entrepreneurial activity (unemployment among women fell from 9.2% in 2006 to 5.7% in 2015); and a drop of maternal death rates from 40.5 deaths for 100 000 births in 2006 to 12.5 in 2015. Kazakhstan is close to gender parity in access to primary and secondary education, with 98.7% net enrolment of girls in primary education in 2015, among the top countries in this area.

Notwithstanding these gains, and despite the government commitment towards gender equality demonstrated by the ten-year strategy, significant gaps remained in the strategy's implementation at all levels of government. These gaps were also highlighted in the independent evaluation report commissioned by the National Commission in 2016. For example, women still make up only 8.4% of political-level civil servants (40/405 persons); broad gender gaps persist in earnings, with women's salaries just 66% of men's salaries; and violence against women is still a major problem. Some of the gaps seem to be due to the absence of clear links between the gender equality strategy and overall policy planning and national development goals. This Review identifies priority areas for action in Kazakhstan in order to strengthen gender policy delivery mechanisms and facilitate the implementation of gender equality policies.

## Towards a robust strategy

As envisaged in the new Family and Gender Policy, it will be important for Kazakhstan to clearly define the objectives of both gender and family policies. While family policy can be used to enhance gender equality objectives, gender equality policy must be seen as a multi-dimensional strategy that goes far beyond family issues and touches upon every aspect of public life.

Further efforts are needed to deepen the engagement of governmental and non-governmental stakeholders in policy design. The current challenges in ensuring the active participation of all governmental stakeholders include the limited resources and ability of line ministries to conduct research and analysis and develop projects that have not already been included in their strategic plan. There are opportunities to promote all-inclusive engagement with non-governmental stakeholders through established local, city and regional councils, but these have not been exploited.

## Effective institutions

Effective gender equality strategies require institutional frameworks, adequate funding, capacity across government institutions, and clear accountability, monitoring and evaluation mechanisms. Through its National Commission, Kazakhstan has made important strides in institutionalizing its gender machinery, both at the central and local levels.

Nonetheless, further steps would be beneficial to clarify the roles and responsibilities of different governmental stakeholders, and strengthen the capacities and resources of all government agencies and actors – namely the

Secretariat of the National Commission – for promoting gender-sensitive policy making, implementing and monitoring.

Furthermore, mechanisms for oversight such as the National Commissioner for Human Rights, which occasionally deals with gender equality issues such as the pay gap, can be reinforced to promote gender equality. Kazakhstan currently has no parliamentary committee focusing on gender equality that could provide legislative oversight. To ensure that gender equality initiatives are sustained in the legislative and broader governmental agendas, and to enable greater accountability and transparency in this regard, Kazakhstan would benefit from strengthening the parliament. Some actions are already being taken within the 100 Concrete Steps programme, which includes the establishment of more "accountable government". These efforts could be leveraged to further strengthen accountability and oversight in Kazakhstan and help achieve real gender equality for inclusive growth.

## Integrating gender considerations in public policies

Gender mainstreaming in policies and budgets was one of the objectives of Kazakhstan's 2006-16 National Gender Strategy. However, implementation lagged, with little attention given to mainstreaming gender in the design and implementation of sectorial policies. Some of the challenges to overcome include limited awareness and understanding among line ministries and local executive bodies of the need to adopt a gender approach; a lack of funding, gender analysis skills and tools for gender mainstreaming; and limited overall government capacity to measure policy impacts.

Establishing requirements to include gender-sensitive target indicators more widely across state and sectorial programmes and strategic plans will facilitate mainstreaming. It will be equally important to link gender-sensitive indicators to the effectiveness assessment of strategic plans as well as to the reporting and audit requirements of sectorial programmes.

While some gender-disaggregated data is available, its use appears limited, often due to insufficient capacities to define and co-ordinate the data necessary to inform gender-sensitive policy-making and service delivery. Furthermore, gender-disaggregated data seems to be concentrated in more socially oriented sectors.

# Assessment and recommendations

## Towards a robust strategy for gender equality

- Over the past two decades, Kazakhstan made a range of international commitments to advance gender equality. These include the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Beijing Declaration and Platform for Action, Millennium Development Goals and the recently adopted Sustainable Development Goals. In 2006, the Government of Kazakhstan developed its Strategy for Gender Equality for 2006-16, which served as the main reference for the state gender policy for the past decade. In 2009, the Parliament enacted two important laws: the Law on State Guarantees of Equal Rights and Equal Opportunities for Men and Women and the Law on the Prevention of Domestic Violence.
- Kazakhstan's ten-year strategy for gender equality demonstrates the important high-level commitment of the government towards gender equality. Notwithstanding, many planned elements of the Gender Equality Strategy for 2006-16 were only partly implemented, often due to uneven presence of indicators and government capacities to measure real-time progress in terms of gender equality.
- Further alignment of gender equality strategies with overall policy planning and national development goals is an important way of ensuring that gender equality policies do not remain on the periphery of government action. For instance, the lack of gender-specific goals in most areas of developmental plans makes progress on gender equality difficult to gauge.
- The current challenges in ensuring active participation of all governmental stakeholders in the implementation, monitoring and evaluation of gender strategies appear to be due to limited resources and capacity of line ministries to engage in conducting research, analysing information and developing projects that have not been already included in their strategic plan. Furthermore, the opportunity to promote an all-inclusive engagement with non-governmental

stakeholders is not fully taken advantage of through established local, city and regional councils.

- In Kazakhstan, the forthcoming Concept on Family and Gender Policy for 2030 adopts a dual approach to gender equality, where gender considerations are embedded in all policies, laws and regulations, and specific measures must be adopted to improve gender equality. Yet, little attention is given to gender mainstreaming in the design and implementation of mainstream sectorial policies as well as in the development of sector-specific guidelines and development of gender-disaggregated data (please also refer to Chapter 4). It would be important to maintain a clear separation between the objectives of family and gender policies in the new concept of family and gender policy, to ensure that the role of women is not confined to the family domain.

**Key recommendations**

- Maintain clear demarcation of the goals, objectives and indicators of gender equality and family policies. While family policy can be used as a tool to enhance gender equality objectives, gender equality policy must be seen as an encompassing and multi-dimensional strategy that goes far beyond family issues and touches upon every aspect of public life. As such, although some goals are fully pertinent for both women and men, such as equal share of unpaid work and family-friendly work policies, it would be important to ensure that the adopted policy maintains clearly defined goals related to women's political and economic empowerment.
- Ensure alignment of the vision and policy for gender equality with the overall development vision of the country as well as with policies and programmes across different sectors and levels of government, thus making implementation and progress easier to track and measure. Consider including gender-sensitive target indicators more widely across state and sectorial programs and strategic plans to facilitate the promotion of gender equality in all areas of life.
- Develop measurable output and outcome indicators for the implementation of the perspective gender equality policy for 2030 based on gender-disaggregated analysis, realistic targets, clear roles and responsibilities, monitoring and evaluation mechanisms and both long- and medium-term strategic horizons to support the sustainability of gender equality efforts. Over time, consider developing an annual "whole-of-government" report on the implementation of the gender equality strategy.

**Key recommendations** *(continued)*

- Further expand opportunities for comprehensive stakeholder engagement in the process of design, implementation and monitoring of the perspective gender equality policy, including central agencies, line ministries, civil society organisations, academia, the business community, mashlikhats and public councils. Promoting gender balance and diversity in the newly established public councils can ensure inclusive coverage of diverse views of citizens.
- Support the dual approach in the gender strategy by ensuring that the subsequent action plans focus both on specific measures promoting gender equality, advancing gender mainstreaming and outlining clear roles and mandates and on accountability lines to pursue gender mainstreaming across the administration at all levels.

## Effective institutions for gender equality

- Kazakhstan has made important strides in institutionalizing its gender machinery. The central gender institution in Kazakhstan is the National Commission on Women's Affairs, Family and Demographic Policy (National Commission thereafter), which is an advisory body to the President of the Republic of Kazakhstan. The Commission also has an Expert Council consisting of non-governmental organisations (NGOs) and representatives from the academic sphere. A gender focal point also exists in each administration responsible for implementing gender policy. In addition to the National Commission, all regions in Kazakhstan as well as the cities of Astana and Almaty have regional commissions placed under the office of the akim (head of the local executive branch).
- Despite efforts to establish well-functioning gender machinery, the role of the National Commission could be strengthened to act as an oversight body for the effective delivery of gender equality policies. In addition, the Secretariat of the National Commission faces strong capacity and mandate constraints (i.e. it consists of three employees) to design and steer the implementation of the gender equality agenda and to more effectively engage all stakeholders across the levels of government to support gender-sensitive policy planning and gender mainstreaming. The government may also consider enhancing the role of the Secretariat of the National Commission as

a stand-alone institution to facilitate the implementation of a gender strategy across the government.

- The Academy of Public Administration under the president is tasked with carrying out regular training sessions on gender equality for government representatives, which will likely continue up to 2030 under the draft Concept of Family and Gender Policy in the Republic of Kazakhstan up to 2030. This opportunity can be leveraged to further focus training on the benefits of gender equality and mainstreaming, collection and analysis of gender-disaggregated data, and use of tools for gender-sensitive policy making, such as gender-impact assessments and gender budgeting.
- Further steps are needed to strengthen the capacities and resources of agencies across all levels of government to engage in gender-sensitive policymaking, implementing and monitoring. For example, currently, awareness is limited within the akimats on the importance of gender perspectives within local policy making and implementation. Further increasing the involvement of akimats in the design of gender equality policies, namely at the regional level, will be beneficial to achieve better policy results on the ground.
- There appears to be limited formal co-ordination mechanisms on national and local levels to ensure that gender-related initiatives are consistent, complementary and well implemented across public bodies and levels of governments. Co-ordination between public bodies is carried out on an ad hoc basis depending on whether tasks foreseen in the action plans require joint implementation. The existing, mainly informal co-ordination mechanisms appear insufficient to achieve policy coherence, implement a whole-of-government approach to gender equality, increase ownership from public bodies and improve stakeholder engagement.
- Kazakhstan has initiated a government-wide Five Institutional Reforms programme that has implications for gender initiatives and whole-of-government reforms that support the modernisation of the country. These efforts provide an opportunity to increase momentum in further strengthening accountability and oversight needed in Kazakhstan to achieve real gender equality for inclusive growth.
- The OECD experience shows that legislatures play a critical role in championing gender equality. Without sufficient and effective oversight by the legislature, gender equality work can stall and may fade from the legislative agenda. To ensure that gender equality

initiatives are sustained in the legislative and broader governmental agendas and enable greater accountability and transparency in this regard, Kazakhstan would benefit from strengthening the role of Parliament with regard to the promotion of gender equality.

**Key recommendations**

- Further strengthen the capacity and institutionalisation of the national gender machinery (i.e. the current National Commission and related institutions), as already envisaged in the draft concept of gender and family policy, by enhancing their statutory authority, mandate, access to mainstream decision-making processes across the government (e.g. participation in government meetings) and reach to other governmental and non-governmental bodies and resource bases.
- Strengthen the presence, gender expertise, capacities and positioning of gender focal points across the administration and levels of government. Build upon ongoing discussions and further pursue the appointment of gender focal points in local elected bodies (*mashlikhats*) and executive bodies.
- Define the functions of gender focal points to support their ministries and institutions to develop and implement gender-sensitive policies and programmes, taking into consideration gender-disaggregated data. These gender focal points could assume a dual reporting function, both to the senior leadership of their Ministry and to the National Commission. In parallel, ensure that accountability for the design and implementation of gender-sensitive policies is attributed to senior management.
- Consider integrating gender considerations into the development and implementation of sectorial plans and programmes.
- Promote the introduction of training programmes across the administration and levels of government focused on gender equality and mainstreaming, including collection and analysis of gender-disaggregated data and use of tools for gender-sensitive policy making, such as gender-impact assessments and gender budgeting. This can be particularly important in government departments that may not identify their portfolio as having gendered dimensions.
- Embed a commitment to gender equality and mainstreaming strategies by establishing effective accountability and oversight mechanisms. Use these accountability mechanisms to raise awareness of gender mainstreaming across the public sector and among the general public.
- Further strengthen institutional ties between the Commission, the Ombudsperson and the Prosecutor General's Office in preparation of the annual report on human rights.

**Key recommendations** *(continued)*

- Further institutionalise co-ordination channels at the horizontal (across the government) and the vertical (across levels of government) levels for the implementation of the forthcoming gender equality policy through systematic sharing of good practices and data and through undertaking joint analysis to enable government-wide implementation of gender equality (as already envisaged in the draft concept of family and gender policy). Facilitate the exchange of good practices, research, an incentives structure, network creation and information-sharing across public institutions through establishing formal co-ordination mechanisms.

## Embedding gender considerations in public policies

- In Kazakhstan, gender mainstreaming was articulated within the overall National Gender Strategy 2006-16, which aimed to "introduce gender approaches into the development, realisation and control over implementation of the national legislation, national and local budgets, and state, social and economic programs", thus providing the basis of gender mainstreaming.
- Kazakhstan is in the process of putting in place elements of ex ante impact assessment requirements (called "scientific expertise"), including from a gender equality perspective. This applies, however, only to primary legislation and only in some cases. Several challenges also exist in implementing this requirement, including insufficient methodology, integration of analysis and accountability and human resources skills to conduct in-depth analyses and elaborate high-quality impact assessments.
- Some initial elements of Gender Responsive Budgeting (GRB) are already embedded in the budgetary planning of some public entities. For instance, the State Program of Health of the Republic of Kazakhstan provide for output and outcome indicators to address specific health issues faced by women, and a certain budget is allocated to achieve these output results. In the broader implementation of GRB, however, public budgets are allocated to achieve output indicators rather than focus on the outcome results. Efforts are needed to refocus the resource allocation process towards greater linkages with the expected results. Furthermore, the draft Concept of Family and Gender Policy for 2030 provides that the

GRB needs to be introduced and that training and capacity building needs to be implemented in order to support this reform.

- A gender statistics unit has been established within the Committee on Statistics of the Ministry of National Economy of the Republic of Kazakhstan. The Committee for Statistics annually publishes "Women and Men in Kazakhstan", a compilation of gender-disaggregated statistics. Yet, the availability and use of sectoral gender-disaggregated data across the government is still limited due to often limited capacity in line ministries to determine the need for gender-disaggregated data, limited co-ordination mechanisms to determine the kinds of data that need to be collected and poor quality and accuracy of existing data.

**Key recommendations**

- Increase capacity within government institutions to conduct gender impact assessment through training and coaching and enhancing the skills and resources of the available staff to apply a gender-based approach to design, implement and evaluate policies through a gender lens both at the national and at the local levels. Reinforce the potential results of gender impact assessment through case studies and pilot projects. Widely disseminate the results of such examples.
- Enhance capacities of the Secretariat of the National Commission as well as the Academy to provide training and awareness-raising campaigns to public bodies responsible for undertaking gender-impact assessments (GIAs) at various levels of government (as already included in the draft concept for family and gender policy of Kazakhstan).
- Ensure that gender analysis is systematically carried out for subordinate regulations, government programmes and initiatives, including at the subnational levels.
- Strengthen the evidence base for gender-sensitive policymaking, GIAs and budgeting by expanding the scope and depth of gender-disaggregated statistics, including across sectors, increasing co-ordination among data collecting and producing bodies and improving access to gender-disaggregated data.
- Further integrate gender considerations into the mainstream budgeting process by building necessary capacities, raising awareness of the impact of budgeting in meeting men's and women's needs and reducing gender gaps (as already envisaged in the draft concept for family and gender policy). The ongoing reforms for results-based budgeting can be leveraged to incorporate gender perspectives.

# Summary action plan

| Summary of gaps | OECD recommendations | Good practices to consider |
|---|---|---|
| **1. A robust strategy for gender equality** | | |
| ***Stand-alone gender equality strategy*:** Unlike the recently expired Gender Strategy 2006-16, the new draft concept policy combines gender equality and family portfolios rather than establishing a stand-alone gender equality strategy in Kazakhstan, although the goals and activities appear to be well separated in the current draft and the implementation strategies are presented separately for the family policy and gender policy. | Maintain clear demarcation of the goals, objectives and indicators of gender equality and family policies. While family policy can be used as a tool to enhance gender equality objectives, gender equality policy must be seen as an encompassing and multi-dimensional strategy that goes far beyond family issues and touches upon every aspect of public life. It would be important to ensure that the adopted policy maintains clearly defined goals related to women's political and economic empowerment. | |
| ***Policy alignment:*** Kazakhstan would benefit from further aligning its gender policy with its overall vision for development and sectoral strategic plans. Currently, the indicators set forth in the Strategy for Gender Equality in the Republic of Kazakhstan for 2006-16 are barely articulated in sectoral policy plans and programmes. Better policy alignment throughout the government at all levels would facilitate the implementation of the gender strategy and allow for monitoring progress. | Ensure alignment of the vision and policy for gender equality with the overall development vision of the country as well as with policies and programmes across different sectors and levels of government, thus making implementation and progress easier to track and measure. Consider including gender-sensitive target indicators more widely across state and sectorial programs and strategic plans to facilitate the promotion of gender equality in all areas of life. | Mexico |

| Summary of gaps | OECD recommendations | Good practices to consider |
|---|---|---|
| ***Dual approach to gender equality:*** Advancing gender equality requires action on two levels by both embedding gender considerations in all policies, laws and regulations and adopting specific measures to improve gender equality. Efforts to promote gender equality in Kazakhstan often seem to be primarily focused on improving women's status in selected areas, such as education, entrepreneurship, access to political opportunities and health care. Little attention is given to gender mainstreaming in the implementation process. Challenges in this regard stem from limited funding and capacities in ministries to implement the gender policy as well as limited guidelines and gender-disaggregated data to conduct such analysis. Moving forward, it will be important to develop a stand-alone strategy for gender equality, dissociated from family and demography policies. | Support the dual approach in the gender strategy by ensuring that the subsequent action plans focus both on specific measures promoting gender equality, advancing gender mainstreaming and outlining clear roles and mandates and on accountability lines to pursue gender mainstreaming across the administration at all levels. | |
| ***Measurable output and outcome indicators:*** Gender equality strategies must facilitate setting rationale action plans, priorities, timelines, objectives and expected outcomes and/or targets for promoting gender equality. In Kazakhstan, further efforts can be made to streamline the State's new gender policy in view of facilitating its implementation. Indicators could be divided into output and outcome indicators, thus better articulating theories of change and ensuring that policies are tangible and achieve their intended impact through a measurement framework. | Develop measurable output and outcome indicators for the implementation of the perspective gender equality policy for 2030 based on gender-disaggregated analysis, realistic targets, clear roles and responsibilities, monitoring and evaluation mechanisms and both long- and medium-term strategic horizons to support the sustainability of gender equality efforts. Over time, consider developing an annual "whole-of-government" report on the implementation of the gender equality strategy. | Spain |

| Summary of gaps | OECD recommendations | Good practices to consider |
|---|---|---|
| ***Stakeholder engagement:*** The current challenges in ensuring active participation of all governmental stakeholders in the implementation, monitoring and evaluation of gender strategies are due to limited resources, capacity and ability of line ministries to conduct research, analyse information and develop projects that have not been already included in their strategic plan. Furthermore, local, city and regional level councils fail to fully take advantage of the opportunity to promote an all-inclusive engagement with non-governmental stakeholders. | Further expand opportunities for comprehensive stakeholder engagement in the process of design, implementation and monitoring of the perspective gender equality policy, including central agencies, line ministries, civil society organisations, academia, the business community, *mashlikhats* and public councils. Promoting gender balance and diversity in the newly established public councils can ensure inclusive coverage of diverse views of citizens. | |
| **2. Effective institutions for gender equality** | | |
| ***Resources and capacities of the central gender institution:*** While the Commission is well located at the apex of decision making to maintain women's issues in the presidential agenda, capacities of the Secretariat (3 employees) remain critically limited in designing and steering the implementation of the gender equality agenda throughout the government at all levels.<br><br>Well-functioning gender institutions require staff with competence in policy analysis, advocacy, communication and monitoring to implement gender initiatives. Kazakhstan may benefit from strengthening and enhancing the role of the Secretariat of the National Commission as a stand-alone institution to facilitate the implementation of gender strategy across the government. | Further strengthen the capacity and institutionalisation of the national gender machinery (i.e. the current National Commission and related institutions), as already envisaged in the draft concept of gender and family policy, by enhancing their statutory authority, mandate, access to mainstream decision-making processes across the government (e.g. participation in government meetings), reach to other governmental and non-governmental bodies and resource base. | |

| Summary of gaps | OECD recommendations | Good practices to consider |
|---|---|---|
| ***Ministerial and* akimat *capacities***: It is important to ensure strong leadership and adequate institutional mechanisms at the ministerial level. The single agency framework (i.e. a central gender institution) alone may marginalize gender equality efforts and hinder the progress of gender equality. In Kazakhstan gender focal points are appointed throughout the government to implement gender policy. Yet there appears to be a lack of clarity in their roles and mandates.<br><br>While promoting gender equality is embedded in various regulations of the local authorities, in practice gender equality initiatives seem to be limited to internal policies to ensure women and men's equal representation within the public administration. There is limited awareness within the *akimats* on the importance of integrating gender perspectives within local policymaking and implementation. There is also limited involvement of *akimats* in the design of gender-equality policies, which are under the responsibility of the National Commission.<br><br>The Academy of Public Administration is tasked with carrying out regular training of the representatives of governments, yet the seminars are non-compulsory and are focused on leadership development, history and ethics of gender equality. Training could further focus on the benefits of gender equality and mainstreaming, collection and analysis of gender-disaggregated data and use of tools for gender-sensitive policymaking, such as gender-impact assessments and gender budgeting. | Strengthen the presence, gender expertise, capacities and positioning of gender focal points across the administration and levels of government. Build upon ongoing discussions and further pursue the appointment of gender focal points in local elected bodies (*mashlikhats*) and executive bodies.<br>Define the functions of gender focal points to support their ministries and institutions to develop and implement gender-sensitive policies and programmes, taking into consideration gender-disaggregated data. These gender focal points could assume a dual reporting function, both to the senior leadership of their Ministry and to the National Commission. In parallel, ensure that the accountability to design and implement gender-sensitive policies is attributed to senior management.<br>Promote the introduction of training programmes across the administration and levels of government focused on gender equality and mainstreaming, including collection and analysis of gender-disaggregated data and use of tools for gender-sensitive policy making, such as gender-impact assessments and gender budgeting. This can be particularly important in government departments that may not identify their portfolio as having gendered dimensions. | |

| Summary of gaps | OECD recommendations | Good practices to consider |
|---|---|---|
| ***Oversight and accountability***: In the absence of oversight and accountability mechanisms, gender initiatives can stall. In Kazakhstan, the role of the National Commission can be strengthened to act as an oversight body for the effective delivery of gender equality policies. As noted previously, the role of the Secretariat of the National Commission can be enhanced as a stand-alone institution to facilitate the implementation of gender strategy across the government.<br><br>***Legislative oversight***: OECD experience shows that legislatures play a critical role in championing gender equality. Without sufficient and effective oversight by the legislature, gender equality work may fade from the legislative agenda. While the National Commission also includes among its members several parliamentarians, Kazakhstan reported having no parliamentary committee that could provide legislative oversight in facilitating the development of inclusive, needs-based laws and policies and reinforce gender equality in resource allocation through the committee's role of budgetary oversight. | Embed a commitment to gender equality and mainstreaming strategies by establishing effective accountability and oversight mechanisms. Use these accountability mechanisms to raise awareness of gender mainstreaming across the public sector and among the general public.<br><br>Further strengthen institutional ties between the Commission, the Ombudsperson and the Prosecutor General's Office in preparation of the annual report on human rights. | |

| Summary of gaps | OECD recommendations | Good practices to consider |
|---|---|---|
| ***Horizontal and vertical policy co-ordination*:** Kazakhstan reported the lack of a formal co-ordination mechanism in place to ensure that gender equality and mainstreaming initiatives are consistent, complementary and well implemented across public bodies and levels of government. In practice, co-ordination for gender equality is carried out by the Secretariat of the National Commission during the implementation of the Gender Equality Strategy. Current informal co-ordination mechanisms appear insufficient to achieve policy coherence and a "whole-of-government" approach to gender equality. It is important to note that such an approach may perpetuate a lack of ownership from public bodies in the design and implementation of gender equality and mainstreaming initiatives, which are waiting for instruction from the top.<br><br>***Implementation and monitoring*:** In the implementation of the gender strategy, the emphasis is put on the implementation of activities outlined in the action plans rather than on achievement of expected results and evaluation of policies. Neither the National Commission nor ministries and local executive bodies seems to have the necessary human and financial resources, gender-disaggregated data and skills to assess the intended impact of such indicators and re-evaluate policies to change the course of action as appropriate. The Secretariat of the National Commission also reported that various public bodies responsible for the implementation of gender equality are reluctant to monitor continuous improvement in achieved indicators, thus hampering effectiveness of implementation efforts. | Further institutionalise co-ordination channels at the horizontal (across the government) and vertical (across levels of government) levels for the implementation of the forthcoming gender equality policy through systematic sharing of good practices and data and undertaking joint analysis to enable government-wide implementation of gender equality (as already envisaged in the draft concept of family and gender policy). Facilitate the exchange of good practices, research, an incentives structure, network creation and information across public institutions through establishing formal co-ordination mechanisms.<br><br>Consider integrating gender considerations into the development and implementation of sectorial plans and programmes. | |

| Summary of gaps | OECD recommendations | Good practices to consider |
|---|---|---|
| **3. Embedding gender considerations in all public policies** | | |
| ***Gender mainstreaming: In Kazakhstan***, gender mainstreaming is articulated within the overall National Gender Strategy 2006-16. One of the barriers to effective gender mainstreaming is the limited awareness and understanding from line ministries and local executive bodies of the need for adopting a gender approach to policies. | Increase capacity within government institutions to conduct gender impact assessments through training and coaching and enhancing the skills and resources of the available staff to apply a gender-based approach to design, implement and evaluate policies through a gender lens both at the national and at the local levels. Reinforce the potential results of gender impact assessments through case studies and pilot projects. Widely disseminate the results of such examples. | |
| ***Gender impact assessments***: Kazakhstan is in the process of putting in place elements of ex ante impact assessment requirements (called "scientific expertise"), including from a gender equality perspective. This applies, however, only on primary legislation and only in some cases. There are also several challenges to implementation of this requirement, including insufficient methodology, integration of analysis and accountability and human resources skills to conduct in-depth analyses and elaborate high-quality impact assessments. | Enhance the capacities of the Secretariat of the National Commission as well as the Academy to provide training and awareness-raising campaigns to public bodies responsible for undertaking GIAs at various levels of government (as already included in the draft concept for family and gender policy of Kazakhstan).<br><br>Ensure that gender analysis is systematically carried out for subordinate regulations, government programmes and initiatives, including at the subnational levels. | |

| Summary of gaps | OECD recommendations | Good practices to consider |
|---|---|---|
| ***Gender-responsive budgeting***: Some initial elements of Gender Responsive Budgeting (GRB) are already seeded in the budgetary planning of some public entities. For instance, the State Program of Health of the Republic of Kazakhstan provides for output and outcome indicators to address specific health issues faced by women and a certain budget is allocated to achieve these output results. In the broader implementation of GRB, however, public budgets are allocated to achieve output indicators rather than focusing on the outcome results. Efforts are needed to refocus the resource allocation process towards greater linkages with expected results. Furthermore, the draft concept for family and gender policy of Kazakhstan up to the year 2030 provides that the GRB needs to be introduced and that the training and capacity building need to be implemented in order to support this reform. | Further integrate gender considerations into the mainstream budgeting process by building necessary capacities, raising awareness of the impact of budgeting in meeting men's and women's needs and reducing gender gaps (as already envisaged in the draft concept for family and gender policy). The ongoing reforms for results-based budgeting can be leveraged to incorporate gender perspectives. | |
| ***Gender-disaggregated data***: A gender statistics unit has been established within the Committee for Statistics of the Republic of Kazakhstan, located within the Department of Social and Demographic Statistics. The Agency for Statistics annually publishes "Women and Men in Kazakhstan", a compilation of gender-disaggregated statistics. While some gender-disaggregated data are available, all line ministries are not using gender-disaggregated data and the administration confronts various challenges, including limited capacity in line ministries to determine the need for gender-disaggregated data, limited co-ordination mechanisms to determine the kinds of data that need to be collected and poor quality and accuracy of existing data. Furthermore, data are collected for social concerns but not in gender sectors viewed as gender neutral. | Strengthen the evidence base for gender-sensitive policymaking, gender-impact assessments and budgeting by expanding the scope and depth of gender-disaggregated statistics, including across sectors, increasing co-ordination among data collecting and producing bodies and improving access to gender-disaggregated data. | |

# *Chapter 1*

# Strengthening the impact of gender policies in Kazakhstan

*This chapter presents a brief overview of the state of play of gender equality and women's empowerment in Kazakhstan. In the past decade, Kazakhstan made important gains in gender equality with the enactment of the Law on State Guarantees of Equal Rights and Equal Opportunities for Men and Women and the Law on the Prevention of Domestic Violence. There have been also important advances in women's participation in public life in Kazakhstan, with the current share of women in the House of Representatives at 27.1%. Other areas of achievement include women's integration in the labour market and entrepreneurial activity and significant drop of maternal death rates. Kazakhstan is close to gender parity in access to primary and secondary education with 98.7% net enrolment of girls in primary education in 2015 and ranks among the top countries in this area. Notwithstanding these gains, significant gaps still remain in terms of delivering gender-responsive policies and services at all levels of government. Women still make up for only 8.4% of political-level civil servants; wide gender gaps persist in earnings; and violence against women is still a major problem across the country.*

## State of play on gender equality in Kazakhstan

Achieving inclusive economic growth and restoring citizen trust in governments strongly depend on the nature of policy choices, including choices made with regard to gender. Indeed, the increasing evidence across OECD and partner countries suggests that embedding gender aspects into the policy process will result in more inclusive policies and service delivery and, consequently, better outcomes. In light of this, the application of a "gender lens" approach to public policy and decision making has grown as a practice across the OECD membership, which provides a growing body of good practices that Kazakhstan may draw upon.

Effective application of the gender lens in turn calls for sound public sector capacities, including balanced representation of both sexes in decision-making positions, effective institutions, mechanisms to mainstream gender aspects into the policy and budget processes and robust gender-disaggregated data for evidence-based analysis.

There is a commitment at the highest political level of the Republic of Kazakhstan to advance gender equality. Over the past decade, Kazakhstan has made important progress in promoting women's empowerment in public life. In 2009, with the strong leadership of many members of the parliament pushing for the promotion of gender equality in Kazakhstan, the parliament enacted two important laws: the Law on State Guarantees of Equal Rights and Equal Opportunities for Men and Women (hereinafter the 2009 Law on Equal Rights and Opportunities) and the Law on the Prevention of Domestic Violence. Kazakhstan also enacted a national gender equality strategy (2006-16) followed by specific action plans for implementation.

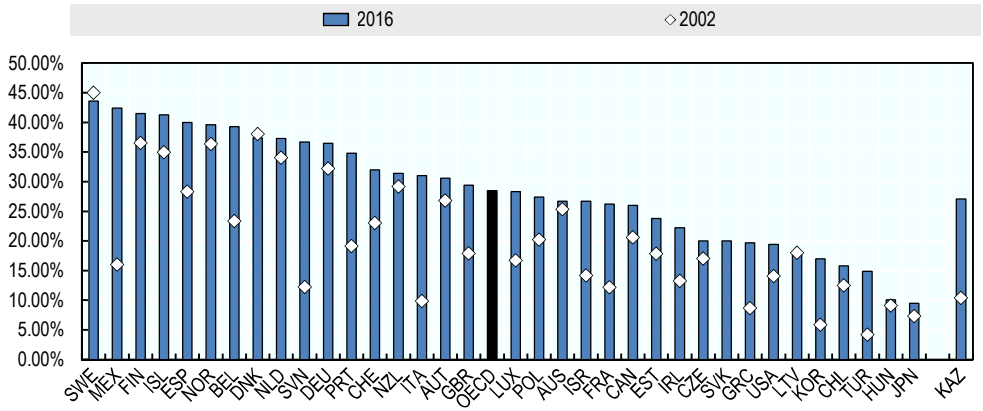
Through its members and secretariat, the National Commission for Women's Affairs, Family and Demographic Policy (hereinafter the National Commission for Women's Affairs) actively supports women's empowerment at both the national and the local levels. Most recently, at the UN Global Leaders' Meeting on Gender Equality and Women's Empowerment, Kazakhstan made a pledge to uphold and implement fully the Beijing Platform of Action with an accelerated and deeper commitment than heretofore. In view of implementing the Sustainable Development Goals (more specifically Goal 5 on gender equality), Kazakhstan committed to adequately finance gender equality initiatives, establish strong transparent and open accountability of governmental mechanisms and utilise high-level comparable gender data in all aspects of gender equality (UN Women, 2015).

There have been important advances in women's participation in public life in Kazakhstan, with the current share of women in the House of

Representatives (Mazhilis) at 27.1% (29 out of 107 seats). These figures point to important progress since the National Gender Equality Strategy was first adopted in 2006 (when women only accounted for 10.4% of seats in the House of Representatives of the Parliament). Building on this achievement, it would be important for Kazakhstan to take steps to promote equal access to top positions within the House of Representatives (e.g. parliamentary committees) and the Senate (currently, women hold 6.38% of seats in the Senate (3 out of 47) (Inter-Parliamentary Union, 2014) (see Figure 1.1).

Figure 1.1. **Share of women parliamentarians in 2016**

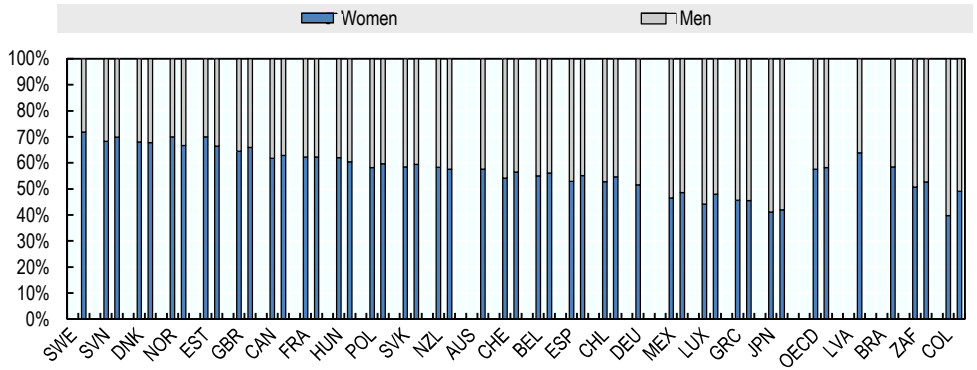
Lower or single house of parliaments




*Sources:* OECD (2015), *Government at a Glance 2015*, OECD Publishing, Paris, http://dx.doi.org/10.1787/gov_glance-2015-en; Inter-Parliamentary Union (2014), *Women in National Parliaments: World Classification* (PARLINE database), www.ipu.org/wmn-e/arc/classif010514.htm (accessed 18 January 2017).

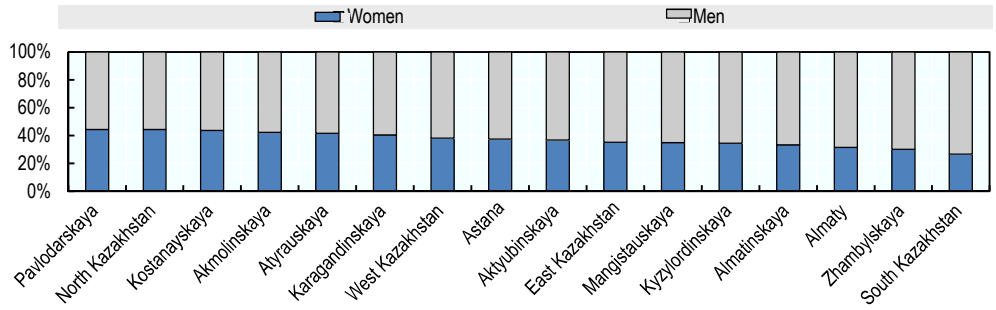
Since 2011, 56% of all public sector employees in Kazakhstan have been women, which is comparable with the trend in many OECD member countries. In OECD countries, on average, women occupied over 50% of central government jobs, but only 29% of top management positions in 2010. In the European Union (EU), the average proportion of women at the level of the highest-ranking civil servants was 34% in 2015 (European Commission, 2017).

Figure 1.2. **Share of public sector employment filled by women and men (2009 and 2013)**




*Source:* OECD (2015), *Government at a Glance 2015*, OECD Publishing, Paris, http://dx.doi.org/10.1787/gov_glance-2015-en.

Figure 1.3. **Number of public administration employees by regions in 2015**

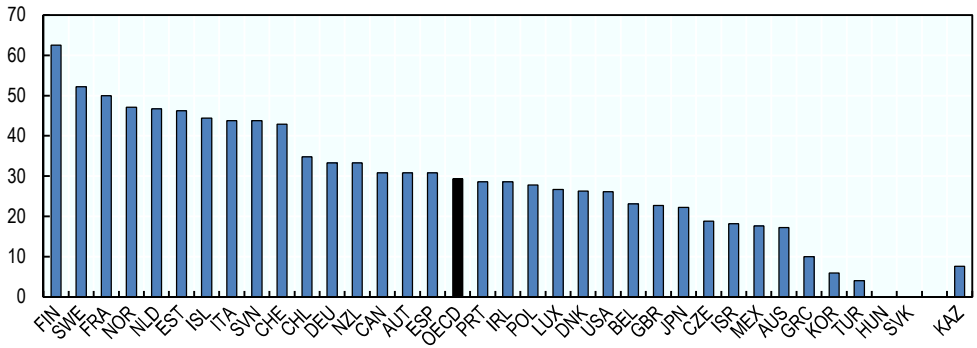



*Source:* Committee on Statistics of the Ministry of National Economy of the Republic of Kazakhstan (2016), *Women and Men in Kazakhstan 2011-2015.*

In the executive, women comprise 55% of administrative civil servants (50 179 in 2015), but only 8.4% of the political-level civil servants (40 out of 405 persons). In addition, the state secretary and the president of the National Commission on Women's Affairs, Family and Demographic Policy are female. In 2016, of the 13 ministerial positions and 17 seats in the Executive Cabinet, women occupied only 1 in Kazakhstan (the Minister of Health and Social Development). This is significantly below the OECD average of 29.3% (Government of the Republic of Kazakhstan, 2017). The World Economic Forum ranked Kazakhstan 93rd out of 145 in regard to

women in ministerial positions in 2016, but a decade ago the country ranked 36 out of 115 countries. There is significant variation in women's representation in ministerial positions among OECD countries. While gender parity was achieved in Finland, France, Sweden and Canada, women still accounted for fewer than one in ten ministers in Hungary, Korea, the Slovak Republic and Turkey. Further, the appointment of women to cabinet posts does not necessarily mean women's equal access to political power in many countries. Rather, the latter depends on which cabinet posts women assume and the power and prestige associated with these portfolios (OECD, 2014). As mentioned above, the only ministerial position held by a woman in Kazakhstan is the health and social development portfolio. A 2011 study on European cabinets indicated that women still tend to be allocated to ministerial portfolios deemed more "feminine" (Krook and O'Brien, 2011). Rarely are women appointed to more "powerful" (as these departments are perceived as conferring more power) decision-making departments (e.g. finance, defence, security) associated commonly with notions of masculinity. They are more likely to hold more socially oriented portfolios than economic ones. To overcome this challenge, OECD countries are increasingly establishing parity cabinets (e.g. in Canada and France) to ensure genuine gender equality in the political sphere. Figure 1.4 shows women's representation in the executive cabinets in OECD countries in January 2015.

Figure 1.4. **Share of women ministers in 2015**



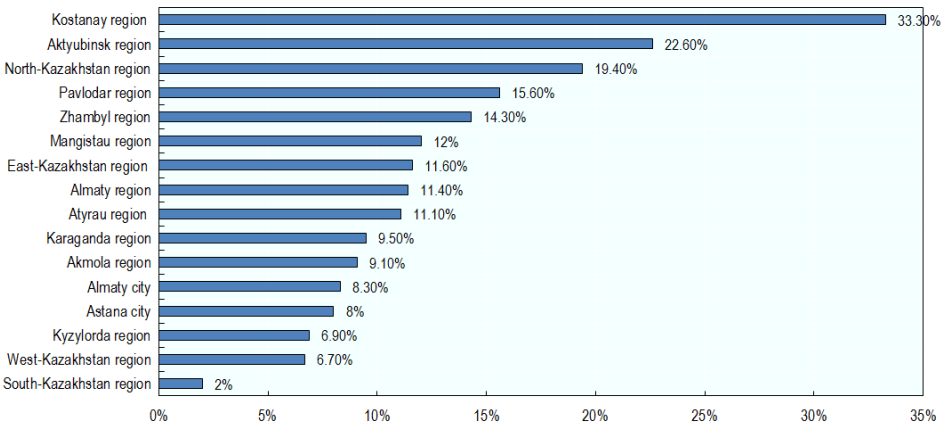

*Note*: The data for Kazakhstan are for November 2016.

*Sources:* OECD (2015), *Government at a Glance 2015*, OECD Publishing, Paris, http://dx.doi.org/10.1787/gov_glance-2015-en; Inter-Parliamentary Union (2014), *Women in National Parliaments: World Classification* (PARLINE database), www.ipu.org/wmn-e/arc/classif010514.htm (accessed 18 January 2017).

In the judiciary, women comprise 55% of all the judges, yet only 36.4% of judges in the Supreme Court of Kazakhstan are women. Women also account for only 8.5% of the chairpersons in the courts and court collegiums. In the regional courts, 51% of judges are women. Among the employees of the judicial department, over 70% are women, and women occupy more than a third of all leadership positions in the central and territorial bodies of judicial administration. Women's access to judicial appointments in OECD countries ranged from 60% in Slovenia and Greece to lows of approximately 20% in the United Kingdom in 2010. Data from the European Commission show that, in 2014, in the European Union on average, women made up 37% of seats among the members of the Supreme Courts (European Commission, 2017).

At the local level, the share of women delegates in the country as a whole was 18.8% in 2015. However, it is important to specify that this number varies throughout the country depending on the region. In 2014, while in some regions the representation of women exceeded the 30% threshold, in other regions such as South Kazakhstan Oblast the representation of women was less than 2% (see Figure 1.5).

Figure 1.5. **Women's representation in regional *mashlikhats* in 2015**




*Source:* Information provided by the National Commission for Women, Family and Demographic Policy in Kazakhstan.

## Women in the formal and informal economy

According to the 2015 Gender Gap Report of the World Economic Forum, gender gaps in women's labour force participation are relatively low

in Kazakhstan: the country ranked 36 out of 145 in the 2015 report. Nonetheless, labour market outcomes indicate differences between women and men. The labour market in Kazakhstan is characterised as having high female participation, skilled workers and low unemployment rates. Female labour participation accounted for 61% of the total labour force, slightly below the OECD average (62%). However, women are mainly self-employed, meaning that women are less likely to have formal working arrangements. They are more likely to lack decent working conditions and proper social security benefits, including pensions. Women also represent more than 70% of the total employees in sectors that are traditionally feminised, such as health care and education. These two sectors as well as food service, financial services and insurance demonstrate a high proportion of women workers. However, these are all sectors with low-paying wages (OECD/The World Bank, 2015) and which account for only 2% of Kazakhstan's GDP (ADB, 2013). The share of women in the innovation, infrastructure and high-tech industries is very low. For example, only 1 998 women are involved in implementing the State Infrastructural Program Nurly Zhol (they account for 11% of all workers involved). Although the gender wage gap persists, it has decreased from 38% to 33% between 2006 and 2016. Average salaries of women are 67% of average salaries for men.

Every third woman in the rural area is self-employed, including those living on subsistence farming. Most of this income is non-monetary self-consumption, which means that women do not have an opportunity to invest. These figures point to opportunity costs generated by not capitalising on the vast talent pool of both women and men in the country. Since 2000, the labour participation rate of the population in Kazakhstan for people 15 years of age and above has been around 72%. This figure remained the same for 2011. Harnessing the full potential of both women and men in the formal employment market is essential to ensuring that all segments of society can benefit equally from economic growth.

On the positive side, women are active in the sector of small and medium-sized enterprises (SMEs). The share of women in the SME sector increased from 38% to 50% from 2006 to 2016. Women manage SMEs dealing with trade (56.8% of all enterprises in this sector), real estate operations (60% of all enterprises) and agriculture (21.2% of all enterprises in this sector).

## Gender equality in education

Kazakhstan is close to gender parity in access to primary and secondary education with 98.7% net enrolment of girls in primary education in 2015. In higher education, the gross enrolment ratio of girls was 53.9 in

comparison to 43.2 for boys. According to the 2015 Gender Gap Report of the World Economic Forum, Kazakhstan ranks among the top countries in enrolment in primary and secondary education, which constitutes a major improvement in comparison to 2006, when the country ranked 82nd and 75th, respectively. Out of the total students enrolled in master's degrees programs, 64% are women, and in doctoral programs, women account for 58%. The share of adult women who have completed a secondary or higher level of education is 99.3%, compared to 99.4% for men. Despite these figures, these numbers are not reflected in women's access to mid-level posts, top-level positions and wages in all sectors. In OECD countries, the gender gap in enrolment is relatively narrow for people younger than 20, but it increases among older individuals. On average across OECD countries, 30% of 20-29 year-old women and 27% of men the same age participated in education in 2013. There were significant differences within countries. In Poland, for instance, 38% of women were enrolled while only 27% of men were. In Poland, Slovenia and Sweden, the enrolment rate for women was at least 11 percentage points higher than for men. In Korea, the 14 percentage-point difference in favour of men's enrolment rates compared with women's enrolment rates in 2013 is linked to delayed graduation among men completing their mandatory military service (UNDP, 2013).

According to the draft Concept on Family and Gender Policy for 2030 in Kazakhstan, in terms of professional education there is a problem of stereotyped choice of professions by women. In 807 institutions for vocational education and training, currently 47.7% of students are women. Yet among the students studying pedagogical professions, women make up 75.5% of the total students enrolled. Women make up 78.6% of students in medical programs. In agro-technical specialisations only 24.8% of students are female, and in technical and technological fields, women make up 35.6% of students. Finally, in humanitarian professions, 39.2% of enrolled students are women. The gender gaps between women's educational attainment and outcomes in high-level labour force participation could be halved by putting in place effective institutional mechanisms. By establishing a system-wide approach to gender equality, ensuring effective implementation of gender equality strategies and policies as well as expanding the systematic use of gender-disaggregated data, the government could identify barriers to women's participation in economic and political life and shape better policies targeted at closing these gaps.

## Gender-based violence

According to the draft Concept on Family and Gender Policy for 2030 in Kazakhstan, every third woman in her lifetime suffers from beating, sexual coercion and other forms of violence. In 2015, more than 40 000 women applied to the specialised divisions for the protection of women within the

Ministry of Internal Affairs. More than 3 500 were accommodated in crisis centers to receive legal and psychological assistance. Cases of kidnapping of women for forced marriages are still prevalent. Every year, 35 000 people are taken under administrative responsibility for committing offences in families, and 8 000 arrests are made. To help the victims of violence, there are 28 crisis centres, 17 of which include a shelter. The position of the inspector for women and children affairs exists in 133 out of the 247 rayon departments of internal affairs (police).

In the draft Concept on Family and Gender Policy for 2030, the media is cited as a means to help prevent violence against women and children. Mass media plays a prominent role in creating social norms and thus can perpetrate gendered roles and stereotypes. It will be important to consider ways to work with the mass media to improve the image of women in society. Projects could include developing information campaigns and awareness-raising programmes about gender stereotypes, conscious and unconscious biases and the social and economic benefits of gender equality.

The current review focuses on the institutional dimensions of gender equality based on the 2015 OECD Recommendation of the Council on Gender Equality in Public Life (see Box 1.1). It builds on the 2014 report "Women, Government and Policy-Making in OECD Countries: Fostering Diversity for Inclusive Growth" and the conclusions of the 2014 OECD Global Forum on Women's Leadership in Public Life. Finally, it takes into account the framework developed by the OECD's Directorate for Public Governance for Comprehensive Governance Reviews in regard to the strategic design of public policies.

### Box 1.1. **Extract from the 2015 OECD Recommendation on Gender Equality in Public Life**

On 14 December 2015, the Council of the OECD adopted the Recommendation of the Council on Gender Equality in Public Life. The Recommendation aims to provide an overarching framework to policy makers in closing remaining gender gaps in public life and to scale up inclusive approaches to policy making and public service delivery that reflect the needs of societies. It aims to provide guidance to policy makers on how to maximise the talent of all available public workforce – composed of both men and women – in view of improving the quality, reach and targeting of public services while unleashing new sources of growth and productivity and reducing inequalities. The draft Recommendation's objective, which recognises the inextricable link between gender equality and inclusive growth, is twofold.

a) enabling equal access to leadership opportunities in public life - including in parliaments, executive, courts and in public administrations

b) strengthening institutional capacities for effective governance and mainstreaming of gender equality across all policy areas.

### Box 1.1. **Extract from the 2015 OECD Recommendation on Gender Equality in Public Life** *(continued)*

I. **RECOMMENDS** that members and non-members having adhered to the Recommendation (hereafter the adherents) mainstream gender equality in the design, development, implementation and evaluation of relevant public policies and budgets. To this effect, adherents should:

1. Secure leadership and commit at the highest political level, at the appropriate level of government, to the development and implementation of a whole-of-government strategy for effective gender equality and mainstreaming, which would enable:
   - i) setting a rationale, action plans, priorities, timelines, objectives, expected outcomes and/or targets, and effective policy planning across public institutions for promoting gender equality. These measures should be accompanied by information and awareness campaigns, media strategies and regular reviews;
   - ii) engaging relevant governmental and non-governmental stakeholders with a view to ensuring an inclusive and comprehensive coverage of gender equality issues; and
   - iii) adopting a dual approach to narrowing equality gaps through both gender mainstreaming and specific targeted actions to promote gender equality.
2. Establish an institutional framework to ensure the effective implementation, co-ordination and sustainability of the gender equality and mainstreaming strategy, by:
   - i) establishing clear roles, responsibilities, mandates and lines of accountability of key governmental and oversight bodies in implementing gender equality and mainstreaming initiatives;
   - ii) bolstering the capacities and resources of gender equality institutions to facilitate a consistent response at appropriate levels of government and to develop, implement and monitor gender-sensitive programmes and policies throughout the government, based on gender-disaggregated statistics and indicators. Effectiveness of gender equality institutions can also be strengthened by placing them at the highest possible level in the government (see also recommendations II.2 and III.2);
   - iii) ensuring the capacity and resources of public institutions to integrate gender equality perspectives in their activities, for example, by identifying gender equality focal points across governmental bodies, by investing resources in training and promoting collaborative approaches with knowledge centres to produce gender-sensitive knowledge, leadership and communication, by ensuring the collection of gender and gender-disaggregated statistics in their areas of responsibility and by providing clear guidelines, tools, communication and expectations to public institutions in this area (see also recommendations II.2 and III.2); and
   - iv) strengthening vertical and horizontal co-ordination mechanisms for policy coherence across governmental bodies and levels of government that involve relevant non-governmental stakeholders to ensure synergies and effective implementation of gender equality initiatives.

### Box 1.1. **Extract from the 2015 OECD Recommendation on Gender Equality in Public Life** *(continued)*

3. Integrate evidence-based assessments of gender impacts and considerations into various dimensions of public governance (for example, public procurement, public consultation and service delivery management) and at early stages of all phases of the policy cycle (for example, by aligning *ex ante* assessments of gender impacts with broader government-wide policy development processes, such as regulatory impact assessment), as appropriate.

4. Consider integration of the gender perspective in all phases of the budget cycle, as appropriate, so that transparency regarding gender-relevant resource allocation decisions is maximised.

II. **RECOMMENDS** that adherents strengthen accountability and oversight mechanisms for gender equality and mainstreaming initiatives across and within government bodies. To this effect, adherents should:

1. Consider establishing or strengthening capacity of independent institutions (such as Independent Commissions, Supreme Audit Institutions, Ombuds Offices), and advisory bodies (e.g. Government councils) to monitor the implementation of gender equality strategies, integrate gender issues in policy-making, and facilitate regular reporting, audits and measurement. To be effective, such oversight should be undertaken in a balanced manner and avoid prescriptive approaches to foster continuous improvement while enabling to track progress in gender equality.

2. Strengthen the evidence base and systematically measure progress towards gender equality performance, based on gender impact indicators and measurable outcomes, by:

   i) developing and implementing evaluation, measurement and accountability frameworks and indicators and collecting data to regularly assess and report on performance of gender equality and mainstreaming strategies, initiatives, public policies and programmes at appropriate levels of government. Consider building capacity of public institutions based on these evaluations;

   ii) actively promoting data dissemination and ensuring affordable, effective and timely access to performance information on gender equality and mainstreaming, that allows for tracking results against targets, monitoring progress towards socio-economic development and for comparison with international and other benchmarks; and

   iii) increasing co-ordination among data collecting and producing bodies and collaboration with relevant stakeholders with a view to developing better gender impact indicators.

3. Encourage greater role of parliaments and parliamentary committees to support progress in gender equality, for example, by integrating gender perspectives in parliamentary practices, legislation and budgets, by promoting legislative initiatives focusing on gender equality and by providing oversight of the implementation of gender equality and mainstreaming strategies and initiatives.

Box 1.1. **Extract from the 2015 OECD Recommendation on Gender Equality in Public Life** *(continued)*

4. Establish or maintain effective, independent, impartial and efficient complaint and appeal mechanisms to protect rights for gender equality and consider complaints in an efficient, competent and impartial manner.

*Source*: OECD (2016), *2015 OECD Recommendation of the Council on Gender Equality in Public Life*, OECD Publishing, Paris, http://dx.doi.org/10.1787/9789264252820-en.

This review aims to facilitate the development and reinforcement of institutional mechanisms and strategic capacities in the Government of Kazakhstan to enable and sustain gender equality and full participation of women and men in society and in public life based on international good practice and the highest standards of performance. It also aims to support Kazakhstan in strengthening its gender policy delivery mechanisms to ensure effective implementation of gender equality policies throughout the country. The review uses a whole-of-government approach to gender equality and mainstreaming, and focuses on:

- institutional framework and capacities to design effective and gender-sensitive governmental policies and programmes
- integrating gender aspects into policy, programme and budget design and implementation
- availability and accessibility of gender-disaggregated data for evidence-based policy making
- accountability and monitoring mechanisms to ensure policy impact.

It assesses the current state of existing governance frameworks and policy processes in relation to gender equality. It identifies strengths and weaknesses in addition to potential areas for policy reform in the context of gender equality and mainstreaming in Kazakhstan. It provides actionable policy recommendations regarding the institutional, policy-making and accountability frameworks to advance and sustain gender equality and mainstreaming initiatives.

The ability of Kazakhstan to reach its gender equality objectives within the framework of its long-term development agenda will depend, to a large extent, on measures to strengthen the broader capacities of the public sector for planning, policy making, regulatory frameworks, data collection, monitoring, evaluation, and horizontal co-ordination. Therefore, the

recommendations of this report should be seen as complementary to and mutually reinforcing the recommendations of the 2014 OECD Review of the Central Administration in Kazakhstan.

## Methodology

The review is based on the analysis of documents provided by stakeholders in Kazakhstan. Such documents include laws, regulations and official statistics. The 2014 OECD Review of Central Administration of Kazakhstan was also consulted. In addition, the OECD drew on primary research and consultations. It studied the results of questionnaires focusing on areas such as the policy-making process, multi-level governance arrangements and openness of government. It drew on interviews and meetings with high-level representatives of government bodies, parliamentarians and judicial bodies as well as non-governmental organisations, media and research institutions. Three fact-finding missions were carried out in Astana, Almaty and Atyrau. The OECD-UNDP roundtable on Gender Policy in the Republic of Kazakhstan, organised on 27 June 2016, also served to inform this report.

The report draws as much as possible on the expertise of Kazakhstan and OECD member countries by involving practitioners from the public sector as peers in research, analysis and formulation of recommendations. The OECD Peer Review Approach was used.

The study team consisted of members of the OECD Secretariat, gender and governance experts from Kazakhstan, and peers from Korea and Chile. The review team was composed of:

- Tatyana Teplova, Deputy Head of Division, Senior Policy Analyst, Governance Reviews and Partnerships Division, Directorate for Public Governance, OECD
- Pinar Güven, Policy Analyst, Governance Reviews and Partnerships Division, Directorate for Public Governance, OECD
- Eun Kyung Kim, Director of the Center for International Development and Cooperation of Korean Women's Development Institute (KWDI)
- Mariana George-Nascimento, Technical Secretary, Council for Senior Executive Service, Civil Service Directorate, Ministry of Finance (Chile).

The current review reflects contributions from the government of Kazakhstan and discussions held in Astana by the OECD peer review team

with Kazakh government officials and representatives of civil society and external stakeholders. These discussions were held in June and November 2015. The OECD particularly acknowledges the leading role of the National Commission for Women's Affairs, Family and Demographic Policy in the preparation of this review. The team interviewed representatives of the following organisations:

- National Commission for Women's Affairs, Family and Demographic Policy
- Ministry of National Economy
- Academy of Public Administration
- Ministry of Education and Science
- Ministry of Justice
- Institute of Legislation
- Ministry of Healthcare and Social Development
- National Human Rights Ombudsman's Office
- Agency of Statistics under the Ministry of National Economy
- Economic Research Institute
- *Akimat* of Astana
- *Akimat* of Atyrau
- *Akimat* of Almaty.

Meetings were also held with representatives of international organisations such as the United Nations Development Programme in Astana (UNDP), the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) and the Organization for Security and Co-operation in Europe (OSCE). The OECD team would particularly like to thank the UNDP Regional Office in Astana for providing their feedback and generous comments on the review.

The OECD study team also drew on the 2015 OECD Recommendation of the Council on Gender Equality in Public Life as well as the 2013 Recommendation of the Council on Gender Equality in Education, Employment and Entrepreneurship. OECD publications including the 2014 OECD Report "Women, Government and Policy-Making in OECD Countries: Fostering Diversity for Inclusive Growth" and the 2012 OECD Report "Closing the Gender Gap: Act Now" were consulted, as were

databases, policy recommendations from expert committees and OECD sector case studies.

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# *Chapter 2*

# Towards a robust strategy for gender equality in Kazakhstan

*Building on its international commitments, the Government of Kazakhstan concretised its government wide gender policy in the Strategy for Gender Equality for 2006-16. This Strategy demonstrates the important high-level commitment of the Government towards gender equality. The chapter aims to assess to what extent the design of this Strategy allowed for effective and impactful implementation of gender equality objectives in Kazakhstan. It focuses on the alignment of gender equality objectives with broader strategic planning of the Government to ensure that gender equality does not remain at the periphery of the government action. It also assesses the participation of various governmental and non-governmental stakeholders in the design of gender equality objectives. The key findings and policy recommendations of this chapter aim to provide an important basis for the development of the Government's draft Concept on Family and Gender Policy for 2030.*

## Outlining a strategic course of action for gender equality

Empowering both women and men to contribute fully to society for more inclusive and sustainable growth demands a clear and comprehensive vision of a gender-equal society supported by a sound strategic plan to realise specific goals and objectives (OECD, 2014b). The 2015 OECD Recommendation of the Council on Gender Equality in Public Life (hereafter the GEPL Recommendation) insists on the development and implementation of a whole-of-government strategy for effective gender equality and mainstreaming, which would enable:

1. Setting a rationale, action plans, priorities, timelines, objectives, expected outcomes and/or targets, and effective policy planning across public institutions for promoting gender equality. These measures should be accompanied by information and awareness campaigns, media strategies and regular reviews.
2. Engaging relevant governmental and non-governmental stakeholders with a view to ensuring an inclusive and comprehensive coverage of gender equality issues.
3. Adopting a dual approach to narrowing equality gaps through both gender mainstreaming and specific targeted actions to promote gender equality.

A whole-of-government vision for gender equality can define directions and shape understandings that, in turn, influence the expectations and behaviours of both men and women. It can also steer and align planning, implementation and evaluation throughout government activities. Cascading from the vision for gender equality, a gender equality strategy can help set the tone and guide the development of concrete policy actions across the government to enable a comprehensive and sustainable development and implementation of gender equality reforms. The strategy can also help put in practice international standards related to gender equality.

OECD member countries use national strategies on gender equality as a vehicle for articulating an integrated approach to delivering on both international commitments and specific priorities in the national context. To achieve substantive gender equality, good practices from OECD member countries suggest that the strategy should focus on all aspects of equality, including equality under the law, equality of opportunity and equality of voice to provide both women and men with fair and equal access to information services, justice, resources, benefits and responsibilities.

In most of the OECD countries the vision and strategy for gender equality tend to (OECD, 2014):

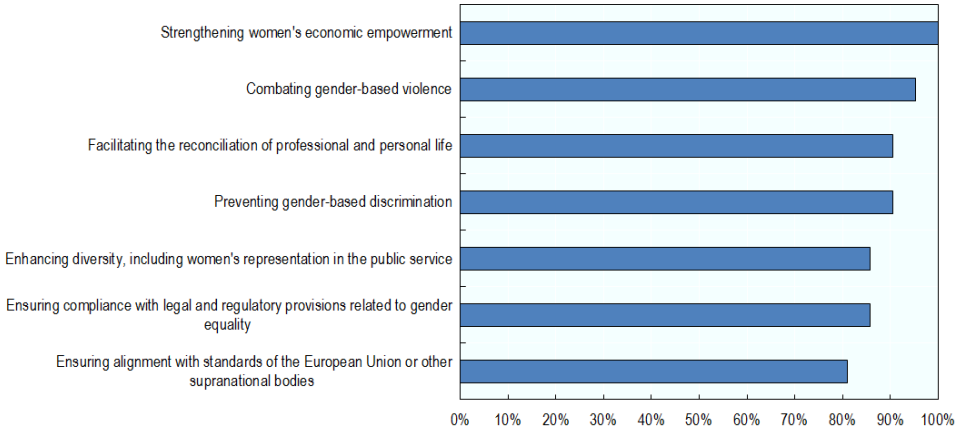
- address non-discrimination or gender equality in employment, education and health
- establish horizontal objectives and identify linkages to improve co-operation between state structures, and national and international organisations
- assess and disseminate information on women's rights legislation, including reforms as appropriate
- develop and apply tools and methodologies as well as training for conducting gender analysis
- design indicators to assess progress made towards gender equality, the collection and use of gender-disaggregated data and evaluation of the effectiveness of gender initiatives.

In terms of thematic areas of focus, strategies mostly target (see Figure 2.1):

- strengthening women's economic empowerment
- combatting gender-based violence
- facilitating the reconciliation of professional and personal life
- preventing gender-based discrimination
- enhancing diversity and compliance with gender equality laws and policies.

Box 2.1 provides information on national gender policies in Korea and Spain.

Figure 2.1. **Thematic focus of gender equality strategies in OECD countries (2012)**




*Source*: OECD (2011b), "Survey on National Gender Frameworks, Gender Public Policies and Leadership".

Box 2.1. **National gender strategies in Korea and Spain**

**Korea's basic plan for gender equality policies**

The Korean Ministry of Gender Equality and Family (MOGEF) developed the National Gender Strategy in an attempt to strengthen gender equality in Korea. The plan has a five-year horizon.

The plan places emphasis on seven objectives:

- promote a culture of gender equality
- promote work-life balance
- address the gender gap in employment
- improve women's representation in public and international fields
- eradicate violence and protect human rights
- improve health and welfare
- develop a strong policy platform to achieve gender equality.

Box 2.1. **National gender strategies in Korea and Spain** *(continued)*

Pressing issues include:

- increasing the currently low participation of women in the labour market
- developing work-life measures for both women and men and encouraging their practice
- increasing women's access to leadership roles.

**Spain's Equal Opportunity Strategic Plan 2014-2016**

Spain's National Gender Strategy is the mechanism through which the government establishes the priority measures and objectives to eliminate persistent gender-based discrimination in the country and to achieve equal opportunities for both women and men. This plan has a three-year horizon.

The plan places an emphasis on the following objectives:

- reduce the inequalities that persist in the job market and economy (particularly those affecting equal pay)
- give support to finding balance between personal, family and work life
- eradicate all forms of violence towards women
- improve women's participation in political, economic and social life
- increase equal opportunities for women and men through education
- mainstream the principle of equal treatment and opportunity in government policies and actions.

*Sources*: Korean Ministry of Gender Equality and Family (MOCEF) (2015), "Development and Implementation of the Basic Plan for Gender Equality Policies"; INMUJER (2015), "Equal Opportunities Strategic Plan 2014-2016".

## A glance at the vision and strategy for gender equality in Kazakhstan

Kazakhstan's overall performance in setting long-term vision and objectives has been impressive (OECD, 2014a). Through the Strategy Kazakhstan 2050, 2030 and 2020, the country lays out its roadmap for its policy reforms for the next 35 years, which applies to all levels of government and public service.

On gender equality, Kazakhstan has made a range of international commitments, namely the Convention on the Elimination of All Forms of

Discrimination against Women (CEDAW), Beijing Declaration and Platform for Action, Millennium Development Goals and the recently adopted Sustainable Development Goals. Together, these provide a yardstick by which to gauge the country's commitment to gender equality.

The constitution of Kazakhstan upholds the principle of legal equality for all citizens. The government approved the National Plan of Action on Improving Women's Status in the Republic of Kazakhstan in 1999. It included 12 directions[1] of the Beijing Platform of Action. The Strategy was followed by the development of the Concept of Gender Policy in the Republic of Kazakhstan[2] in 2003. The latter defined main directions for gender policy in Kazakhstan, and it served as the basis for the development of the Strategy for Gender Equality in the Republic of Kazakhstan for 2006-16, as the main document for the state gender policy.

In 2009, with the strong leadership and commitment of deputies and advocates of gender equality, the Parliament adopted two important laws: On the Prevention of Domestic Violence, and State Guarantees of Equal Rights and Equal Opportunities of Men and Women.[3] These laws provide the foundation for future efforts to advance de facto equality in Kazakhstan. The first law defines the scope of "domestic violence" and the types of measures used for its prevention. It also establishes the powers (rights and obligations) of authorised bodies (local and national governments and NGOs) to conduct activities to prevent domestic violence. The second law establishes the current legislative basis for the creation of conditions for gender equality in all spheres of state and social life and realisation of gender equality in Kazakhstan.

Building on the commitment of Kazakhstan to implement the provisions of CEDAW, the 2006-16 Strategy for Gender Equality in Kazakhstan (hereinafter the Strategy) identified seven priority areas in view of realising the state gender policy. The substantive areas include:

- gender equality in the public, political and economic spheres
- gender education
- improving reproductive health of men and women
- prevention of gender-based violence
- strengthening of the family
- raising public awareness of gender equality.

The Strategy also outlined strategic tasks in the sphere of institutional development to create necessary conditions for the realisation of equal rights and equal opportunities for men and women. It made a reference to gender

mainstreaming by highlighting the need to "introduce gender approaches into the development, realisation and control over implementation of the national legislation, republican and local budgets and state, social and economic programs".

While women's political and economic empowerment is a recurring subject in the Strategy and political statements, the role of women is often mainly linked to motherhood, family and demographic policies. Though traditional society values are present in Kazakhstan, care needs to be taken to ensure that a simplified representation of women's roles does not reinforce gender stereotypes about a woman's place in society and does not hinder efforts to promote gender equality in Kazakhstan.

The current Strategy expires in 2016. The National Commission on Women's Affairs has commissioned an independent evaluation report to assess the progress made on gender equality during the past decade and draw on the lessons learned (see Box 2.2). On the basis of the results of this evaluation, discussions are underway to develop the content and form of a new government programme on gender equality. This presents an unprecedented opportunity for the government of Kazakhstan to scale up an evidence-based whole-of-government approach to the development of a prospective programme focusing on gender equality. In fact, in accordance with the report of the Chairwoman of the National Commission of Women's Affairs to the President of the Republic on the preliminary results of the implementation of the 2006-16 Gender Equality Strategy, the government is developing a new long-term concept document on gender equality until 2030.

### Box 2.2. **Results of the evaluation of the Gender Equality Strategy of the Republic of Kazakhstan for 2006-16**

The Gender Equality Strategy was approved in Kazakhstan at the Presidential level in 2006 for ten years.

The Strategy had its internal hierarchy of priorities: the major focus was placed on the political and economic participation of women, women's health and violence prevention. These topics were followed by education; less attention was devoted to family policy and media impact.

- The main achievements of the Strategy in terms of the regulatory reforms include two laws that were enacted in 2009: On Domestic Violence Prevention and On the State Guarantees of the Equal Rights and Equal Opportunities for Men and Women.

Box 2.2. **Results of the evaluation of the Gender Equality Strategy of the Republic of Kazakhstan for 2006-16** *(continued)*

- Another regulatory reform planned by the Strategy was to ensure that gender perspective is a part of the criteria for evaluation of all the newly developed legislative drafts. However, this aspect of the Strategy is not yet fully implemented. Evaluation through a gender perspective is not explicitly required by the Regulations for Scientific Examination of the Draft Legislation (by the time the evaluation is performed - Government Decree 359 of April 5 2011[1]). Gender budgeting also is not yet an integral part of the budgeting process.

- The Strategy paid a great deal of attention to representation by women at the decision-making level. It set the goal of 30% representation by women in power at the decision-making level in accordance with the Beijing Platform of 1995. Progress has been made in moving towards this goal, but 30% has not yet been reached. In 2015, the total share of women in the lower chamber of parliament (Mazhilis) was 27.1%. Women comprise 55% of all judges and 36.4% of Supreme Court judges, but only 8.5% of chairpersons in courts and court collegiums.

- In terms of executive power, women comprise 55% of administrative civil servants (50 179 in 2015), but only 8.4% of political-level civil servants (40 out of 405 persons).

- In terms of the economic activity of women, the Strategy did not specify target levels. Still, the Committee on Statistics reports some progress on women's involvement in the labour market and entrepreneurial activity. The level of unemployment among women dropped from 9.2% in 2006 to 5.7% in 2015. However, the ratio of women's salaries to men's salaries was 66%, nearly the same in 2015 as in 2006. The number of SMEs headed by women reached 647 082 in 2015 (42% of all SMEs), though most of them (533 515) are individual entrepreneurs, and only 17.5% are firms and farms.

- The Strategy envisaged the introduction of a gender component at all levels of education. However, there is no systemic approach to gender education, and a gender component was not included in Kazakhstan's educational standards. Gender expertise for textbooks was not introduced either. Nevertheless, some indicators included in the Strategy as tools for monitoring progress in the spheres of education and science show some progress. The number of female researchers increased by 70% in the period from 2011 to 2015.

- In spite of all the work accomplished in the area of prevention of violence towards women, instances of violence increased 1.5 times from 2011 to 2015.

- Life expectancy for both sexes increased significantly – from 72 to 76.9 years for women and from 61 to 67.5 for men.

Box 2.2. **Results of the evaluation of the Gender Equality Strategy of the Republic of Kazakhstan for 2006-16** *(continued)*

- The most impressive results were achieved in maternal death prevention. This indicator dropped from 40.5 deaths for 100 000 live births in 2006 to 12.5 in 2015. The level of anemia frequency among women (a significant problem for Kazakhstan) decreased significantly within the span of ten years. However, there are still problems in this area. Infertility is still a problem for about 15% of all families.
- One of the most important regulatory measures taken by Kazakhstan in the sphere of family relations was the 2016 creation of an Institute of the Ombudsmen for Children's Rights.

Note: 1. Currently this is replaced by the new Regulations for Scientific Expertise of the Draft Legislation (Government Decree 497 as of August 31, 2016) require evaluation of the possible consequences of the draft regulation in question for the equal rights and opportunities for men and women (causes and conditions of such consequences need to be indicated).

*Source*: Ilyasova, A. (2016), "Report on Evaluation of the Gender Equality Strategy of the Republic of Kazakhstan for 2006-16"; Gender Equality Strategy of the Republic of Kazakhstan for 2006-16.

The draft Concept of Family and Gender Policy in the Republic of Kazakhstan up to 2030 formulates the goal of the gender policy as "the equality of rights, benefits, responsibilities, and opportunities for men and women in all areas of social life, and elimination of all forms and occurrences of discrimination by gender". This is to be achieved by: strengthening the institute of gender equality through state regulation and introduction of the gender evaluation in the system of state and budget planning; ensuring the equal access of men and women to all kinds of resources necessary for entrepreneurial activity; creating conditions for equal employment of men and women; preventing violence against women; promoting gender enlightenment; broadening women's participation in ensuring peace and safety. The goals of the concept policy on gender equality include establishing the mechanisms and conditions for effective planning and co-ordination of the activities at the central and local level for implementation of the gender policy and introducing gender budgeting and gender-sensitive public planning (see Chapter 4). It also sets sector-specific goals such as reaching 30% representation of women at the decision-making level in the executive, legislative and judicial branches of government as well as in the public, quasi-governmental and corporate sectors. Another goal is decreasing the gender gap between average salaries of men and women.

Unlike the recently expired Gender Strategy 2006-16, the new draft concept policy combines gender equality and family portfolios rather than establishing a stand-alone gender equality strategy in Kazakhstan, although the goals and activities appear to be well separated in the current draft and the implementation strategies are presented separately for family policy and gender policy. On the one hand, gender equality issues are strongly related to family issues, since men and women often become fathers and mothers (Adema, 2013). Indeed, family policies can be important tools that can be leveraged to promote gender equality. For example, family policies that provide formal child care supports and designated leave periods for fathers can support gender equality by reducing differences between mothers' and fathers' labour market behaviour, and can mobilise the female labour supply (OECD, 2011b). Some OECD countries still tend to merge gender equality and family portfolios in their institutional frameworks (e.g. Germany, Turkey, France, Korea). On the other hand, it is important to highlight that while family policy is a social policy, the question of gender equality goes far beyond the scope of family policy and is a cross-cutting matter that touches upon all policy fields, including health, education, energy, justice, transport, economy and infrastructure. Indeed, the instruments of family policies cannot fully address gender equality issues. The OECD experience shows that addressing gender equality issues needs a global approach that weighs in favour of: 1) adopting targeted measures to close the identified gender gaps (e.g. in politics, labour market, access to justice); and 2) ensuring gender-sensitive policy making in all policy fields (see Chapter 4). In the absence of a clear demarcation between the question of gender equality and family policies, countries may not only risk excluding women who are outside family groups (e.g. young, unmarried, childless women), but also could perpetrate stereotypes by reducing women's role primarily to mothers and wives.

Building on this experience, in the development of its new state policy on gender equality and family, it will be important for Kazakhstan to maintain the clearly defined and separate goals and objectives for gender and family policies, which should stand on an equal footing. Though some goals are fully pertinent for both women and men, such as equal share of unpaid work and family-friendly work policies, it will be important to ensure that specific goals related to women's political and economic empowerment clearly stand out. While family policy can be used as a tool to enhance gender equality objectives, gender equality policy must be seen as a multi-dimensional strategy that goes far beyond family issues and touches upon every aspect of public life. The elements of this approach are already embedded in the draft Concept of Family and Gender Policy in the Republic of Kazakhstan up to 2030.

The Concept of Family and Gender Policy for 2030 will be implemented through the subsequent action plans describing specific actions, responsible agencies at the central and local level, time lines for implementation and forms of reporting. The first Action Plan will be developed for the years 2017-19. Moving forward, it will be critical for the new concept document to be accompanied by effective evaluation and monitoring mechanisms and supported by sound institutional capacities for the implementation at the central and subnational levels (i.e. secretariats). The effectiveness of a perspective programme on gender equality would also benefit from the development of both output and result indicators, which would allow tracking real-time progress in terms of gender equality, building on gender-disaggregated data.

## Aligning the gender equality strategy with overall policy planning

In terms of policy effectiveness, the 2015 OECD Recommendation on Gender Equality in Public Life highlights the importance of adopting a "whole-of-government" approach that would enable effective policy planning across public institutions for promoting gender equality (see Box 1.1 in Chapter 1). The work of the OECD shows that in order for system-wide gender equality priorities to become organisational goals and targets across policy areas and administrative units, policy making should follow a "cascade" whereby the government sets strategic goals that are mapped onto high-level objectives and "output" goals for line ministries and agencies (OECD, 2015).

Accordingly, OECD countries are increasingly aligning their gender equality and mainstreaming policies with governments' overall vision and strategic policy planning (see Box 2.3).

### Box 2.3. **Strategic policy alignment for gender equality**

Mexico demonstrated its increasing commitment to achieve substantive equality between women and men through its laws, regulations, policies and development objectives. The country was very successful in seamlessly aligning its legal, policy and planning documents to embed a gender perspective in all government action. Examples of policy alignment include: 1) adopting the 2006 General Law of Equality between Women and Men; 2) incorporating gender mainstreaming requirements within the Planning Act and the Federal Budget and Fiscal Accountability Act; 3) identifying a gender perspective as a transversal development objective within the 2013-2018 National Development Plan; and 4) developing the National Program for Equality and Non-Discrimination (PROIGUALDAD) 2013-2018 to implement this transversal

Box 2.3. **Strategic policy alignment for gender equality** *(continued)*

objective. Subsequent frameworks have also been adopted at subnational levels, although to an uneven degree. As a consequence of this government-wide approach to gender mainstreaming, gender equality objectives are also integrated in the sectorial strategic planning documents of line ministries (e.g. The Sectorial Program for Health 2013-2018, the Sectorial Programme for Equality for Education).

In Mexico, even though gender is not fully integrated as a cross-cutting strategy as part of its National Plan, the plan makes an explicit reference to gender equality in one of its sections. In doing so, it attempts to place gender equality at the top of the political agenda. The idea is to link the gender perspective with the country's main public policies to create equality for all.

*Sources*: OECD (2017), *Building an Inclusive Mexico: Policies and Good Governance for Gender Equality*, OECD Publishing, Paris, http://dx.doi.org/10.1787/9789264265493-en; OECD (2014b), *Women, Government and Policy Making in OECD Countries: Fostering Diversity for Inclusive Growth*, OECD Publishing, Paris, http://dx.doi.org/10.1787/9789264210745-en.

In the framework of the strategic plan for development of the Republic of Kazakhstan until 2020, the country aims to strengthen gender equality by 2020 in view of further modernising its political system.[4] Yet while the Strategy sets out measurable targets in other priority areas, such as improving the business environment (e.g. increasing the contribution of small and medium-sized enterprises so that their activity accounts for 7-10% of the country's total GDP), a lack of gender-specific goals and gender-sensitive targets in other areas makes progress on gender equality difficult to gauge. In addition, Kazakhstan made important efforts in integrating specific goals to strengthen gender equality and women's empowerment in its sectorial policies, such as education and health care. Though the Strategy for Gender Equality in the Republic of Kazakhstan for 2006-16 was accompanied by action plans for implementation, indicators set forth in the Gender Strategy were barely articulated in sectorial policy plans and programmes.

In the framework of the recent government programme of reforms, 100 Concrete Steps to Implement Five Institutional Reforms (hereinafter the 100 Concrete Steps), Kazakhstan embarked upon a vast number of reform initiatives. These reform initiatives in the area of public governance aim to establish a system of government that can support the modernisation of the country. The reforms are intended to create a result-oriented state

governance system (Step 91) and to streamline the central planning system (Step 92). More specifically, the President of the Republic of Kazakhstan passed a decree in November 2015 that granted the ministries the authority to adopt their own strategic and operational plans on the basis of a draft approved by the Ministry of National Economy and the Ministry of Finance.[5] These strategic plans now include the relationship between strategic and budget planning as well as strategic objectives and target indicators. In return, the detailed description of activities, performance indicators and budget programmes has been transferred to the budget document.

That these governance reforms coincide with the development of the draft Concept for Family and Gender Policy for 2030 provides timely opportunities. The draft Concept recognises that many of the remaining gender gaps in Kazakhstan are generated due to the absence of gender-sensitive approaches in sectorial public planning. This translates to fewer resources available for promoting gender equality. As a way to counter this insufficiency, the Concept for Family and Gender Policy for 2030 can be leveraged as a tool to ensure gender-sensitive public planning in all fields, including health, education, energy, transportation and communication. More concretely, establishing requirements to include gender-sensitive target indicators more widely across state and sectorial programs and strategic plans will facilitate gender mainstreaming in all sectoral policies and activities. It will be equally important to link gender-sensitive indicators in the effectiveness assessment of strategic plans as well as in the reporting and audit requirements of sectorial programs. Finally, integrating gender considerations into political memorandums of understanding between ministers and the prime minister could be an effective way to draw attention to this critical policy agenda.

## Leveraging the gender strategy to achieve gender equal policy outcomes

The 2015 OECD Recommendation on Gender Equality in Public Life notes that to be effective, gender equality strategies must enable setting a rationale, action plans, priorities, timelines, objectives and expected outcomes and targets for promoting gender equality (see Box 1.1). Experience from OECD countries shows that in order to go beyond formal declarations, gender equality policy should contain explicit and measurable gender equality standards and objectives, provide for continued capacity across government institutions and be supported by clear accountability, monitoring and evaluation mechanisms (OECD, 2014). More than half of the OECD countries report establishing measurable targets and outlining clear roles and responsibilities in the development of their gender equality

policies. As outlined earlier in this chapter, strategies in OECD countries also tend to design indicators to assess progress made towards gender equality. Gender-disaggregated data are collected and used to evaluate the effectiveness of gender initiatives.

### Box 2.4. **The Equal Opportunities Strategic Plan 2014-16 in Spain**

Spain's Equal Opportunities Strategic Plan 2014-2016 identifies priority spheres of action as defined by the government. It states the objectives pursued in said spheres and specifies which lines of action and principal measures will be used to achieve them. It also identifies responsible agents, co-ordination agents and support agents for the execution of these objectives. A guideline for an evaluation programme, part of the Equal Opportunities Strategic Plan, encourages relevant stakeholders to develop a set of indicators associated with each of the plan's objectives. Such indicators should make it possible to monitor and track implementation and therefore evaluate the results obtained. Indicators could be used to supply data that will help quantify actions and their effects; indicators could also help to prepare the interim report on execution and evaluation of the Equal Opportunities Strategic Plan, particularly the ex-post evaluation. Specific types of indicators include: 1) product indicators representing the quantity and quality of goods or services; 2) result indicators describing the medium-term direct effects achieved; and 3) impact indicators describing the medium and long-term indirect effects of the Equal Opportunities Strategic Plan and the effects of other plans and programmes that have repercussions for society at large.

*Source*: Government of Spain (2014), "Equal Opportunities Strategic Plan 2014-2016", INMUJER, www.inmujer.gob.es/actualidad/PEIO/docs/PEIO2014-2016Ingles.pdf.

The Strategy for Gender Equality in Kazakhstan provides an analysis of the state of play on gender equality in the country, lays out strategic objectives and defines indicators to monitor progress. The strategy also sets forth expected results for each thematic area. The Gender Strategy is accompanied by three action plans that were approved by the Decree of Government (2006-08, 2009-11 and 2012-16) to ensure its implementation and monitor progress. These action plans assign different activities and tasks to different government bodies at the central and local levels, set out annual reporting requirements and budget allocated for implementation. According to the action plans, the National Commission is tasked with conducting regular measurements of performance through annual reporting requirements from selected ministries and local executive bodies on the implementation of the Gender Equality Strategy.

In theory, this approach is well-aligned with OECD benchmarks. In practice, however, the existing approach could be streamlined to facilitate monitoring and implementation. This is true of every future strategy or programme document. Indeed, the draft summative evaluation of the implementation of the National Gender Strategy 2006-16 (issued by the National Commission, prepared by an independent consultant) also confirmed that the prevalence of quantitative indicators (e.g. the number of training sessions or awareness-raising activities) in the Action Plans were considerably limiting the capacities of the government to measure real-time progress in terms of gender equality. Moving forward, indicators of the future gender policy could be divided into output and outcome indicators, thus better articulating theories of change and ensuring that policies are tangible and achieve their intended impact through a measurement framework. To ensure that gender equality issues are not marginalised from mainstream government priorities in design or implementation, monitoring and evaluation of any future gender equality policy would need to be aligned with Kazakhstan's Development Strategy 2050 as well as its 100 Concrete Steps. Finally, over time, the National Commission may consider consolidating all reports from central, subnational and local governments and other stakeholders into an annual report on the State of Gender Equality in Kazakhstan, which could be submitted to the Parliament. This practice is used in many OECD member countries and could provide the necessary visibility and impetus to advancing the gender equality agenda in Kazakhstan.

This section showed that the alignment of gender equality policies with national development goals is an important way of ensuring that gender equality policies do not remain on the periphery of government action. The following chapters will show that in addition to policy alignment, the effectiveness of gender equality strategies is also contingent upon the existence of institutional frameworks, adequate funding, continued capacity across government institutions and clear accountability, monitoring and evaluation mechanisms.

## Engaging relevant stakeholders in the policy design for gender equality

A strong gender equality strategy must be designed with the help of relevant governmental and non-governmental stakeholders. Also crucial to a strong strategy are implementation and evaluation, which ensure an inclusive and comprehensive coverage of gender equality issues (see Box 1.1 on the 2015 OECD Recommendation on Gender Equality in Public Life). Stakeholder engagement is, in fact, key to reflect diverse views and pinpoint the real needs of the country through an evidence-based analysis. On the one hand, stakeholder engagement entails the active participation and

contribution of all ministries and public bodies across levels of government to ensure the necessary buy-in and greater ownership in the implementation, monitoring and evaluation of gender strategies. On the other hand, it entails engagement with civil society and citizens, including women and men from a range of different educational backgrounds, occupational categories and levels, ages, races, abilities and family statuses in well-designed consultation processes.

OECD member countries report that effective engagement of the public and broader representation of the population are key tools in improving the transparency, efficiency and effectiveness of policy making, including greater sensitivity to gender differences (OECD, 2014b). For example, Greece's National Programme for Gender Equality 2010-13 was developed through extensive consultation with women's organisations, and the programme itself made a commitment to "ongoing and systematic consultation with civil society on Programme implementation". A reform of the National Committee for Equality between Men and Women emphasises the development of consultation and co-operation with civil society. In the context of this reform, an interactive portal was created to consult with citizens. Another important example comes from Spain. In laying down the objectives and measures of its gender strategy, Equal Opportunities Strategic Plan 2014-2015, the Government's Executive Committee for Equality Policy took into account essential collaboration from all involved departments. The text resulting from this working period was sent to the Council for Women's Participation, a collegiate body for consultation and advice, created for the purpose of serving as a channel for women's participation in the effective achievement of the principle of equality of treatment and opportunities between women and men and the fight against gender-based discrimination (Government of Spain, 2014).

In Kazakhstan, in terms of engagement with governmental stakeholders, further efforts are needed to deepen the engagement of line ministries and local administrations in the preparation of gender equality programmes and strategies. The current challenges in ensuring active participation of all governmental stakeholders are twofold: uneven capacities within the National Commission to undertake an extensive consultation due to the limited resource base, and limited ability of line ministries to conduct research and analysis and develop projects that have not been already included in their strategic plan. The process of development of the new draft Concept of Family and Gender Policy in the Republic of Kazakhstan up to 2030 is marked by certain progress. The government agencies organized public hearings to discuss the draft. Moreover, the National Commission for Women's Affairs, Family and Demographic Policy organized roundtables to discuss the draft Concept with the participation of representatives of

government agencies, non-governmental organizations and international experts.

At the time of its adoption, the Law on State Guarantees of Equal Rights and Equal Opportunities had tasked the central executive bodies with the development of concepts and programmes on gender equality, and the local executive bodies were responsible for the development of regional programmes for gender equality.[6] Yet an amendment to the Law in 2013 excluded these provisions. According to the law in force, the government is responsible for developing the basic directions of the state policy on ensuring equal rights and equal opportunities of men and women, while central executive bodies are responsible for realising state policy and interacting with state bodies and public associations on issues of gender equality. At the local level, further to the aforementioned amendment, local executive bodies were tasked with contributing suggestions on how to improve legislation on equal rights and equal opportunities[7] and how to interact with public associations in this regard. Kazakhstan may consider further strengthening the role of line ministries and local authorities in the design of its national policy. Such an approach would contribute to increasing the buy-in of these institutions for gender equality initiatives and would positively influence implementation and monitoring.

In terms of engagement with non-governmental stakeholders, interviews showed that women's civil society organisations seem to have played an active role in the development of the 2006-16 Gender Strategy through participation in National Commission meetings. However, most of the women's associations who reported being involved in the consultation process also reported that their activities were funded by the government. Indeed, in Kazakhstan, many civil society organisations are tasked with the implementation of the national gender strategy. The country would benefit from mobilising efforts to ensure an inclusive coverage of civil society organisations and citizens in the conception and design of gender equality policies. The Law of the Republic of Kazakhstan on Public Councils (2 November 2015, Law 383-V) provides promising opportunities for engaging with citizens on gender equality policies. This Law establishes public councils through which civil society and citizens are able to participate actively in decision making at all government levels. At the local level, for example, social councils are created by local representative bodies. The next levels are *mashlikhats* of regions, cities of republican status, capitals, cities and districts. Making maximum use of these councils in the development of the new prospective gender equality policy can help Kazakhstan ensure an inclusive approach to its long-term gender equality programme. On a related note, ensuring gender balance and diverse

representation in public councils can help ensure inclusive coverage of different views and needs of citizens from diverse backgrounds.

As mentioned previously, the government of Kazakhstan is currently discussing the form and content of a prospective long-term government concept policy on gender equality until 2030. Such a policy either will be a stand-alone policy or will be part of the family policy portfolio. The ongoing consultations, mostly in the form of roundtables, involve representatives of key governmental stakeholders, parliamentarians, civil society organisations as well as international organisations such as UNDP, OECD and UNWOMEN. Indeed, the consultation process will be critical to ensure a comprehensive coverage of the gender equality issues and to ensure ownership of all governmental stakeholders in the implementation process of the future gender equality programme. Establishing adequate follow-up mechanisms will ensure that the consultation process goes beyond formal requirements so that the outcomes of the discussions reflect the views and expertise of all stakeholders involved in the process.

## Adopting a dual approach to gender equality

The GEPL Recommendation insists that "adherents mainstream gender equality in the design, development, implementation and evaluation of relevant public policies and budgets […] by adopting a dual approach to narrowing equality gaps through both gender mainstreaming and specific targeted actions to promote gender equality" (see Box 2.2). Public policies, laws and regulations affect all aspects of women's and men's lives. Even seemingly neutral policies, laws and regulations can be inadvertently discriminatory in practice. Therefore, the case for promoting and advancing gender equality requires action on two levels. Gender considerations must be embedded in all policies, laws and regulations, and specific measures must be adopted to improve gender equality.

This dual approach to gender equality is also recognised and advanced by the Council of the European Union, which agreed to "continue to improve the effectiveness of gender equality policies by taking the dual approach of gender mainstreaming and specific actions […]" (Council of the European Union, 2013). Accordingly, the new 2030 Agenda for Sustainable Development is based on 17 goals, including a stand-alone goal on gender equality and the empowerment of women and girls (SDG 5) as well as gender-sensitive targets in other goals. This dual or twin-track approach is also put forward in the work of the United Nations Development Programme (UNDP), UN Women, the Food and Agriculture Organization (FAO) and other UN agencies (see Box 2.5).

### Box 2.5. **Dual or twin-track approaches to gender equality in the European Union and UN Women**

**European Commission**

The European Commission follows the dual approach by implementing gender mainstreaming and initiating specific measures. Gender mainstreaming is the integration of a gender equality perspective into every stage of policy process — design, implementation, monitoring and evaluation – with a view to promoting equality between women and men. It means assessing how policies affect women and men, and taking steps to change policies if necessary. The aim is to make gender equality a reality and to improve policy making by bringing it closer to citizens' needs.

As part of the process, statistics, indicators and benchmarks are used to monitor progress in implementing the gender dimension in different policy fields, from employment to research to education, among others. In addition to the gender mainstreaming approach, the EU has used a wide variety of specific measures, such as legislation, awareness-raising campaigns and financial programmes. The aim of these measures is to tackle specific problems such as the gender pay gap or the persistent underrepresentation of women, particularly in the field of employment.

**UN Women approaches to Gender Mainstreaming in Development Programming**

The UN Women expert group meeting "Approaches to Gender Mainstreaming in Development Programming" agreed that implementing gender mainstreaming in development programming at country level encompasses all programmatic measures to integrate and achieve gender equality in national development policies and programmes, including those measures taken by governments at the central and decentralised levels, civil society actors and donors. The range of gender mainstreaming programme approaches includes, in any country-appropriate and synergistic combination:

- targeted (also called focused) programme interventions to address the specific needs and circumstances of diverse population groups, geographical areas and/or organizations (such as civil society and community-based women's groups)
- integrated operations: aimed at changing or shaping existing mainstream policies, sector initiatives and government systems
- direct interventions: e.g. service provision, subsidies, grass-roots advocacy and large-scale social mobilization on a specific theme
- indirect interventions: e.g. evidence-gathering, research and analytical work, policy dialogue, institution-building, coalition-building, gender-responsive budgeting initiatives, capacity development, organizational reforms
- short-term measures: progressive, transitional and/or preparatory such as media campaigns

Box 2.5. **Dual or twin-track approaches to gender equality in the European Union and UN Women** *(continued)*

- long-term measures: systemic changes; behaviour and social change followed by social norms transformation
- government measures across sectors: such as new legislation, policies, data production initiatives or allocations in national budgets
- sector-specific measures: e.g. within the health, security and transport sectors.

*Sources*: European Commission (2011), *Gender Equality in the European Union*, Brussels, http://ec.europa.eu/justice/gender-equality/files/brochure_equality_en.pdf; Cohen, Sylvie I., Neena Sachdeva, Sharon Taylor and Patricia Cortes (2013), "Meeting Report", UN Women Expert Group Meeting, "Gender Mainstreaming Approaches in Development Programming: Being Strategic and Achieving Results in an Evolving Development Context," Santo Domingo, 29 April -3 May.

Almost all OECD countries are using the dual approach to gender equality by implementing some form of gender mainstreaming (see Chapter 4). For example, Spain's Equal Opportunities Strategic Plan 2014-16 developed seven axes of action from which a twin-track approach is implemented and combined in the areas of employment and entrepreneurship, reconciliation and co-responsibility and participation in social, economic and political life, among others. Spain is currently pursuing specific measures to foster the principle of gender equality and equal opportunity. The country has also developed methods to strengthen the integration of the gender perspective in all programmes and policies of government.

In Kazakhstan, the dual approach to gender equality is implicitly enshrined in the National Gender Strategy 2006-16. As such, the Strategy provides for both sector-specific targeted measures to advance gender equality (e.g. within the health and education sectors) and gender mainstreaming by introducing gender approaches into the development and implementation of laws, budgets, policies and programmes at the national and local levels of government. Yet in practice, these efforts often remain isolated and seem to be focused primarily on improving the status of women in selected areas such as education, entrepreneurship, access to political opportunities and health care. The National Commission pays significant attention to the equal rights of women in the public service, including equal opportunities for employment, training and promotion. Little attention is given to gender mainstreaming in the design and implementation of mainstream sectorial policies. As also identified in the Gender Strategy,

challenges faced in this regard are manifold, stemming from limited funding and capacities of ministries to implement the gender policy. Other obstacles are limited guidelines and gender-disaggregated data needed to conduct such analyses. In addition, interviews conducted by the OECD in Astana, Atyrau and Almaty found that there is an insufficient understanding of gender mainstreaming within the local government and civil service.

While targeted actions to promote gender equality and women's status are vital to achieve gender equality, the effectiveness of such measures risks being dampened if the differentiated impact of all policies, laws and regulations pertaining to both women and men are not taken into consideration. Accordingly, in the development of the new long-term document for gender equality, it will be critical to further pursue the dual approach to gender equality by emphasising the cross-cutting nature of gender equality and by evaluating the capacity and resources of governmental bodies to trigger a gender-responsive governance system. The next chapter will further elaborate on the roles and responsibilities of all government actors in implementing a dual approach to gender equality.

### Key recommendations

- **Maintain clear demarcation of the goals, objectives and indicators of gender equality and family policies**. While family policy can be used as a tool to enhance gender equality objectives, gender equality policy must be seen as an encompassing and multi-dimensional strategy that goes far beyond family issues and touches upon every aspect of public life. As such, although some goals are fully pertinent for both women and men, such as equal share of unpaid work and family-friendly work policies, it would be important to ensure that the adopted policy maintains clearly defined goals related to women's political and economic empowerment.
- **Ensure alignment of the vision and policy for gender equality with the overall development vision of the country** as well as with policies and programmes across different sectors and levels of government, thus making implementation and progress easier to track and measure. Consider including gender-sensitive target indicators more widely across state and sectorial programs and strategic plans to facilitate the promotion of gender equality in all areas of life.
- **Develop measurable output and outcome indicators for the implementation of the perspective gender equality policy for 2030** based on gender-disaggregated analysis, realistic targets, clear roles and responsibilities, monitoring and evaluation mechanisms and both long- and medium-term strategic horizons to support the sustainability of gender equality efforts. Over time, consider developing an annual "whole-of-government" report on the implementation of the gender equality strategy.

**Key recommendations** *(continued)*

- **Further expand opportunities for comprehensive stakeholder engagement in the process of design, implementation and monitoring of the perspective gender equality policy**, including central agencies, line ministries, civil society organisations, academia, the business community, mashlikhats, and public councils. Ensuring gender balance and diversity in the newly established public councils can ensure inclusive coverage of diverse views of citizens.
- **Support the dual approach in the gender strategy by ensuring that the subsequent action plans focus on specific measures promoting gender equality and advancing gender mainstreaming** and outlining clear roles and mandates as well as accountability lines to pursue gender mainstreaming across the administration at all levels.

# Notes

1. Contains 12 chapters relating to women and poverty, women's education, health, violence against women, women and armed conflicts, women and economy, women in the structures of government, institutional mechanisms for the promotion of women, women's rights, women and the media, women and the environment and girls.
2. For more information, see the Resolution of the Government of Kazakhstan No. 1190 of 27 November 2003.
3. For more information, see http://adilet.zan.kz/eng/docs/Z090000223.
4. As per the Decree of the President of the Republic of Kazakhstan No. 922, dated 1 February 2010.
5. As per the Decree 120, On Amendments and Additions to Some Decrees of the President of the Republic of Kazakhstan.
6. For more information, see http://adilet.zan.kz/rus/archive/docs/Z090000223_/08.12.2009.
7. Following the amendment, the role of local executives was reduced to "contributing suggestions".

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# *Chapter 3*

# Effective institutions for gender equality in Kazakhstan

*The effectiveness of gender equality strategies is contingent upon the existence of institutional frameworks, adequate funding, continued capacity across government institutions and clear accountability, monitoring and evaluation mechanisms. Kazakhstan has made important strides in institutionalizing its gender machinery, which is led by the National Commission on Women's Affairs, Family and Demographic Policy. Many mechanisms both at the central and at the local levels are already established and Kazakhstan must be applauded for these accomplishments. Yet, further steps are needed to clarify roles and responsibilities of different governmental stakeholders, and strengthening the capacities and resources of all government agencies and actors – namely the Secretariat of the National Commission on Women's Affairs, Family and Demographic Policy - in gender-sensitive policy making, implementing and monitoring. This chapter assesses the overall institutional framework – institutions' mandates, the allocation of resources, institutional capacity and accountability mechanisms – for furthering gender equality in Kazakhstan.*

This document, as well as any [statistical] data and map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

The statistical data for Israel are supplied by and under the responsibility of the relevant Israeli authorities. The use of such data by the OECD is without prejudice to the status of the Golan Heights, East Jerusalem and Israeli settlements in the West Bank under the terms of international law.

Sound design and implementation of gender equality reforms and integration of gender considerations into mainstream policies and programmes strongly depends on the institutional framework that is put in place to support these efforts. Building on good practices and evidence of what works, the 2015 OECD Recommendation on Gender Equality in Public Life (hereinafter the GEPL Recommendation) confirms that a whole-of-government approach to gender equality is the most effective strategy for achieving gender equal societies for inclusive growth. It sets forth important benchmark policy recommendations necessary to set in motion well-functioning gender machineries (see Box 1.1 in Chapter 1). As stated in the GEPL Recommendations, robust institutional frameworks for gender equality include:

- Central gender institutions with clearly defined mandates and authority; adequate budget, resources and staff with competence in policy analysis, advocacy, communication and monitoring to implement the mandate; and commitment. As such, these institutions facilitate a consistent whole-of-government response to gender equality, provide advice and guidance to centre of government and line ministries, monitor the status of gender equality and help formulate and implement policies throughout the government. In addition to central gender institutions, good practices from OECD member countries highlight the critical role played by the central government. Cabinet offices and ministries of finance verify and ensure that line ministries and agencies undertake gender impact assessments in designing their policies, initiatives and budgets.

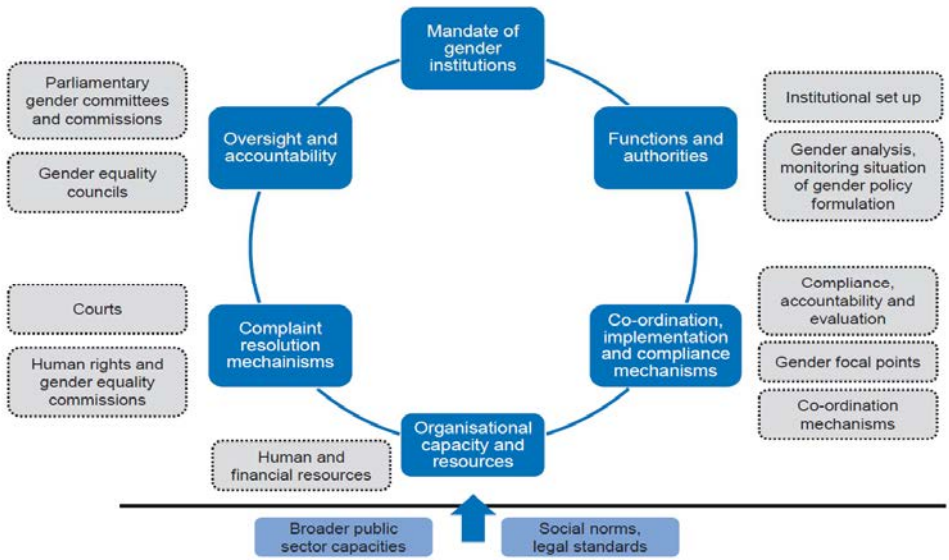
- Line ministries and agencies with sufficient capacity and resources to design and implement relevant gender initiatives and analyse the gender impacts of their mainstream policies and initiatives. Identification of gender focal points (i.e. permanent staff members dealing with gender issues) across the government at all levels who are responsible for administering laws or regulations related to gender equality, collecting data, developing sectorial plans, developing gender-sensitive personnel policies and training staff on these policies would facilitate the realisation of national gender equality objectives.

- Robust co-ordination and implementation mechanisms to ensure policy coherence across governmental bodies and levels of government. These co-ordination mechanisms should also provide for engaging with non-governmental stakeholders and citizens. These mechanisms should also provide for co-ordination among data-collecting and data-producing bodies. They should also

facilitate collaboration with relevant stakeholders with a view to developing better gender impact indicators.

- Accountability and oversight in order to encourage compliance with gender equality policies, pinpoint deficiencies and redress the remaining inequalities. To be effective, gender equality objectives must be linked to concrete policy outcomes and allow for an evaluation of the performance of government action. This helps governments to change courses of action, if needed, and independent or non-governmental stakeholders to hold government to account. Independent monitoring mechanisms, such as gender equality or human rights commissions, can provide independent recourse to complaints related to gender-based discrimination and oversee the implementation of the gender equality commitments of the government. Parliaments and parliamentary committees can help provide checks on various government entities and also contribute to the longevity and sustainability of gender equality reform during periods of change in the political environment.

Figure 3.1. **Key elements of effective gender institutions**




*Source*: Developed by the OECD, 2014.

Additionally, General Recommendation 6 of the CEDAW Committee stresses the need to establish and/or strengthen national machinery, institutions and procedures at a high level of government, and with adequate resources, commitment and authority to:

- advise on the impact on women of all government policies
- monitor the situation of women comprehensively
- help formulate new policies and effectively implement strategies and measures to eliminate discrimination.

In the past decade, Kazakhstan has made important strides in institutionalising its gender machinery. Many mechanisms both at the central and at the local levels are already established and Kazakhstan must be applauded for these accomplishments. As this chapter argues, the next steps in strengthening the existing gender machinery could include creating more formal linkages between different institutions in implementing gender policies (e.g. between the National Commission on Women's Affairs, Family and Demographic Policy and local *akimats*), clarifying roles and responsibilities of different governmental stakeholders in advancing gender-sensitive policies, and strengthening the capacities and resources of all government agencies and actors gender-sensitive policy making, implementing and monitoring. Key pillars of the institutional framework for gender equality in Kazakhstan are highlighted below.

## The National Commission on Women's Affairs, Family and Demographic Policy

Central gender institutions are recognised globally as key pillars for advancing gender equality. As set forth in the GEPL Recommendation, well-functioning machinery for gender equality requires sound institutional capacities and resources to facilitate a consistent response to closing gender gaps at appropriate levels of government. Such a response includes the development and implementation of gender-sensitive programmes and policies. Central gender institutions are expected to exercise a leadership role and serve as advocates and catalysts for action with other government agencies to support a consistent national response throughout government to the needs and priorities of women and men and mainstream gender concerns into legislation and public policy.

Most uniform institutional design exists to deal with gender issues. Across OECD members, while some countries established central gender institutions with the status of a separate ministry (e.g. Belgium, France, New Zealand), other national gender institutions are paired with other portfolios

within a single ministry, such as Turkey's Ministry of Family and Social Policies. Central gender institutions can also be located within the office of the head of government or state, as in the United States. Gender equality councils or commissions that function as autonomous bodies with an independent constitutional status or in consultation with the government offer another set of institutional arrangements for implementing gender equality policies (e.g. Mexico). Each of these approaches has their strengths and challenges. In all cases, though, the following factors are necessary to ensure effective functioning of central gender institutions (OECD, 2014b):

- **Clearly defined mandates and authority**. A clear mission and mandate for central gender institutions, including cross-sectorial authorities to promote gender equality and mainstreaming, are critical to ensure effectiveness. As OECD experience shows, strengthening the capacities of these institutions to monitor gender equality programmes and gender mainstreaming to enable effective results-based accountability and promote the development of gender-disaggregated data and gender analysis is critical to ensure their effectiveness and sustainability over time.
- **Adequate budget, resources and staff with competence in policy analysis, advocacy, communication and monitoring to implement the mandate**. Limited capacities and budgets can significantly constrain the ability of gender institutions to support the government-wide commitment of delivering on gender equality. It is important to ensure that gender concerns are not sidelined due to limited resources.
- **Strong political commitment**. National gender institutions maximise their effectiveness when harmonisation occurs among government action plans and policies. In such cases, they enjoy political commitment at the highest level.

Table 3.1. **Main responsibilities of central gender institutions**

| | Develop proposals | Implementation | Enforcement | Conduct gender analysis | Review quality of gender analysis and make recommendations | Monitor the implementation | Conduct policy research | Make policy recommendations | Guide the development of gender-disaggregated data | Develop tools and guidelines for integration into policy analysis | Report to Parliament | Provide expert advice | Deliver specific programmes for women |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Austria | ● | ● | ● | ● | ◗ | ● | ● | ◗ | ◗ | ● | ● | ● | ● |
| Belgium | ○ | ● | ● | ○ | ○ | ● | ○ | ● | ● | ● | ○ | ○ | ⊘ |
| Canada | ● | ● | ⊘ | ○ | ○ | ○ | ● | ○ | ● | ● | ● | ● | ● |
| Chile | ● | ○ | ○ | ○ | ○ | ● | ○ | ● | ● | ● | ● | ● | ● |
| Czech Republic | ○ | ○ | ○ | ● | ● | ● | ◗ | ● | ⊘ | ◗ | ⊘ | ● | ⊘ |
| Finland | ● | ● | ● | ◗ | ○ | ● | ● | ● | ○ | ● | ● | ● | ● |
| France | ● | ● | ⊘ | ⊘ | ⊘ | ● | ○ | ● | ● | ● | ● | ● | ● |
| Germany | ● | ● | ● | ◗ | ◗ | ● | ● | ● | ● | ● | ● | ● | ● |
| Greece | ● | ○ | ○ | ● | ● | ● | ● | ● | ○ | ● | ● | ● | ● |
| Ireland | ● | ● | ● | ◗ | ◗ | ● | ● | ○ | ⊘ | ● | ● | ● | ● |
| Israel | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● |
| Korea | ● | ● | ● | ● | ● | ⊘ | ● | ● | ● | ● | ● | ● | ● |
| Luxembourg | ● | ● | ○ | ◗ | ● | ○ | ● | ● | ● | ○ | ⊘ | ○ | ● |
| Mexico | ○ | ○ | ○ | ◗ | ◗ | ○ | ○ | ◗ | ○ | ○ | ● | ○ | ◗ |
| New Zealand | ● | ⊘ | ⊘ | ● | ● | ⊘ | ● | ● | ● | ○ | ● | ● | ● |
| Norway | ● | ● | ○ | ◗ | ● | ◗ | ● | ○ | ○ | ● | ● | ○ | ⊘ |

| Legend | Leading role ● | Supportive role ○ | Consultative role ◗ | Not applicable ⊘ |
|---|---|---|---|---|

| | Develop proposals | Implementation | Enforcement | Conduct gender analysis | Review quality of gender analysis and make recommendations | Monitor the implementation | Conduct policy research | Make policy recommendations | Guide the development of gender-disaggregated data | Develop tools and guidelines for integration into policy analysis | Report to Parliament | Provide expert advice | Deliver specific programmes for women |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Slovak Republic | ● | ● | ○ | ● | ○ | ● | ● | ● | ○ | ● | ● | ● | ● |
| Spain | ● | ● | ● | ● | ⊘ | ○ | ● | ● | ● | ● | ● | ● | ● |
| Sweden | ○ | ○ | ◗ | ● | ● | ○ | ⊘ | ● | ○ | ● | ● | ● | ○ |
| Switzerland | ○ | ● | ○ | ● | ● | ● | ● | ● | ○ | ○ | ● | ● | ● |
| United States | ◗ | ◗ | ⊘ | ● | ◗ | ◗ | ● | ● | ◗ | ● | ● | ● | ◗ |
| Kazakhstan | ○ | ◗ | ◗ | ◗ | ◗ | ● | ◗ | ● | ● | ● | ⊘ | ● | ⊘ |

| Legend | Leading role ● | Supportive role ○ | Consultative role ◗ | Not applicable ⊘ |
|---|---|---|---|---|

*Source*: OECD (2011), "Survey on National Gender Frameworks, Gender Public Policies and Leadership".

In Kazakhstan, the National Commission on Women's Affairs, Family and Demographic Policy (hereafter the National Commission) is an advisory body to the president of the Republic of Kazakhstan and is directly subordinate and accountable to him. Its Secretariat is located within the administration of the presidency.[1] Established in 1998, the National Commission is the primary central gender institution in Kazakhstan. It is tasked with implementing and monitoring the Gender Equality Strategy 2006-16.

## Major functions of the National Commission on Women's Affairs, Family and Demographic Policy

Major functions of the National Commission include:

1. Establishment of the priorities and development of recommendations for formulation of the comprehensive government policy in relation to families, women and children, taking into account regional specialties, in the context of implementation of the Kazakhstan Development Strategy through 2030.
2. Assistance in development of the comprehensive system of social, economic, legal and psychological support to families, women and children.
3. Comprehensive analysis of the indicators characterizing the state of reproduction and general health of the population and of social and economic conditions of living for the families.
4. Participation in development of inter-agency social and medical programs aimed at improving the health of women and children in the republic.
5. Consideration of suggestions of government agencies, public associations and citizens involving the competence of the Commission; preparation of the recommendations to the President of the Republic of Kazakhstan.
6. Participation in developing concepts and programmes of government policy related to families, women and children, taking into account the Strategy "Kazakhstan-2030".
7. Participation in preparation and consideration of the draft legislative and other regulatory acts aimed at improving conditions for families, women and children.

8. Development of recommendations and proposals to the president for ensuring compliance of officials of the government agencies with legislative requirements related to families, women and children.
9. Support for scientific research, including establishment of the information database providing statistics on actual conditions for families, women and children in the economic, social, political and cultural life of the society.
10. Interaction with the media so as to ensure a dialogue on issues concerning conditions for families, women and children in Kazakhstan.
11. Consideration given to appeals by citizens and the media involving issues concerning families, women and children.
12. Cooperation with international organisations, including participation in conferences, seminars and meetings concerning issues related to families, women and children at the international level.

The National Commission consists of 23 permanent members appointed by the president. It is chaired by the Secretary of State. Members of the Commission include deputies, representatives of state bodies, national companies, teachers, businesswomen and representatives of civil society. The Commission also has an Expert Council consisting of NGOs and representatives from the academic community. Members are appointed by the chairperson of the Commission on a permanent basis. While the Commission meets as necessary (at a minimum at least four times a year), the Council meets only on the instruction of the chairperson on an irregular basis. Both the Commission and the Expert Council are not funded and work on a voluntary basis. In addition, all regions in Kazakhstan as well as the cities of Astana and Almaty have commissions for women's affairs, family and demographic policy. These commissions are placed under the office of the *akim*. In its replies to the OECD survey on National Gender Frameworks, Kazakhstan also reported that gender focal points, which are responsible for implementation of gender policy, are provided for in each administration.

Upon its establishment in 1998, the Secretariat of the National Commission was located within the chancellery of the prime minister and served as a stand-alone department with 10 employees. In 2006, following the Recommendation of the CEDAW to strengthen the national gender-equality mechanism (United Nations, 2014), the Secretariat of the National Commission was transferred from the chancellery of the prime minister to the administration of the presidency. The latter is an effective mechanism for influencing all branches of authority throughout the government in

Kazakhstan. Following the transfer, Kazakhstan reported that the ability of the Commission to interact with organs under the president's jurisdiction and to collect input at all levels of the state administration had increased (CEDAW). Currently, the Commission is located at the apex of decision making, where it is well situated to promote gender equality issues in the presidential agenda in Kazakhstan. This strategic situation ensures that the Commission wields important political leverage in its work.

Yet, in practical terms, the capacities of the Secretariat seem to be weakened by reduced staff (down from ten to three employees). OECD experience shows that to genuinely influence the national political agenda, central gender institutions also need capacities and financial resources for policy development, co-ordination and monitoring. As such, as already envisaged in the draft concept of gender and family policies, Kazakhstan can consider maximising the effectiveness of the National Commission's high-level location and the ability to genuinely influence the policy processes throughout the administration through: 1) further institutionalisation of the central gender machinery; 2) further strengthening the role of the current Secretariat as a stand-alone gender institution; and 3) allocating adequate budgets, resources and staff with competence in policy analysis, advocacy, communication and monitoring to implement gender initiatives. These recommendations are elaborated upon below.

## Further institutionalising the gender machinery in Kazakhstan

The experience of OECD member countries shows that mandates derived from constitutions or enshrined in law afford national mechanisms a greater sense of political legitimacy and stability than mandates originating from a decree, as in the case of Kazakhstan (OECD, 2014b). For example, in Spain, the Gender Equality Act (Constitutional Act 3/2007 of 22 March for effective equality of women and men) stipulates that the institutional framework should consist of a central gender institution, an inter-ministerial co-ordination mechanism and gender focal points throughout the public administration. The functioning of this gender machinery is determined by regulations.

In Kazakhstan, the National Commission is composed of eminent individuals who play important roles in the country's development. While such a composition may provide an important soft power to the Commission for influencing the country's agenda, limited institutionalisation of the gender machinery and, more specifically, central gender institution, and its dependence on individuals risk reducing the longevity and sustainable commitment and integration of gender equality efforts across the government. For example, in 2006,[2] the Commission was renamed the

National Commission on Family Affairs and Gender Policy with its Chairperson reporting directly to the President of the Republic of Kazakhstan.[3] With the appointment of the new Chair in 2008, the Commission was restructured and renamed the National Commission for Women's Affairs, Family and Demographic Policy. The change in name could be reflective of the shifting broader priorities of Kazakhstan with regard to the gender equality agenda. Priorities may be seen as shifting from emphasising broader equality between men and women to focusing on the traditional role of women as one linked with "family". Yet such fluctuations and limited institutional authority, mandate and capacity of the National Commission may undermine the country's ability to achieve its gender equality and inclusive growth objectives. In this context and to ensure continuous progress on gender equality, Kazakhstan may consider further institutionalising the National Commission by strengthening its statutory authority, mandate and reach to other governmental and non-governmental bodies.

### *A double-pillared approach to the central gender machinery*

As outlined earlier in this chapter, the National Commission is an advisory body under the administration of the president. Similar advisory Councils also exist in several OECD countries. OECD experience shows that the effectiveness of such advisory political bodies is maximised when they are coupled with strong public bodies with adequate resources and analytical skills to pursue and co-ordinate a whole-of-government approach to gender equality and mainstreaming initiatives. Box 3.1 outlines the role of the White House Council on Women and Girls in the United Nations, and Box 3.2 focuses on the role of the Ministry of Gender Equality in Korea.

Box 3.1. **The White House Council on Women and Girls**

In the United States, the White House Council on Women and Girls was established under the presidency in view of providing a co-ordinated federal response to the challenges faced by women and girls by working across executive departments. The Council members consist of the heads of every federal agency and major White House office. The Council is responsible for 1) providing recommendations to the president on the effects of pending legislation and executive branch policy proposals; 2) suggesting changes to federal programs or policies to address issues of special importance to women and girls; and 3) recommending changes to policies and assisting in the development of legislative and policy proposals of special importance to women and girls.

*Source*: The White House website on the Council on Women and Girls at www.dol.gov/wb/otherfedagencies.htm.

### Box 3.2. **The Ministry of Gender Equality and Family in Korea**

In 1998, Korea established the Presidential Commission on Women's Affairs for planning and compiling women's policies. In 2001, the Commission developed into a stand-alone Ministry of Gender Equality. Gradually, its function and mandate was strengthened. In 2015, a Director General for Policy Planning was established within the ministry. Currently, the Ministry of Gender Equality and Family operates with 26 divisions and 251 staff members. Its functions include planning and co-ordinating gender-related policies, undertaking gender impact analyses and expanding women's participation in society. The ministry's work is supported by the Korean Women's Development Institute, which acts as a leading think-tank on women's policy by undertaking research and providing policy analysis (e.g. analysis and evaluation of gender-budgeting in Korea, management strategies and methods for gender impact assessment following the implementation of the gender impact analysis act and creative economy and women's employment).

*Source*: Korean Women's Development Institute (2014), "Annual Activity Report", KWDI.

Elements of a central gender institution can be already found in Kazakhstan. Currently, the work of the National Commission is realised through its Secretariat. The latter is governed by presidential decree and its work entails developing the work plan of the National Commission, drafting reports on the activities of the National Commission, preparing actions plans and monitoring the implementation of national policies of gender equality, family and demography. Through its Secretariat, the Commission plays a leading role in co-ordinating and monitoring the implementation of the National Gender Strategy and providing expert advice to other public bodies on issues related to gender equality. The Commission also has a consultative role in the development of the national policy for family and gender equality. It conducts gender analysis of draft legislation and conducts policy research on gender issues.

Against this backdrop, Kazakhstan may benefit from considering a double-pillared institutional approach for gender equality and mainstreaming:

- The National Commission can act as an advisory oversight body with sufficient authority over all government institutions to ensure a comprehensive approach in promoting gender initiatives. The Commission could also ensure that gender concerns are considered

in the political and legislative agenda and that they continue to be regularly reported to the president and to Parliament.

- Building on OECD good practices, the current Secretariat of the National Commission can be strengthened either to become a stand-alone institution (e.g. a ministry) or to be given a more pronounced standing with, and resources from, the presidency. While it could continue to carry its functions as the Secretariat of the Commission, it could also focus on:
  - Policy research: Undertaking and disseminating policy-relevant research, for example on employment conditions in women-dominated sectors.
  - Policy development and implementation: Developing and implementing policies and legislation, with a specific focus on gender equality.
  - Advancement of gender impact analysis: Developing tools and guidelines to assist in integrating Gender Impact Assessment (GIA) into policy analysis, budgets (i.e. gender-sensitive budgeting), regulatory decision making, programme development and evaluation. Such analysis can also provide advice to line ministries preparing new regulations.
  - Gender-sensitive indicators and data collection: Developing and monitoring the implementation of gender-sensitive indicators as well as facilitating the preparation, utilisation, and dissemination of sex-disaggregated statistics, based on those indicators. In addition, additional activities may include sensitising ministries and other entities on the importance of reliable data in this area, developing guidelines, manuals and training material for the development of sex-disaggregated statistics and creating databases and promoting access to gender-based information via the Internet.
  - Monitoring and evaluation: Monitoring the implementation of government policy on gender equality.
  - Expert advice: Providing technical expertise to other agencies on issues of relevance, such as integrating gender equality in the human resource management cycle (planning, programming, monitoring and evaluation).
  - Outreach and advocacy: Building relations between government and civil society organisations (women's organisations, gender advocates, academic institutes and media).

### *Enhancing resources and capacities of the central gender institution*

As noted in the GEPL Recommendation, a robust institutional framework for gender equality requires strengthening the mandate, capacities and human and financial resources of the central gender institutions to ensure that such institutions are genuinely operational. In Kazakhstan, as already envisaged in the draft concept of family and gender policy, the capacities of the Secretariat of the National Commission (three employees) would benefit from further strengthening in order to consolidate the recent achievements and to ensure effective co-ordination and monitoring of the forthcoming gender equality policy. Currently, in addition to their functions stemming from the mandate of the National Commission, these staff members are also carrying out various other tasks under the head of the Internal Policy Department located within the presidency. Many OECD countries tend to employ a large number of full-time workers at the central gender institutions. The OECD Survey on National Gender Frameworks shows that, in 2010, while Canada employed 90 full-time employees, staff totals amounted to 220 in Korea, 293 in Mexico and 338 in Chile.

In addition, the GEPL Recommendation notes that well-functioning gender institutions also require staff with competence in policy analysis, advocacy, communication and monitoring to implement gender initiatives. These abilities would need to be reinforced in the context of Kazakhstan.

## Gender machinery at the ministerial level

Promoting gender equality is an individual and collective responsibility of all ministries, public agencies and public servants from the technical level to top managerial levels. Effective implementation of gender equality strategies depends on adequate institutional mechanisms in all public institutions, including ministries and subnational governments. A single agency framework (i.e. a central gender institution) may marginalise gender equality efforts. The 2015 OECD Recommendation on Gender Equality in Public Life stresses the importance of "ensuring the capacity and resources of all public institutions to integrate gender equality perspectives in their activities, for example, by identifying gender equality focal points across governmental bodies, by investing resources in training and promoting collaborative approaches with knowledge centres to produce gender-sensitive knowledge, leadership and communication, by ensuring the collection of gender and gender-disaggregated statistics in their areas of responsibility and by providing clear guidelines, tools, communication and expectations to public institutions in this area". Accordingly, agreed

conclusions 1999/2 of the United Nations Commission on the Status of Women in 1999 argued that "the effectiveness and sustainability of national machineries are highly dependent on how embedded they are in the national context, the political and socio-economic system and the needs of and accountability to women" (United Nations, 2005).

In response to the OECD Survey on National Gender Frameworks, Gender Public Policies and Leadership, Kazakhstan reported that staff members responsible for implementing gender policy were designated in central public bodies. However, according to a number of respondents, there is a lack of clarity in their roles and mandates, which may undermine their ability to mainstream gender considerations into sectorial policies and programmes. Indeed, the National Commission acknowledged that the tasks and authorities of staff members in line ministries tasked with the responsibility of implementing the Gender Strategy lacked continuity and co-ordination with the National Commission as well as with other relevant subdivisions of the presidential administration. The experience of several OECD member countries can serve to inspire Kazakhstan to strengthen capacities in public institutions in addressing gender issues.

For example, most OECD member countries have permanent staff members dealing with gender issues across the government at all levels, usually located in line ministries and agencies. These gender focal points have broader mandates and are mainly responsible for administering specific laws or regulations related to gender equality, collecting data, carrying out training and developing sectorial plans and gender-sensitive personnel policies. For example in Spain, the gender unit serves as the focal point for ensuring that questions of gender equality and mainstreaming are brought to the executive table and for supporting the executive in exercising its leadership on this issue (see Box 3.3). In Chile, gender focal points are identified in different public administrations that are chosen among high-level officials (i.e. heads of divisions). A community of gender focal points throughout the public service was also established to exchange information, good practices and lessons learned. The responsibilities of gender focal points in Chile are twofold: promoting gender equality in the internal functioning of the administration and ensuring that a gender perspective is integrated into the ministerial strategic plans and policies. Whichever course of action Kazakhstan may choose to take, an important pitfall to avoid will be mandating gender units with the sole responsibility of the gender portfolio within the institution in which they are located. Gender focal points are most effective when they are endowed with the mandate and authority to support and monitor the work of the ministry through a gender perspective, while overall accountability for gender mainstreaming lies within senior management.

### Box 3.3. **Spain's ministerial and university equality units**

To integrate the gender mainstreaming principle in all public policies, Spain introduced equality units in all ministries through the Act 3/2007 of 22 March 2007 for Effective Equality between Women and Men (Article 77). All ministries, in the scope of their areas of competence, entrust one management body with duties relating to the principle of equality between women and men, and in particular with:

a) providing gender-relevant statistical information

b) conducting surveys to foster equality between women and men in their respective areas of activity

c) advising the ministry's competent bodies on the formulation of the gender impact report

d) improving employees' understanding of the scope and significance of the principle of gender equality

e) overseeing compliance policies to effectively implement the Act 3/2007 and the principle of gender equality.

The Women's Institute has provided training courses for staff working in the equality units, which have become the focal points to monitor progress in meeting gender equality and mainstreaming measures in the state administration. With the University Reformation Act 4/2007, universities also started to create equality units. Nearly 30 equality units have been set up in different public universities. In addition, the Women's Institute organised a summer course in August 2010 to evaluate progress on gender equality at the university level. Indicators include the presence of women and men in the control and governing organs of educational centres, the introduction of gender-sensitive subjects in university programs, and the creation of specific postgraduate courses.

*Source*: Information provided by the Government of Spain.

More broadly, to ensure effective implementation of the perspective gender equality policy, Kazakhstan would benefit from strengthening the quality and broadening the capabilities of public institutions. The 2014 OECD Review of Central Administration in Kazakhstan finds that important gaps remain in broader ministerial capacities, including lack of autonomy, policy analysis and research capacities. This lack is evident in the implementation of the Gender Strategy 2006-16 and, to a varying degree, among public administrations. For example, according to a number of respondents within the public administration, the ministries have very limited impact on the formulation of national gender policies. Through

three-year action plans, the National Commission tasks public institutions with implementing various activities set forth in this document. Integration of gender perspectives in broader policy making was not reported during interviews conducted by the OECD team. Yet lessons learned from OECD countries show that buy-in and ownership of line ministries and regional/local administration in advancing the gender equality agenda is a key for success. In addition to a commitment by the president to advance gender equality, commitment to advance gender equality by ministries and local government units together with a strategic course of action is of utmost importance to achieve the highest impact.

Kazakhstan is already making efforts to strengthen gender expertise and raise awareness of gender equality among the representatives of public bodies. As such, the Academy of Public Administration under the president is tasked with carrying out regular training sessions on gender equality for government representatives. These seminars are non-compulsory and organised annually.[4] They are directed at all public bodies responsible for the implementation of gender equality both at central and regional levels. Training sessions are provided by both the members of the Academy and the members of the National Commission. Training programmes are currently focused on leadership development, while the history and ethics of gender equality is provided within the scope of family and demographic policies. At the same time, the UN CEDAW Committee highlights that merging family affairs and gender equality in a single mandate may directly or indirectly reinforce traditional patriarchal norms and be detrimental to the achievement of gender equality (CEDAW, 2011). Training could further focus on the benefits of gender equality and mainstreaming, collection and analysis of gender-disaggregated data and on the use of tools for gender-sensitive policy making, such as gender-impact assessments and gender budgeting.

Continuing training of civil servants on issues of family, demographic and gender policies and gender budgeting provided by the Academy of Public Administration is planned under the current draft of the draft Concept of Family and Gender Policy for 2030. In 2017-18, in cooperation with the UNDP, a series of trainings, learning seminars and study tours will be held aimed at strengthening the capacity of government officials at the central and local levels with respect to gender analysis of program documents and budgets.

In addition, the draft Concept envisages the following measures to be taken to raise awareness within public bodies and among the wider public on gender policy issues:

- Textbooks and handbooks on family and gender policies will be issued.

- Gender content will be included in the discourses of all scientific, professional and social communities on issues confronting modern education.
- Lectures on gender equality will be included in the system of professional training of educators.
- Training groups will be prepared to work with methodological association in schools and territorial training divisions.
- Education and training programs will be broadened with respect to issues of gender equality, and comprehensive consideration with be given to gender aspects and collection and analysis of data. Gender impact evaluation of government decisions will be broadened.

## Institutional framework at the local level

The spirit of the 2015 OECD Recommendation on Gender Equality in Public Life recognises that a whole-of-government approach, supported by effective institutions and robust accountability, is needed to ensure that gender equality efforts are sustainable at all levels of government, including at subnational levels (as the latter are at the forefront of government service delivery). Indeed, a broad range of services is provided at the local level from education to health care, childcare, environmental protection and labour. These policies encompass a wide range of issues that either hinder or facilitate progress in ensuring gender equality. In addition, the proximity of local governments to citizens puts them in a position to gain unique insights into the latter's needs.

Many OECD countries have put in place institutions in charge of gender equality at regional and municipal levels of government. For example, in Chile, in addition to the Gender Equality Ministry at the central level, 14 regions have branches of the National Women's Service. There are also Municipal Offices of Women and Gender Equality. A similar system has been established in Mexico, where, in addition to the National Women's Institute at the federal level, women's institutes have been established at both state and municipal levels of government. These institutions are tasked with co-ordinating gender equality policies across the administration and implementing specific programs and initiatives aimed at closing gender gaps.

In Kazakhstan, in addition to the National Commission for Women's Affairs, Family and Demographic Policy, all regions in Kazakhstan as well as the cities of Astana and Almaty have regional commissions placed under the office of the *akim* (head of the local executive branch). Kazakhstan

should be applauded for successfully establishing these gender equality mechanisms at the subnational levels. Members of the regional commissions are appointed by the *akims* on the advice of the deputy *akim*, who chairs the regional commission. The members of the regional commission meet four to five times per year. During these meetings, *akimats* (local executive bodies) provide information on the implementation of the three-year action plans for gender equality. The members of the Commission orally assess the activity of the *akimats* on gender equality, oversee achievements and provide feedback. In parallel to the central gender machinery, the regional commissions are composed of eminent individuals who exercise an important soft power over *akimats*.

OECD interviews with representatives from the departments of employment, education, health care and statistics at the subnational level revealed that, in practice, gender equality initiatives seem to be limited mainly to internal policies to ensure a more gender-balanced representation within the public administration. Overall awareness of the National Gender Equality Strategy 2006-16 and ways by which to integrate gender perspectives within local policy making and service delivery appeared to be low. Many respondents also highlighted limited involvement of *akimats* in the broader process of designing gender equality policies at the national level. In the context of Kazakhstan, presidential decree No. 898 of 2014, "Measures for the Division of Powers between Levels of Government of the Republic of Kazakhstan", grants regional governments the responsibility for implementing regulatory, executive and supervisory functions within the respective administrative-territorial unit, while the implementation of strategic functions is entrusted to the central executive bodies. Nevertheless, according to the information provided by the Ministry of National Economy, local *akimats* also seem to be absent from participating in the consultation process when they actually occur. In the development and implementation of the draft Concept of Family and Gender Policy for 2030, it will be beneficial to encourage follow-up on the active participation of local stakeholders to ensure maximum impact on the ground.

Interviews with local NGOs revealed that they are engaged in delivering services (through outsourcing and grant activities) aimed at women's economic empowerment, enhancing women's access to local entrepreneurship and tackling gender-based violence. Yet, OECD experience shows that this work would be more effective if coupled with gender-sensitive policy making at the local level. Conversely, gender equality perspectives in other important areas such as health care, education, transport and environmental protection may risk being sidelined due to limited implication of the *akimat* in gender-sensitive policy making.

## Oversight and accountability mechanisms for gender equality

The experience of OECD member and partner countries shows that in the absence of oversight, accountability and monitoring mechanisms, gender initiatives can stall and may fade from the national agenda. The extent to which institutional gender frameworks provide for the exercise of independent oversight and include meaningful accountability mechanisms serves as valuable indicators for assessing their potential impact. As such, the OECD GEPL Recommendation calls on countries to strengthen accountability and oversight mechanisms for gender equality through:

- establishing or strengthening the capacity of independent institutions and advisory bodies to monitor the implementation of gender equality strategies, integrating gender issues in policy making and facilitating regular reporting, audits and measurement
- strengthening the evidence base and systematically measuring progress towards gender equality performance, based on gender impact indicators and measurable outcomes
- encouraging a greater role of parliaments and parliamentary committees to support progress in gender equality, for example, by integrating gender perspectives in parliamentary practices, legislation and budgets, by promoting legislative initiatives focusing on gender equality and by providing oversight of the implementation of gender equality and mainstreaming strategies and initiatives
- establishing effective, independent, impartial and efficient complaint and appeal mechanisms to protect rights of gender equality and consider complaints in an efficient, competent and impartial manner.

Many OECD countries have put in place oversight mechanisms that act both as pre-emptive/oversight institutions and as "corrective" institutions (institutions of recourse). For example, most countries have established pre-emptive/oversight institutions for ensuring gender equality (parliaments or parliamentary committees, commissions in political executives or advisory councils to ministries or the political executive), while 68% of countries have institutions that use "corrective" methods for addressing gender equality grievances (ombudsmen or judicial commissions that adjudicate claims) (see Table 3.2).

Table 3.2. **National oversight institutions for gender equality (2012)**

| | Ombuds Office | Commission in the Political Executive (committee appointed by the Prime Minister/Presidency) | Independent Permanent Human Rights Commission established by law | Independent Permanent Gender Equality Commission established by law | Parliament | Parliamentary Committee dedicated to gender equality/ women's affairs | Judicial body: commission or office located in the Ministry of Justice or that adjudicates claims or advocates in court | Advisory council: lay panel advisory to ministries or political executive |
|---|---|---|---|---|---|---|---|---|
| Australia | ● | ● | ● | ● | ● | ○ | ● | ● |
| Austria | ● | ○ | ○ | ○ | ● | ● | ● | ○ |
| Belgium | ○ | ○ | ○ | ● | ● | ● | ○ | ○ |
| Canada | ○ | ● | ● | ○ | ● | ● | ● | ○ |
| Chile | ○ | ● | ○ | ○ | ○ | ○ | ● | ○ |
| Czech Republic | ● | ● | ○ | ○ | ○ | ○ | ○ | ● |
| Finland | ● | ○ | ○ | ○ | ○ | ● | ○ | ● |
| France | ● | ○ | ○ | ○ | ● | ● | ● | ○ |
| Germany | ● | ○ | ○ | ○ | ○ | ● | ○ | ○ |
| Greece | ● | ○ | ○ | ○ | ○ | ● | ○ | ○ |
| Ireland | ○ | ○ | ○ | ● | ● | ○ | ● | ○ |
| Israel | ○ | ● | ○ | ● | ● | ○ | ○ | ● |
| Korea | ○ | ● | ○ | ○ | ● | ● | ○ | ● |
| Luxembourg | ● | ○ | ● | ● | ○ | ● | ○ | ● |
| Mexico | ● | ● | ● | ● | ○ | ● | ● | ● |
| New Zealand | ○ | ○ | ● | ● | ● | ○ | ○ | ● |
| Norway | ● | ● | ○ | ○ | ● | ○ | ○ | ○ |
| Slovak Republic | ○ | ○ | ○ | ○ | ○ | ○ | ○ | ● |
| Spain | ○ | ○ | ○ | ○ | ● | ● | ○ | ○ |
| Sweden | ● | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Switzerland | ○ | ○ | ○ | ○ | ● | ○ | ○ | ○ |
| United States | ● | ● | ○ | ○ | ○ | ○ | ○ | ● |
| Kazakhstan | ○ | ● | ○ | ○ | ○ | ○ | ○ | ○ |

● Yes
○ No

*Source*: OECD (2011), "Survey on National Gender Frameworks, Gender Public Policies and Leadership".

In Kazakhstan, the National Commission is also tasked with providing oversight in ensuring the effective implementation and monitoring of gender policy. To enhance the effectiveness of this role, Kazakhstan may benefit from strengthening the role and capacities of the Secretariat of the National Commission to facilitate the implementation of a gender strategy across the government.

Figure 3.2. **Accountability for gender equality**




*Source*: OECD (2016), *2015 OECD Recommendation of the Council on Gender Equality in Public Life*, OECD Publishing, Paris, http://dx.doi.org/10.1787/9789264252820-en.

Ombuds offices usually represent institutions, acting as an impartial intermediary between the public and government to resolve disputes. In Kazakhstan, the National Commissioner for Human Rights (National Human Rights Ombudsman) reported occasionally dealing with issues related to gender equality, such as gender pay gap. During interviews with the OECD team, the Ombudsman also reported being in regular contact with the National Commission on issues related to gender equality. Similarly, in Sweden, the Equality Ombudsman is a government agency whose mandate is to fight for the protection of equal rights and opportunities for all as well as to ensure non-discrimination. It analyses and evaluates situations concerning gender equality in education, employment and other fields to better improve the situation in the country. The institution is also responsible for verifying that compliance with parental leave laws is respected and applied and that parents who take parental leave are not negatively affected at work. Primarily, the Equality Ombudsman supervises compliance in accordance with the Discrimination Act and develops measures to prevent discrimination by businesses, schools and other institutions.

Finally, the OECD experience shows that legislatures play a critical role in championing gender equality. Without sufficient and effective oversight by the legislature, gender equality work can stall and may fade from the legislative agenda. Legislatures could help ensure that gender-related concerns are addressed in the legislative agenda, thus helping to provide a broader oversight in advancing gender equality.

### Box 3.4. **Parliamentary gender equality committees in OECD member countries**

In the Canadian parliamentary system, special committees are appointed by the House of Commons to carry out specific inquiries, studies or other tasks deemed to be of special importance. In 2016, the House of Commons adopted a motion to create a special committee on pay equity. The Special Committee on Pay Equity (ESPE) was established with a mandate to conduct hearings on the matter of pay equity and to propose a plan to adopt a proactive federal pay equity scheme. Following extensive consultation with experts from across Canada, the Committee submitted its report to the House of Commons. The report focused on how the pay equity system is currently being implemented within the federal jurisdiction, how the current system can be improved and how to learn from other jurisdictions to recommend a fairer and more efficient pay equity regime. At the time of drafting this report, the Canadian government was in the process of responding to the Committee on the recommendations included in its report. A special committee ceases to exist once its final report has been presented to the House of Commons.

The Norwegian Parliament (Storting) includes a Standing Committee on Family and Cultural Affairs that deals with policies and laws related to families, gender equality, children and youth, consumer affairs and cultural affairs. It is the legislative body whose mandate parallels, within the executive branch, that of the Ministry of Culture and the Ministry of Children and Equality. It comprises 13 members. During its proceedings, the Committee can convene hearings to obtain information from representatives of ministries, organisations or individuals. Reciprocally, organisations and individuals can request to appear before the committee to present their insights. The Committee submits recommendations and proposes decisions on relevant affairs to the Parliament, which is responsible for taking final decisions, but members usually follow the recommendations of the Committee.

The National Council in Austria (Nationalrat) elects expert Committees at the beginning of each legislative period for all major domains, among which are the Committee on Gender Equality and the Committee on Family Affairs. The Committee on Gender Equality deals with all bills and legislative proposals related to gender equality, including women's and men's empowerment and the prevention of gender discrimination in all policy areas. The rationale behind these committees is that a preliminary deliberation of any subject must take place within a committee before the council decides upon it. This guarantees that members of the National Council can examine key issues in a restricted context while calling on external experts to advise them.

Box 3.4. **Parliamentary gender equality committees in OECD member countries** *(continued)*

Parliamentarian Committees in Germany – bodies responsible for preparing the decisions of the Parliament (Bundestag) – are formed following a decision of the Bundestag for the duration of the electoral term. They represent forums in which members focus on a single, specific area of policy, and they deliberate and revise all bills relating to this policy area. They then give a recommendation, which is voted upon in the plenary of the Bundestag. These committees are comprised of members of the different parliamentarian groups and collect information for their work from the government, as well as external experts. Each committee has a chair, deputy chair and spokesperson; the size of membership differs according to the issue examined. Each member of the committee has one vote when decisions are taken. Overall, there is a dedicated Permanent Committee for each ministry, which can also set up sub-committees for specific topics. In its 17th electoral term, the Bundestag set up 22 Permanent Committees, including the Committee on Family Affairs, Senior Citizens, Women and Youth. It shares its opinion on all bills, motions, reports, resolutions and European Union issues that concern families, senior citizens, women and youth. It focuses on support for children and families, measures to help parents balance their work and family lives, promote equal treatment of men and women, assist senior citizens to lead independent lives and engage youth in communities.

*Source*: Status of Women Canada; Norway, Parliament, website page on Standing Committee on Family and Cultural Affairs; Norway, Parliament, website page on Standing Committees; Austria, Parliament, website page on National Council Committees; Bundestag, Federal Republic of Germany, website page on the Committee on Family Affairs, Senior Citizens, Women and Youth.

In its replies to the OECD survey on National Gender Frameworks, Kazakhstan reported having no parliamentary committee focusing on gender equality issues that could provide legislative oversight to this agenda. To ensure that gender equality initiatives are sustained in the legislative and broader governmental agendas and to enable greater accountability and transparency in this regard, Kazakhstan would benefit from strengthening the role of Parliament with regard to the promotion of gender equality. This would also facilitate the development of inclusive, needs-based laws and policies and reinforce gender equality in resource allocation through its role of budgetary oversight. Strengthening the role of legislative oversight would also align with the recommendations of the 2014 OECD Review of Central Administration of Kazakhstan to solidify the engagement of Parliament in monitoring the results of government activities and broader governmental performance (OECD, 2014a). Establishing parliamentary requirements on implementation of future gender equality policy can be an important step on the way to strengthening accountability for gender equality. For example, the Parliamentary Committee on Public Accounts in Canada regularly

requires government departments and agencies to report on how gender analysis informs their decision making. Kazakhstan may also consider engaging other oversight institutions, such as an external audit institution, in reviewing the implementation of government commitments on gender equality as part of the National Strategy.

The 100 Concrete Steps Programme announced in May 2015 presents a unique opportunity in this regard. One of the five pillars of this institutional reform is the formation of an "accountable government". Kazakhstan is committed to striving for a results-oriented state governance system whose oversight system is based on achieving stated targets. These efforts could be leveraged to increase momentum in further strengthening accountability and oversight in Kazakhstan to achieve real gender equality for inclusive growth.

## Policy co-ordination for effective delivery of gender equality policies

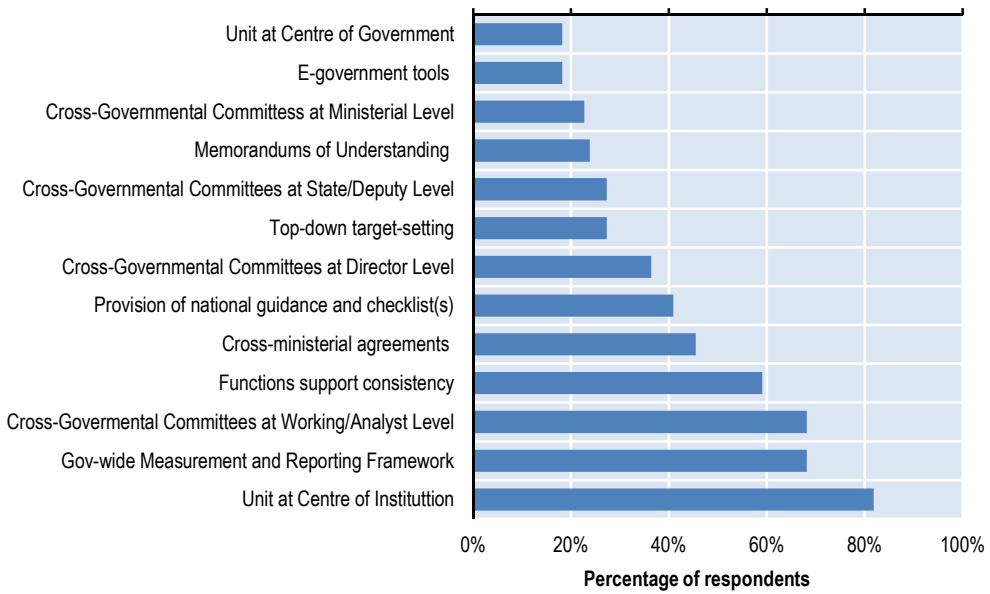
The 2015 OECD Recommendation on Gender Equality in Public Life recognises the importance of a whole-of-government response to gender equality. Accordingly, it stipulates that strong institutional frameworks for gender equality entail strong vertical and horizontal co-ordination mechanisms for policy coherence across governmental bodies and levels of government that involve relevant non-governmental stakeholders to ensure synergies and effective implementation of gender equality initiatives.

Indeed, the effectiveness of gender equality initiatives risks being dampened if not accompanied by sound co-ordination mechanisms. Such mechanisms ensure that gender reform remains on track. Policy co-ordination is most effective if it takes place both horizontally (across government entities) and vertically (between levels of government). Mainstreaming gender can include a number of cross-cutting initiatives that permeate many policy areas, involving multiple ministries or levels of government. For instance, issues related to domestic violence could involve the Ministries of Interior, Health, Justice, Education, Social Affairs and Labour as well as the National Agency of Statistics. Conversely, the lack of a co-ordinated approach in dealing with gender equality issues is a major obstacle in the development and implementation of gender policies. Central gender institutions such as the National Commission in Kazakhstan should have a role in co-ordinating multiple elements, including focal points, advisory councils, gender Ombuds offices, committees and working groups, as well as civil society organisations.

At the horizontal level, in OECD countries, the most prevalent co-ordination mechanisms include establishing co-ordination units at the centre of government, developing whole-of-government frameworks for gender

equality and setting up inter-ministerial groups convened by the central gender institution (see Figure 3.3). Emphasis is also placed on co-ordination at the analyst levels, demonstrating a practical approach to co-ordination in the area of gender policies (OECD, 2014b). For example, to support the implementation of a whole-of-government process to gender equality, both Belgium and Spain have established Inter-ministerial/inter-departmental Committees for gender equality. The responsibilities of these bodies include co-ordinating the policies and measures adopted by ministries to guarantee the right to, and further the effectiveness of, equality between women and men. In Belgium, the representatives of the ministries participating in the co-ordination group are also appointed as gender focal points in their respective entities. They receive compulsory training on gender mainstreaming and are tasked with ensuring follow-up on the diverse measures foreseen by the law (e.g. gender statistics, gender-responsive budgeting).[5]

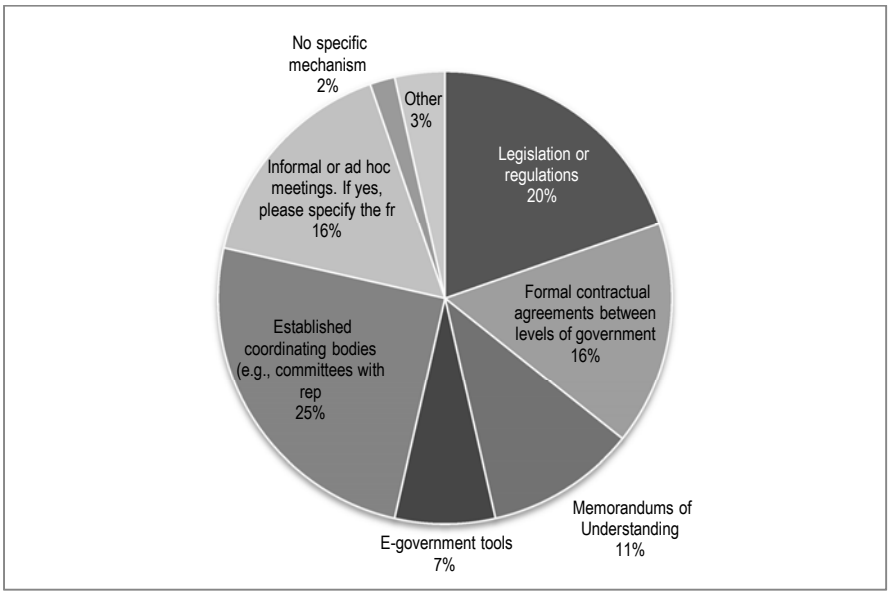
Figure 3.3. **Co-ordination mechanisms for gender equality initiatives in OECD countries (2012)**




*Source*: OECD (2011), "Survey on National Gender Frameworks, Gender Public Policies and Leadership".

All OECD countries with subnational governments employ vertical co-ordination methods, such as co-ordinating bodies or committees, legislation or regulations, memoranda of understanding or informal meetings between levels of government. In the case of Canada, cabinet ministers charged with gender equality at the national and provincial/territorial levels of government meet regularly to discuss portfolios of joint concern, as do civil servants at both levels of government who have responsibility for gender mainstreaming activities (OECD, 2014b).

Figure 3.4. **Tools for vertical co-ordination of gender equality initiatives (2012)**




*Source*: OECD (2011), "Survey on National Gender Frameworks, Gender Public Policies and Leadership".

The findings of the OECD Review of the Central Administration of Kazakhstan notes that while Kazakhstan has extensive co-ordination mechanisms at high levels, they appear to be too formal and insufficient to deal with increasingly cross-cutting policy issues (OECD, 2014a). At the central level, joint work across the central agencies is mainly issues-based rather than strategic, taking a whole-of-government approach. Accordingly, in its replies to the OECD Survey on National Gender Frameworks, Gender Public Policies and Leadership, Kazakhstan reported limited formal co-ordination mechanisms to ensure that gender-related initiatives are

consistent, complementary and well implemented across public bodies and levels of governments.

In practice, the co-ordination for gender equality is carried out by the Secretariat of the National Commission during the implementation of the Gender Equality Strategy. As such, the Secretariat engages with ministries and local bodies responsible for implementing the Gender Strategy in the development of action plans by requesting input. In return, public institutions are responsible for annual reporting to the Secretariat on implementation. Co-ordination between public bodies is carried out on an ad hoc basis depending on whether tasks foreseen in the action plans require joint implementation. This co-ordination approach is similar at the vertical level of government. Local *akimats* are responsible for the implementation of the Gender Strategy and annual reporting to the National Commission on the implementation.

The National Commission regularly organizes roundtables and conferences on gender equality policy implementation with participation by NGOs, public associations and government agencies. In addition, the budget of the national government annually allocates money for projects on gender policy to be implemented with the participation of the UNDP and the United Nations Fund for Population Activities (UNFPA). Thus, for 2017 102.5 million tenge are allocated for the project "Sustainable Development Goals and Equality Promotion in Kazakhstan". The draft Concept on Family and Gender Policy for 2030 requires further strengthening of international collaboration through ongoing exchange of knowledge and accumulated experience and promotion of positive practices to achieve gender equality within government and in public life.

Still, the existing, mainly informal co-ordination mechanisms appear insufficient to achieve policy coherence and a whole-of-government approach to gender equality. It is important to note that such an approach may contribute to a lack of ownership from public bodies in the design and implementation of gender-related initiatives, reinforcing the culture of waiting for instructions from the top. This may also limit the accountability of ministries for results in the absence of necessary analysis on gender policies, thus inhibiting the achievement of expected outcomes.

To this end, it will be important for Kazakhstan to strengthen institutionalisation of co-ordination channels at the horizontal and vertical levels. This may involve systematic sharing of good practices and data and undertaking joint analysis to enable government-wide implementation of gender equality. Kazakhstan has reported having gender focal points in all public bodies and levels of government. The country may consider supporting a whole-of-government approach by regularly bringing together

representatives from across ministries who also serve as gender focal points in their respective entities. Gender units may form an inter-agency network and can regularly participate in the work of the National Commission to discuss documents to be adopted at the inter-agency level.

## Implementation and monitoring of gender equality initiatives

Gender equality policies, as all policies and programmes, are only as good as their implementation. Bridging the gap between creating strategic frameworks and effective implementation is essential. The issue is particularly acute in Kazakhstan, where a formal approach to gender equality usually prevails. Without effective implementation, gender policies and programmes remain declarative statements. Effective implementation requires a host of "hard" and "soft" levers to ensure that gender equality strategies and policies are implemented by all ministries at all levels of government (OECD, 2014b).

The OECD countries have put in place various mechanisms to ensure effective implementation of gender equality initiatives. Most of the OECD countries have a regular measurement of performance and reporting using evaluation and monitoring requirements. A majority of countries also have regular reporting requirements to the national legislature or to a high-level commission. For example, in Spain, the Equal Opportunities Strategic Plan 2014-16 puts forward an evaluation programme that encourages relevant stakeholders to develop a set of indicators associated with each of the objectives outlined in the Strategy. In Canada, in 2015, the office of the Auditor General conducted an independent examination of gender-based analysis in Canada in order to provide objective information, advice, and assurance to assist Parliament in its scrutiny of the government's management of resources and programmes.

In Kazakhstan, a number of mechanisms are in place to support the implementation of the Gender Strategy in Kazakhstan (see Table 3.3). As such, since the adoption of the Gender Strategy, three action plans were approved by a decree of government to ensure its implementation and monitor progress. These action plans assign different activities and tasks to different government bodies at the central and local levels and set out annual reporting requirements and budget allocations for implementation. The National Commission is tasked with conducting regular measurements of performance through annual reporting requirements from selected ministries and local executive bodies on the implementation of the Gender Equality Strategy 2006-16.

Table 3.3. **Mechanisms used by national ministries to ensure the implementation of gender equality initiatives**

| | Regular measurement of performance | Audits or inspections | Setting clear objectives with timelines to achieve them | Reporting to a high level steering body / commission | Regular reporting requirements to parliament | Integration into managers' performance accords | Regular reviews at key stages of the implementation process | Integration of gender equality requirements in job descriptions | Evaluation and monitoring requirements |
|---|---|---|---|---|---|---|---|---|---|
| Australia | ○ | ○ | ○ | ○ | ○ | ⊗ | ⊗ | ⊗ | ⊗ |
| Austria | ● | ⊗ | ● | ⊗ | ● | ⊗ | ○ | ○ | ○ |
| Belgium | ⊗ | ⊗ | ○ | ⊗ | ○ | ⊗ | ○ | ⊗ | ○ |
| Canada | ● | ○ | ● | ● | ● | ○ | ● | ○ | ● |
| Chile | ● | ○ | ● | ● | ⊗ | ⊗ | ○ | ⊗ | ○ |
| Czech Republic | ○ | ⊗ | ● | ● | ⊗ | ⊗ | ● | ○ | ● |
| Finland | ● | ⊗ | ● | ● | ○ | ⊗ | ○ | ○ | ○ |
| France | ○ | ○ | ● | ● | ● | ⊗ | ⊗ | ○ | ● |
| Germany | ○ | ⊗ | ⊗ | ⊗ | ⊗ | ⊗ | ⊗ | ⊗ | ○ |
| Greece | ○ | ⊗ | ○ | ○ | ○ | ⊗ | ○ | ○ | ● |
| Ireland | ○ | ⊗ | ○ | ○ | ○ | ⊗ | ○ | ⊗ | ○ |
| Israel | ● | ⊗ | ○ | ● | ● | ⊗ | ⊗ | ⊗ | ⊗ |
| Korea | ● | ⊗ | ⊗ | ● | ● | ⊗ | ⊗ | ⊗ | ⊗ |
| Luxembourg | ⊗ | ⊗ | ⊗ | ● | ⊗ | ⊗ | ● | ⊗ | ● |
| Mexico | ● | ○ | ● | ● | ● | ○ | ● | ○ | ● |
| New Zealand | ○ | ⊗ | ○ | ⊗ | ○ | ○ | ○ | ○ | ○ |
| Norway | ● | ○ | ○ | ⊗ | ● | ⊗ | ○ | ⊗ | ○ |
| Slovak Republic | ○ | ⊗ | ⊗ | ⊗ | ● | ⊗ | ⊗ | ⊗ | ○ |
| Spain | ⊗ | ⊗ | ● | ⊗ | ● | ⊗ | ⊗ | ○ | ● |
| Sweden | ● | ● | ⊗ | ⊗ | ○ | ⊗ | ○ | ○ | ○ |
| Switzerland | ● | ○ | ○ | ○ | ⊗ | ⊗ | ● | ○ | ● |
| United States | ○ | ○ | ● | ○ | ● | ⊗ | ⊗ | ⊗ | ⊗ |
| Kazakhstan | ● | ⊗ | ● | ● | ⊗ | ⊗ | ○ | ⊗ | ○ |

Legend: ● Always ○ In some cases ⊗ No, this mechanism has not been established

*Source*: OECD (2011), "Survey on National Gender Frameworks, Gender Public Policies and Leadership".

Yet analysis shows that in the implementation of the Gender Strategy 2006-16, the emphasis is put mainly on the implementation of activities outlined in the action plans rather than a focus on the achievement of expected results and the impact of policies. Neither the National Commission nor ministries and local executive bodies seem to have the necessary human and financial resources, gender-disaggregated data and skills to assess the intended impacts of such indicators and re-evaluate policies to change, where appropriate, the course of action. The Secretariat

of the National Commission also reported that various public bodies responsible for the implementation of gender equality are reluctant to monitor ongoing improvement in achieved indicators, thus hampering the effectiveness of implementation efforts. For example, if the target of 30% representation of women in a given administration in a year is reached, it will be important to continue monitoring the same target in the coming years to avoid rollbacks. Conversely, reporting requirements may risk being ineffective, simply adding an additional layer of administrative burden. Kazakhstan may benefit from a shift in focus from mere implementation of indicators to a results-based monitoring.

Kazakhstan's new reform agenda of the 100 Concrete Steps and the draft Concept on Family and Gender Policy for 2030 provide a unique opportunity to strengthen effective monitoring of gender equality initiatives. The 100 Concrete Steps programme strives to establish a results-oriented state governance system with standardised and minimal procedures for monitoring, assessment and control. In addition, the programme requires that the efficiency of implementing key initiatives by ministers and *akims* must be thoroughly monitored by the national commission. Moving forward, it will be important to mainstream the gender agenda within the broader reform initiatives to ensure that national gender policy goes beyond declarative statements. Policy needs to translate into concrete actions with measurable outcomes. Similarly, adequately placing the draft Concept on Family and Gender Policy for 2030 in the hierarchy of state planning documents will allow for gender indicators to be effectively embedded in the subordinate strategic documents of line ministries and government agencies, thus facilitating its implementation and systematic monitoring. Finally, to ensure effective implementation of gender initiatives, Kazakhstan would benefit from facilitating an exchange of good practices, promoting research and advancing an incentives structure, network creation and information sharing across public institutions through establishing formal co-ordination mechanisms.

**Key recommendations**

- Further strengthen the capacity and institutionalisation of the national gender machinery (i.e. the current National Commission and related institutions), as already envisaged in the draft Concept on Gender and Family Policy for 2030, by enhancing their statutory authority, mandate, access to mainstream decision-making processes across the government (e.g. participation in government meetings), reach to other governmental and non-governmental bodies and resource base.

**Key recommendations** *(continued)*

- Strengthen the presence, gender expertise, capacities and positioning of gender focal points across the administration and levels of government. Build upon ongoing discussions and further pursue the appointment of gender focal points in local elected bodies (*mashlikhats*) and executive bodies.
- Define the functions of gender focal points to support their ministries and institutions to develop and implement gender-sensitive policies and programs, taking into consideration gender-disaggregated data. These gender focal points could assume a dual reporting function, both to the senior leadership of their Ministry and to the National Commission. In parallel, ensure that the accountability to design and implement gender-sensitive policies is attributed to senior management.
- Consider integrating gender considerations into the development and implementation of sectorial plans and programmes.
- Promote the introduction of training programmes across the administration and levels of government focused on gender equality and mainstreaming, including collection and analysis of gender-disaggregated data and use of tools for gender-sensitive policy making such as gender-impact assessments and gender budgeting. This can be particularly important in government departments that may not identify their portfolio as having gendered dimensions.
- Embed a commitment to gender equality and mainstreaming strategies by establishing effective accountability and oversight mechanisms. Use these accountability mechanisms to raise awareness of gender mainstreaming across the public sector and among the general public.
- Further strengthen institutional ties among the Commission, the Ombudsperson and the Prosecutor General's Office in preparation of the annual report on human rights.
- Further institutionalise co-ordination channels at the horizontal (across the government) and vertical (across levels of government) levels for implementation of the forthcoming gender equality policy through systematic sharing of good practices and data, undertaking joint analysis to enable government-wide implementation of gender equality (as already envisaged in the draft Concept on Family and Gender Policy for 2030). Facilitate the exchange of good practices, promote research and advance an incentives structure, network creation and information sharing across public institutions through establishing formal co-ordination mechanisms.

# Notes

1. Under the Internal Policy Department of the Presidency.
2. In accordance with the Decree of the President of the Republic of Kazakhstan dated February 1, 2006 N 56, On the National Commission on Family Affairs and Gender Policy under the President of the Republic of Kazakhstan, the National Commission on Family Affairs and Gender Policy as a consultative and advisory body under the President of the Republic of Kazakhstan.
3. CEDAW/C/KAZ/CO/3-4 – 2014.
4. Information provided by the Academy of Public Administration.
5. Information provided by the Belgian Institute for Equality of Women and Men.

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# *Chapter 4*

# Embedding gender considerations in public policies in Kazakhstan

*Gender mainstreaming is articulated as a goal within the overall National Gender Strategy 2006-16. Steps have been taken to allow for the use of gender mainstreaming tools such as the collection of gender-disaggregated data by an especially dedicated gender statistics unit. Elements of gender analysis of draft legislative acts and Gender Responsive Budgeting (GRB) within some public entities have been also implemented. However, this chapter observes the need to improve the scope, depth and use of existing gender-disaggregated data, to widen the application of Gender Impact Assessments beyond primary legislation and to better link the allocation of public budgets to expected gender equality results. This chapter examines what tools and mechanisms Kazakhstan is currently using in pursuit of its gender equality objectives. To that end, it references the OECD Recommendation on Gender Equality in Public Life to provide further guidance on how Kazakhstan can ensure inclusive, sustainable gender-sensitive policies.*

This document, as well as any [statistical] data and map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

The statistical data for Israel are supplied by and under the responsibility of the relevant Israeli authorities. The use of such data by the OECD is without prejudice to the status of the Golan Heights, East Jerusalem and Israeli settlements in the West Bank under the terms of international law.

The 2015 OECD Recommendation on Gender Equality in Public Life (hereinafter the GEPL Recommendation) brings forward policy tools to support governments in delivering gender-sensitive policy outcomes. These tools include integrating evidence-based assessments of gender impacts and considerations into various dimensions of public governance as, for example, public procurement, public consultation and service delivery management and at early stages of all phases of the policy cycle. Also included is the integration of the gender perspective in all phases of the budget cycle (see Box 1.1 in Chapter 1).

This chapter considers mechanisms for integrating gender into the policy-making process in Kazakhstan, including:

- gender mainstreaming
- applying gender impact assessment as a tool for gender mainstreaming
- introducing gender-responsive budgeting (GRB) as a specific method for gender impact assessment
- using gender-disaggregated evidence as a base for decision making
- improving public consultation for gender-sensitive policies.

## Strengthening the dual approach for gender equality: Gender mainstreaming

In Kazakhstan, there is a widespread understanding across the administration at different levels of government that gender equality and empowerment of women can be achieved through targeted actions (for example, supporting women's integration in the formal labour market through training and active support). As mentioned in the previous chapters of this review, while these targeted actions are important to address identified gender gaps, it is one of the many tools that must be used simultaneously to achieve gender equality. This is also the case in the recently adopted Sustainable Development Goals (SDGs). The SDG 5 is a stand-alone goal to achieve gender equality and empower all women. The other 14 goals (e.g. on health, well-being, education, clean water, industry and infrastructure) aim to integrate gender-sensitive indicators in their implementation and monitoring. Kazakhstan can strongly benefit from raising the awareness of its senior managers, as well as all public servants on these levels of gender equality policy to generate understanding and buy-in of all ministries in embedding gender-sensitive indicators in their field of activities.

The GEPL Recommendation stresses that achieving gender equality requires gender mainstreaming into sectorial policies and services at appropriate levels of governments. Accordingly, it recommends its adherents to mainstream gender equality in the design, development, implementation and evaluation of relevant public policies and budgets (see Box 1.1 in Chapter 1).

At the 1995 United Nations Fourth World Conference on Women, section 204(a) of the Beijing Declaration and Platform for Action recommended that governments "seek to ensure that before policy decisions are taken, an analysis of their impact on women and men, respectively, is carried out". This recommendation creates an important foundation for embedding gender considerations in national laws, policies and programmes. Moreover, participating governments endorsed the principles of gender planning, mainstreaming and institutionalisation in the 1995 Beijing Platform for Action, which emphasises the responsibility of all government agencies for appropriately addressing issues of gender inequality. The gender mainstreaming approach responds to evidence that policies and programmes will generally have a different impact on women and men – who tend to have different responsibilities, needs and resources.

### Box 4.1. **Gender sensitivity and gender blindness**

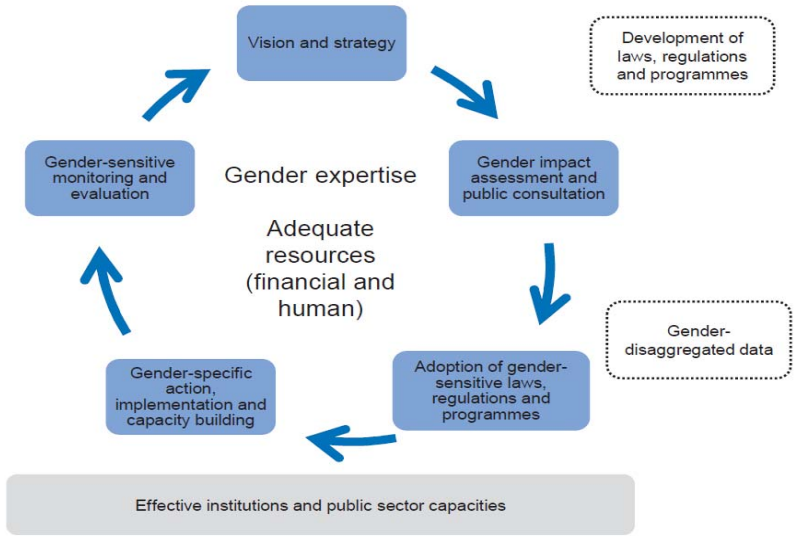
Gender blindness refers to ignoring the different and socially determined roles, responsibilities and capabilities of men and women. Gender-blind policies and public services are often based on information derived from men's activities and/or the assumption that everyone affected by the policy (both women and men) has the same needs and interests. Because men and women will have different experiences due to societal structures, such as gender roles, access to resources and opportunities, equal treatment is often insufficient. Achieving gender equality, therefore, necessitates recognising differential impact. Effective programming and policy making must examine the underlying sources of inequality and take population heterogeneity into account.

Gender sensitivity is the "ability to acknowledge and recognise existing gender-related perceptions and interests arising from different social gender roles and to incorporate them into strategies and actions. It is a concept that aims at reducing the barriers to personal and economic development that are created by sexism and stereotyped gender roles. Gender sensitivity is considered as the beginning stage of gender awareness, which consists of a more analytical questioning of gender inequalities by identifying less evident, implicit or hidden aspects of gender discrimination or unequal treatment."

*Sources*: UNESCO (2002), *Gender Sensitivity, A Training Manual for Sensitizing Educational Managers*, *Curriculum and Material Developers and Media Professionals to Gender Concerns*; World Bank (n.d.), *A Trainer's Manual, Glossary of Gender Terms*.

Designing and providing public services that are equally accessible and relevant to all citizens also requires rigorous processes to embed gender considerations in service design and delivery. Services are not gender neutral; the way they are developed and delivered can have a differential impact on women and on men. Consequently, to obtain full strategic insight into how policies affect both men and women, it is critical to implement gender mainstreaming processes. Gender mainstreaming seeks to ensure that institutions, policies and services respond to the needs and interests of women as well as men and distribute benefits equitably between women and men. Gender mainstreaming should form an integral part of policy formulation from the initial stage of policy and service development throughout the implementation and evaluation of policy and service impacts.

Figure 4.1. **Key components of gender mainstreaming**




*Source:* Developed by the OECD, 2014.

All OECD countries are implementing some form of gender mainstreaming. While most countries include a gender mainstreaming strategy within an overall gender equality strategy, others report pursuing gender mainstreaming as part of a separate strategy. Gender mainstreaming approaches embrace the development of methodologies for incorporating gender perspectives into government legislation, regulations, policies and programmes. They are often focused on the adoption of a comprehensive, whole-of-government approach (OECD, 2014c). It is important to stress that

gender mainstreaming is a shared responsibility. Thus, it entails involvement of all public institutions and agencies at various levels of government. For example in Canada, the government recognises the importance of continuing to enhance the practice of Gender-based Analysis (GBA) across all departments and agencies. All players within the federal government share responsibility for making GBA sustainable. Although the responsibility for performing GBA rests with individual departments and agencies, Status of Women Canada, the Treasury Board of Canada Secretariat and the Privy Council Office all provide support to the federal government in implementing gender-based analysis (see Box 3.4 in Chapter 3).

### Box 4.2. **Examples of gender mainstreaming in Korea**

Since the Fourth UN World Conference on Women in Beijing in 1995, the Korean government has been making efforts to integrate gender perspectives into mainstream policy and programme development, otherwise known as gender mainstreaming. In the pursuit of gender equality, Korea has focused on developing women's capacities, increasing women's political representation and improving the welfare and civil rights of women. To ensure gender equality, Korea actively promotes gender-mainstreaming strategies in the policy-making process. In this context, a gender impact assessment was introduced in 2004. In 2011, Korea adopted the Gender Impact Assessment Act, which applies to all laws, decrees and projects of the central and local governments. Existing guidelines have also been revised to ensure that the gender impact assessments are applied to new government activities. The assessment results must be incorporated in the following year's budgets, which makes the co-ordination with gender-responsive budgeting crucial. To ensure that government resources are equitably allocated for men and women, the Korean government introduced gender-responsive budgeting in 2010, which was expanded to the local governments in 2013.

On a city level, the Seoul metropolitan government has sought to go beyond national provisions in policies related to women. There are three fundamental considerations of the city's women-friendly policies. They should: 1) deal with the reality of a diverse range of urban women; 2) fully address women's daily needs; and 3) have an impact throughout the city and influence gender mainstreaming in other policies. From 2006 to 2010, Seoul introduced the Women Friendly City Project, which launched policies that reflect women's daily lives and helped to promote gender sensitivity in the use of city space and city planning. Based on five pillars, it operated 90 projects, ranging from improving childcare practices to upgrading safety facilities. The Project was recognised as the best practice at the 2010 United Nations Public Service Award Ceremony.

*Source*: UN Habitat (2008), "Gender Mainstreaming in Local Authorities – Best Practices".

In Kazakhstan, gender mainstreaming is articulated within the overall National Gender Strategy 2006-16. One of the strategic objectives set out in the Gender Strategy is to "introduce gender approaches into the development, realisation and control over implementation of the national legislation, national and local budgets, and state, social and economic programs", thus providing the basis of gender mainstreaming. Such a clearly articulated objective is an essential first step towards the achievement of real gender equality. To translate this commitment into action, Kazakhstan may consider working on removing practical and cultural barriers leading to policy failure. Such barriers hamper the effective introduction and implementation of gender mainstreaming.

As in a number of other countries, one of the barriers to effective gender mainstreaming in Kazakhstan is the limited awareness and understanding among line ministries and local executive bodies of the need to adopt a gender approach to policies. Interviews with public officials showed a widespread perception within Kazakh society that integrating provisions of gender equality in law is sufficient for achieving gender equality in practice. This is particularly true at the local level. That formal requirements of laws are perceived as being able to generate substantive gender equality directly in society shows that public institutions at central and subnational levels are crucially situated to adopt and implement gender mainstreaming strategies.

Moreover, in its replies to the Survey, Kazakhstan noted that lack of funding, lack of gender analysis skills within the public sector and lack of tools (e.g. manuals and guidelines) within the public service for gender mainstreaming are major challenges to overcome to reach gender equality. To be successful, the Secretariat of the National Commission needs stronger capacities, skills and resources to develop tools and guidelines on gender mainstreaming. Gender mainstreaming could, in turn, support the integration of gender aspects into the policy cycle with the guidance of central and local executive bodies. In this regard, Kazakhstan may also consider the use of handbooks and toolkits to support the national institutions and local authorities in effective gender mainstreaming such as has been developed in several OECD countries (see Box 3.2 in Chapter 3).

Limited overall government capacity to measure the impact of policies coupled with the lack of available and easily accessible gender-disaggregated data make it difficult to assess the impact of gender mainstreaming in Kazakhstan. Experience from OECD countries shows that the impact of gender mainstreaming can be seen across the spectrum of policy sectors, but perhaps nowhere as explicitly as in the changes to health policy that gender analysis has facilitated. In areas such as treatments for cardiovascular disease, diabetes and some forms of cancer, gender analysis has been pivotal in improving women's health. Gender analysis has been

critical to designing policies and programmes dealing with HIV/AIDS, anti-smoking and suicide prevention. But the policy impact of gender analysis extends far beyond health issues (OECD, 2014c).

### Box 4.3. **Gender mainstreaming manuals from Sweden and the city of Vienna**

The Swedish Gender Mainstreaming Support Committee developed a manual to train central government administrators in the implementation of the gender mainstreaming process. The manual contains the most tried and tested measures with respect to the crosscutting of gender. In addition, the committee developed a book for managers, gender specialists and public workers titled *Gender Equality in Public Service* to properly mainstream gender throughout government.

**How does it work?**

In the manual, all methods and models have step-by-step instructions on how to properly mainstream gender. A model known as "The Ladder" describes the steps leading to the gender mainstreaming process as well as the prerequisites for its long-term sustainability. The manual contains a total of eight steps:

- **Step 1** defines gender equality and provides background information on Swedish gender equality policy.
- **Step 2** determines the conditions for gender mainstreaming from which three methods are analysed: Study the Operation, the Gender-Equal Operation and Examine the Processes.
- **Step 3** includes a checklist and tool for planning and organising development work known as the METS. The tool is used when a group is about to undertake gender-mainstreaming work and includes a list of what is required to properly classify gender-mainstreaming work.
- **Steps 4 to 6** contain a set of tools useful for working properly with surveys, data and analysis, and for developing objectives from a gender equality perspective.
- **Step 7** focuses on the implementation of the measures planned in Steps 4 to 6.
- **Step 8** contains a method used to evaluate the outcome of a measure or activity from a gender perspective.

The Swedish Gender Mainstreaming Support Committee recommends that the methods and measures used be adapted to the current context and task in place.

### Box 4.3. **Gender mainstreaming manuals from Sweden and the city of Vienna** *(continued)*

To aid all public employees in implementing gender mainstreaming in the policy-making process, the city of Vienna developed a handbook with practical advice on gender mainstreaming.

**How does it work?**

The handbook was developed as a reference handbook for everyday work. Its framework is organised into sections with clear answers to questions on how to properly carry out certain functions. Reading the whole handbook is not compulsory. Using the handbook facilitates searching for answers to specific questions, maximises results and increases efficiency by addressing certain topics linked to gender. The topics addressed include:

- what to keep in mind when selecting and establishing gender indicators
- how to properly use gender-sensitive language
- how to develop a gender-based budget
- how to provide gender-sensitive advice.

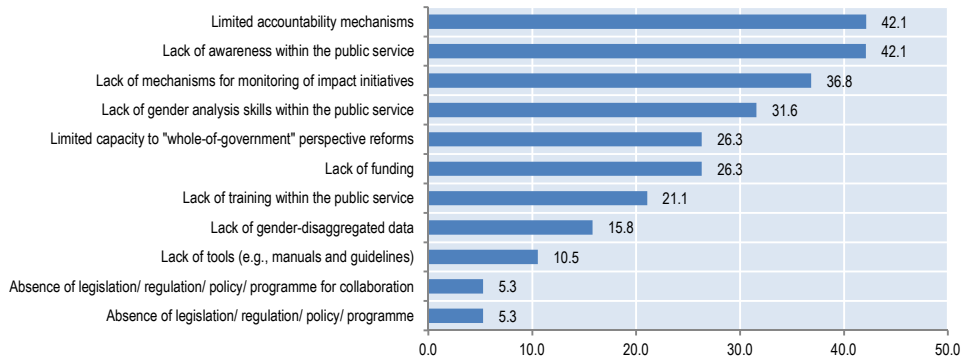
Through the establishment of five principles of gender mainstreaming and the 4R Method, the Handbook facilitates the process of gender mainstreaming implementation by developing and expanding methods in line with these principles. The five principles are the following:

- gender-sensitive language
- gender-specific data collection and analysis
- equal access to service
- ensuring a balanced ratio of women and men in decision making
- integrating equal treatment into steering processes.

The Handbook also provides a gender check tool that may be used to analyse department success in gender equality matters.

*Source*: Government of Sweden, (2007), *Gender Mainstreaming Manual: A Book of Practical Methods,* Swedish Gender Mainstreaming Support Committee, www.government.se/contentassets/3d89b0f447ec43a4b3179c4a22c370e8/gender-mainstreaming-manual-sou-200715; City of Vienna (n.d.), *Gender Mainstreaming Made Easy.*

Figure 4.2. **Barriers to effective pursuit of gender mainstreaming and equality policies in OECD countries**




*Source*: OECD (2014c), *Women, Government and Policy Making in OECD Countries: Fostering Diversity for Inclusive Growth,* OECD Publishing, Paris, http://dx.doi.org/10.1787/9789264210745-en.

As mentioned previously in this assessment, the National Gender Strategy 2006-16 was not included in the existing hierarchy of documents of the state planning system. As a result, only one government agency, the Health and Social Development Ministry, embedded gender targets stemming from the Strategy in its sectorial program. These target indicators were, however, limited in nature and covered only four areas, including maternal and infant mortality rates. Building on these existing initiatives as a first step to effective gender mainstreaming, Kazakhstan could benefit from introducing a gender perspective to all healthcare-related policy initiatives. Such an approach would first require systematically disaggregating data collection for women and men in all areas of health policy. A lack of available gender-disaggregated health indicators was already identified as one of the challenges and areas for improvement in the State Program of Health of the Republic of Kazakhstan (Salamatty Kazakhstan) for 2011-15. Such a provision could provide the necessary incentives to prioritise progress on gender-disaggregated data collection. Based on this evidence, implementing gender mainstreaming would require enhancing the skills and resources of the available staff to apply a gender-based approach to design, implement and evaluate such policies both at the national and at the local levels.

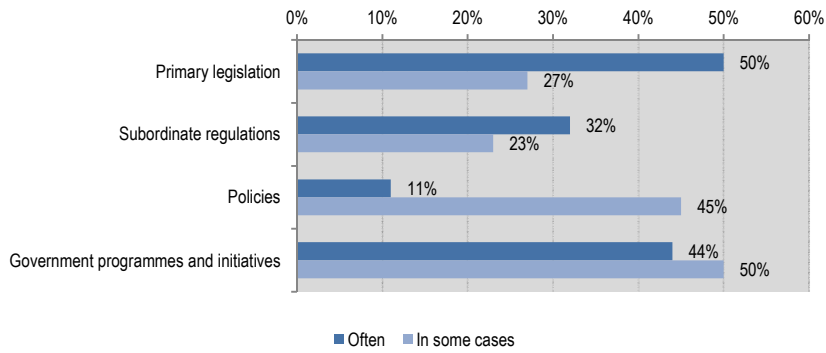
A similar approach could be applied systematically to all priority areas in the forthcoming gender strategy. The aim would be to create a spillover effect over time with respect to other line ministries that are more

marginalised with regard to gender policies (e.g. energy, transport, defense and agriculture).

## Applying Gender Impact Assessment (GIA) as a tool for gender mainstreaming

Building awareness and understanding among policy makers of the potentially different effects of policy choices on men and women is key to inclusive policy making in various domains (OECD, 2014c). One of the core tools for implementing gender mainstreaming is Gender Impact Assessment, sometimes called gender-based analysis or gender audit. Accordingly, the GEPL Recommendation stipulates that gender considerations can be integrated into various dimensions of public governance by aligning *ex ante* assessments of gender impacts with broader government-wide policy development processes such as regulatory impact assessment (see Box 1.1 in Chapter 1).

Figure 4.3. **Gender analysis practices in OECD countries**




*Source:* OECD (2011), "Survey on National Gender Frameworks, Gender Public Policies and Leadership".

Increasingly applied in OECD countries, Gender Impact Assessment (GIA) aims to estimate the effects (positive, negative or neutral) of any policy, legislation, regulation, institutional or individual practices on gender equality. The European Union defines GIA as "a process to compare and assess, according to gender-relevant criteria, the current situation and trend with the expected development resulting from the introduction of the proposed policy" (European Commission, n.d.). GIA is a variation of the more comprehensive Regulatory Impact Assessment (RIA), which

encompasses a range of methods aimed at systematically assessing the negative and positive impacts of proposed and existing regulations.

Box 4.4 contains the EU criteria for GIA, which take into account the differences between men and women and the need for restorative action to ensure that any previous gender-based inequalities are addressed. Box 4.5 provides information on gender impact assessment in Canada.

### Box 4.4. **EU criteria for gender impact assessment**

The European Commission's report on gender impact assessment states the following criteria:

1. Differences between women and men in the policy field, such as:

- participation (sex composition of the target/population group(s), representation of women and men in decision-making positions)
- resources (distribution of crucial resources such as time, space, information and money; political and economic power; education and training; jobs and professional careers; new technologies; healthcare services; housing; means of transportation; leisure)
- norms and values that influence gender roles, gender division of labour, the attitudes and behaviour of women and men, respectively, and inequalities in the value attached to men and women or to masculine and feminine characteristics
- rights pertaining to direct or indirect sex discrimination, human rights (including freedom from sexual violence and degradation) and access to justice in the legal, political or socio-economic environment.

2. How can policies, laws and regulations contribute to the elimination of existing inequalities and promote equality between women and men in participation rates, the distribution of resources, benefits, tasks and responsibilities in private and public life and in the value and attention accorded to masculine and feminine characteristics, behaviour and priorities?

Key questions for policy makers on gender-sensitive regulations include:

- Has a commitment to gender been incorporated at a high level into the regulatory reform, or is it an add-on (or absent from the agenda altogether)?
- Does the review process examine whether regulations have differential impacts on men and women, and determine whether corrective measures are needed?

Box 4.4. **EU criteria for gender impact assessment** *(continued)*

- Are there opportunities for women to participate directly or indirectly through civil society groups, and is there monitoring of actual participation?
- Are there barriers to entry for women-owned firms overall or in government procurement?
- Are there administrative requirements that, in addition to posing barriers to entrepreneurs generally, are especially cumbersome for women, or are there areas where women's property or other rights are deficient in ways that impede business development?
- Do women face particular barriers in gaining access to credit or employment? Are there barriers to women's access to training, advisory services or other activities that would strengthen their economic participation as employers and employees?
- Are these and other gender linkages identified and are policy makers encouraged to take them into consideration actively in designing policy?"

*Source*: European Commission (n.d.), "A Guide to Gender Impact Assessment", Directorate-General for Employment, Social Affairs and Equal Opportunities, European Commission, Brussels; Bremer, J. (2009), "Introducing Gender Analysis into Regulatory Frameworks", position paper prepared for the first meeting of the Gender Focus Group of the MENA-OECD Governance Programme on "Addressing Gender in Public Management", American University in Cairo.

Box 4.5. **Gender-Based Analysis+ in Canada**

The Government of Canada has developed Gender Based Analysis+ (GBA+), an analytical tool to assess the impact of gender on policies, programs and legislation on gender equality to bridge the gender divide and increase state capacity. By incorporating the gender perspective into the policy-making process, gender-based analysis compels decision makers to consider gender inequalities.

Amongst the responsible and involved federal departments and institutions, Status of Women Canada, the Treasury Board of Canada Secretariat (TBS) and the Privy Council Office (PCO) carry the main functions in supporting the implementation of gender-based analysis through Canada's government. The Status of Women Canada is the responsible entity for leading the process of gender-based analysis across the federal public entities. It aids departments and agencies in properly implementing gender-based analysis through the provision of training, guidance and tools.

Box 4.5. **Gender-Based Analysis+ in Canada** *(continued)*

Through the provision of the GBA+ online course and proper training materials, Canada's government has increased state capacity. At the same time, through the drafting of the GBA Strategic Plan 2015-20, Status of Women Canada has taken concerted steps and efforts to increase the integration of gender-based analysis throughout the government.

The plan involves monitoring activities that the organisation, in consultation with other key agencies, is pursuing in order to develop a proper policy-making process.

To better address the needs of Canadian women and men, federal public agencies can use GBA+. Considering elements such as education, language, income and culture in the context of gender is essential in evaluating impacts of draft laws, policies, programmes and budgets. Even though GBA+ has been implemented only in several federal departments and agencies, the tool has been efficient in integrating the gender perspective into policy decision making.

The GBA+ Framework comprises six factors that are essential for the proper implementation and support of gender-based analysis in independent divisions and agencies:

- the development of a policy or statement of intent
- an entity that takes responsibility and monitors the implementation process of the GBA+
- tools and manuals
- an annual self-evaluation on the implementation of the GBA+ agenda
- independent division and agency reports.

Through the development of the GBA+ online course and other tools and training, significant progress has been made in supporting the implementation of gender-based analysis throughout the federal government.

*Source*: Office of the Auditor General of Canada (2016), "Report of the Auditor General on Gender Based Analysis + in Canada".

OECD countries employ a number of strategies to ensure the implementation of GIAs. These include requiring that the accompanying documents of all draft laws and regulations contain a statement on gender impacts, including gender analysis as part of regulatory impact assessments and reporting to national legislatures or independent evaluations or audits.

As noted earlier in this review, public sector capacities and processes required for gender equality can be only as good as the general government capacities for planning, policy making and regulatory frameworks. In Kazakhstan, while many elements of regulatory management are formally in place, further efforts can be made to ensure their effective implementation (OECD, 2014b). During the assessment, Kazakhstan reported conducting *ex ante* gender impact assessments only on primary legislation and only in some cases. *Ex ante* GIAs for subordinate regulations, policies, government programmes and initiatives, including on the delivery of public services, are not foreseen in the near future.

However, experience from OECD countries shows that GIAs are most effective if integrated at early stages of the development of policies and programmes, and if they are sustained through all phases of the policy cycle, including implementation, monitoring and evaluation. Additionally, as suggested in the GEPL Recommendation, *ex ante* gender impact assessment needs to be generally aligned with broader policy assessment processes, whether in Regulatory Impact Assessment or expenditure appraisals, to be fully anchored within public administrative procedures.

Kazakhstan is in the process of putting in place elements of *ex ante* impact assessment requirements (called "scientific expertise"), including from a gender equality perspective. Article 29 of the Law 480-V on Legal Acts (6 April 2016) stipulates that draft legislative acts (including draft regulations) be accompanied by an explanatory note and a scientific expertise appraisal. According to Article 30 of the same law, scientific expertise (e.g. legal, linguistic, environmental or economic expertise) of draft regulations is conducted to "assess the quality, relevance, timeliness, appropriateness of the project", to "determine the potential effectiveness" of the law and to identify its "possible negative implications". Draft laws and other normative acts that may pose a threat to the environment are subject to mandatory Environmental Impact Assessment research (Article 30). The draft legislation submitted by the president is not subject to mandatory scientific expertise. The 2016 Government Resolution No. 497 establishes Regulations for Scientific Expertise of the Draft Legislation. The Regulations set requirements for the *ex ante* assessment of draft laws and provide a general format for conducting scientific expertise. The latter comprises the identification and description of problem issues addressed by the draft law, a description of all known and effective ways to resolve the issue addressed by the draft act (also building on international practices), whether it is a legal or economic analysis. The Regulations require that scientific expertise should reveal the possible harm to fulfilment of gender equality presented by the draft legislation in question, if any, as well as the

causes and consequences of such a threat. Therefore, a basis for evaluation of the newly developed legislation on gender equality issues is established.

Several challenges can be identified in the implementation of this requirement to undertake a gender impact assessment of draft laws: First, the authors of the draft law are entrusted with defining the scope of the scientific analysis. There is no specific methodology or guidelines adopted for undertaking an effective gender impact assessment. It can extend from an analysis of a specific part of the text to the whole text. The content may also vary. Depending on the text, it can include legal and economic consequences, anticorruption analysis, legal analysis, environmental analysis and financial analysis (OECD, 2014b). This means that, in practice, gender impact assessment is not undertaken in instances in which the drafters of the text consider the latter to be gender neutral. In fact, no track record or evidence of gender impact assessments were found during the preparation of this review. Second, as found by the OECD Review of Central Administration in Kazakhstan, while line ministries are responsible for developing regulatory drafts and providing basic information about their context and effects, scientific expertise regarding the subject matters is sought from external sources (through the Institute of Economic Research). The goal is to obtain an independent and objective evaluation of the draft. However, the rule deprives ministerial services of the opportunity – and the incentive – to investigate the broader consequences of their proposals and to develop necessary skills and tools. In addition, whether and to what extent ministries actually account for the results of the external scientific expertise is an open question. Third, many ministries do not seem to have sufficient human resources, skills, methodology or data to conduct in-depth analyses and elaborate high-quality impact assessments (OECD, 2014a).

Further, the process of gender impact assessment is considered primarily from a legalistic standpoint, rather than from the perspective of its broader societal consequences. Scientific analysis from a gender equality perspective can be conducted by the Institute of Legislation as well as by experts or research organisations (through public procurement). OECD assessment found that in the implementation of gender analysis, this scientific assessment is used mostly to assess the legal conformity of draft legislations with the existing legislation on gender equality. In its replies to the CEDAW Questionnaire in relation to the combined 3rd and 4th Periodic Reports, Kazakhstan reported that the Institute of Legislation works on gender-based legal analysis of existing legislation (UN, 2014). According to the recent annual reports on the activity of the Institute,[1] in 2014 the Institute analysed 25 laws and 420 supporting legislative acts and, in 2015, 2 laws and 2 codes (e.g. the Code on Administrative Violations).

Moving forward, to solidify the effectiveness of current arrangements, it will be important to foresee a verification procedure on the quality of impact assessments so as to ensure that such tools go beyond formalities and genuinely support Kazakhstan in achieving its goals with regard to gender equality.

In the current framework, the Institute of Economic Research (IER) is responsible for assessing the potential socio-economic impact of draft legislation. Moving forward, as a first step, Kazakhstan may consider building and strengthening the capacities of the IER to include the gender aspect in the overall socio-economic impact assessment. Progress can be achieved by developing practical tools and training in support of the work of officials. Common methodologies and guidelines for *ex ante* assessments of gender impacts of draft legislation could be developed, thereby embedding a gender approach in administrative culture and practice. Responsibility for the design and development of GIA tools and training on GIA methodology would fall within the mandate of the central gender institution (i.e. the current Secretariat of the National Commission). Training could be provided jointly with the Academy of Public Administration, the main provider of training programmes to state and local civil servants. The curriculum of the annual seminars provided by the Academy could be extended to cover GIAs and be supported by implementation toolkits. As already envisaged in the draft concept for family and gender policy, it would be essential to strengthen the capacities of the Secretariat as well as the Academy so that they could provide such technical assistance to public bodies responsible for undertaking GIAs. Moreover, Kazakhstan could gain from extending the scope of gender analysis to cover subordinate regulations, bylaws, government programmes and initiatives.

## Introducing gender-responsive budgeting (GRB) as a specific method for GIA

In many OECD countries and beyond, disparities and inequalities between women and men appear to have become embedded, to a greater or lesser extent, in the baseline of public policies and the allocation of public resources. Given that the budget process is the gateway for resource allocation as well as a key determinant of the standards and qualities of public policy formulation, it is natural that the budget be considered for its likely impact on gender-responsive public governance. The budget also shows the degree of government commitment to gender equality and women's empowerment, since it reflects which projects and actions will be funded. Analysis of the budget from the gender point of view can also help reveal the inefficiency of existing allocations which may not be adequately reaching women and men. Analysing the budget within the lens of gender

could also help prevent ineffective and gender-blind spending. Furthermore, mechanisms to monitor spending could provide a sense of how resources are actually spent. Gender-responsive budgeting can thus help to:

- improve budget analysis and create a more inclusive and open budget process by requiring the participation of women's organisations and civil society at large to obtain sex-disaggregated data and knowledge on women's status and conditions
- draw attention to gender-differentiated effects and impacts of budgetary policies and public expenditure
- make governments accountable for their commitments to gender equality
- foster gender equality and help empower women by improving effectiveness of government programmes through identifying the needs of particular groups and better taking them into account.

The OECD defines gender-responsive budgeting as "integrating a clear gender perspective within the overall context of the budgetary process, through the use of special processes and analytical tools, with a view to promoting gender-responsive policies" (OECD, 2016b). Accordingly, the GEPL Recommendation recommends its adherents to consider integration of the gender perspective in all phases of the budget cycle, so that transparency regarding gender-relevant resource allocation decisions is maximised (see Box 1.1 in Chapter 1).

Examples of gender-sensitive budgeting come from a number of OECD countries. For example, in Austria, federal ministries are obliged to implement effective equality of women and men as one principle of outcome orientation in managing the budget of the federal public administration. The Federal Budget Law 2013 comprises detailed regulations on outcome-oriented administration including the consideration of the objective of effective equality of women and men. Each federal ministry and supreme state organ has to determine gender equality outcomes for every societal aspect of its activities which – as a consequence – will require gender-specific data. Next, these federal authorities define concrete measures (outputs) and indicators in order to realise and monitor the respective gender equality outcome.

### Box 4.6. **Gender budgeting in practice: An OECD typology**

As noted above, for the purposes of this study, the OECD defines gender budgeting as "integrating a clear gender perspective within the overall context of the budgetary process, through the use of special processes and analytical tools, with a view to promoting gender-responsive policies". Since the budget process takes place throughout the year, there are several opportunities across the cycle in which the gender perspective can be brought to bear. This OECD study accordingly classifies gender budgeting interventions by the relevant stage in the process.

**(a) *Ex ante* gender budgeting approaches**

- ***Ex ante* gender impact assessment**: Assessing individual budget measures in advance of their inclusion in the budget, specifically for their impact on gender equality.
- **Gender budget baseline analysis**: An analysis which is periodically conducted to assess how the existing allocation of government expenditures and revenues contributes (or otherwise) to gender equality.
- **Gender needs assessment**: A qualitative assessment including views and opinions from stakeholders and civil society representatives of the extent to which government policies and programmes meet gender equality needs, with a view to identifying priorities for policy action in the budgetary context.

**(b) Concurrent gender budgeting approaches**

- **Gender perspective in performance setting**: Requirements prescribing that a minimum proportion of budget-related performance objectives be linked to gender-responsive policies.
- **Gender perspective in resource allocation**: Requirements prescribing that a minimum proportion of overall budgeted resources be allocated towards gender-responsive policies.
- **Gender-related budget incidence analysis**: The annual budget is accompanied with an official assessment, conducted by the central budget authority (or under its authority) of the budget's overall impact in promoting gender equality, including a gender-disaggregated analysis of specific policy measures (both revenue- and expenditure-related).

Box 4.6. **Gender budgeting in practice: An OECD typology** *(continued)*

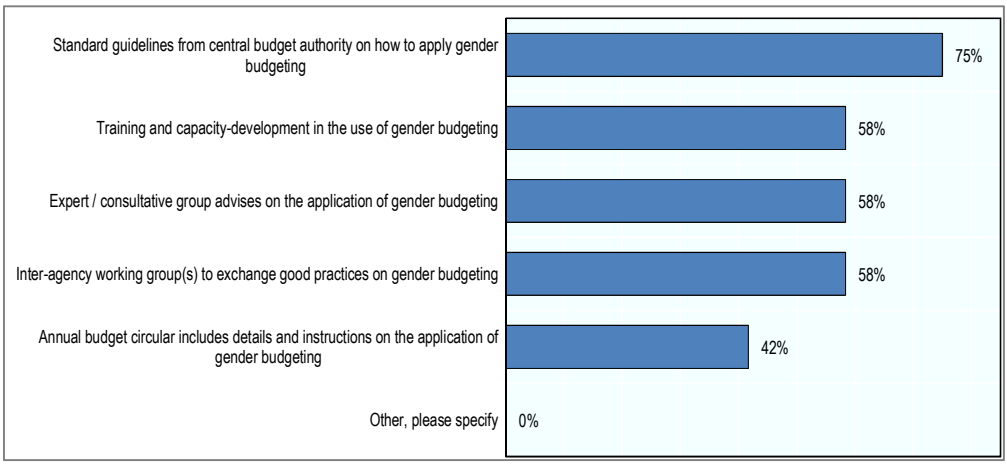
**(c) *Ex post* gender budgeting approaches**

- ***Ex post* gender impact assessment**: Assessing individual budget measures, after their introduction or implementation, specifically for their impact on gender equality.
- **Gender audit of the budget**: Independent, objective analysis, conducted by a competent authority different from the central budget authority, of the extent to which gender equality is effectively promoted and/or attained through the policies set out in the **annual budget.**
- **Gender perspective in spending review**: In the context of a national or "comprehensive" spending review, gender is routinely included as a distinct dimension of analysis.

*Source*: OECD (2016), "Gender Budgeting in OECD Countries: Results of the 2016 OECD Survey of Gender Budgeting Practices" (unpublished).

Figure 4.4. **Administrative tools to support implementation of gender budgeting**

In 12 OECD countries reporting gender budgeting




*Source*: OECD (2016), "Gender Budgeting in OECD Countries: Results of the 2016 OECD Survey of Gender Budgeting Practices" (unpublished).

In Kazakhstan, while the budget is earmarked for gender-related activities, gender budgeting is a fairly untapped tool. Although, in principle, integrating a gender approach in the formulation of budgets is articulated in the Gender Strategy 2006-16, its application still lags (see the summative evaluation of the implementation of the Gender Strategy in Box 2.2 in Chapter 2). In the implementation of the Gender Strategy, public budgets are allocated to achieve output indicators rather than focusing on the outcome results. Efforts are needed to refocus the resource allocation process towards greater linkages with expected results. To allocate public budgets effectively, Kazakhstan may benefit from setting fewer and more measurable objectives and better targeting output and outcome indicators for gender equality through an evidence-based analysis of policies and programmes that allows for effective evaluation and monitoring.

Some elements of GRB are already seeded in the budgetary planning of some public entities. For instance, the State Program of Health of the Republic of Kazakhstan (Salamatty Kazakhstan) provides for output and outcome indicators to address specific health issues faced by women and a certain budget is allocated to achieve these output results. Kazakhstan is taking active steps towards implementing results-based budgeting[2] in an effort to link the budget more closely to programmes, strategic priorities and objectives. Such efforts set a promising stage for increasing momentum to effectively introduce and implement GRBs.

### *The draft Concept on Family and Gender Policy for 2030 provides that the GRB needs to be introduced and training and capacity building need to be implemented to support this reform*

More broadly, as outlined in Chapter 2, Kazakhstan would benefit from better aligning the objectives set forth in its Gender Strategy with the country's medium- and long-term state strategies (i.e. Kazakhstan 2020 and Kazakhstan 2050). Such an approach would ensure that gender equality objectives are embedded and clearly articulated in the strategic planning of ministries, which is currently lacking. While in principle, integration of gender indicators in ministerial planning is foreseen in the Gender Strategy, no track record or evidence of such integration was found in this assessment. Interviews conducted by the OECD team revealed that gender indicators are reported to be integrated within ministerial plans in a vague manner, thus impeding the monitoring of implementation by the National Commission. This, in turn, limits the effectiveness of the equitable allocation of budgets in view of implementing gender policies.

To address the challenges and support the implementation of GRB, OECD countries are focusing primarily on capacity building and training sessions for government officials, as well as introducing government-wide

GRB requirements or undertaking ad hoc or pilot GRB projects to build capacity. In Kazakhstan, the National Commission has a key role to play in facilitating a consistent response to gender budgeting throughout the government.

At the local level, the 100 Concrete Steps plan of the president of Kazakhstan foresees the introduction of independent budgets for local government and mechanisms that would allow citizens to participate in discussions on spending. This presents an opportunity to integrate discussion on gender equal allocation of local budgets to ensure inclusive policy outcomes for all.

## Evidence-based policy making and gender-disaggregated data

Data-driven and evidence-based policy making enables governments to improve their policy performance, support inclusive growth and strengthen trust in institutions by considering impacts on various stakeholders (OECD, 2014c). Conversely, the absence of in-depth and differentiated data makes it difficult to understand the impact of gender equality efforts. Indeed, effective gender mainstreaming begins with ensuring that sector-specific policies are informed by gender-disaggregated data and with enhancing awareness of the ways policy decisions influence the lives of women and men. As such, gender-sensitive data, to be collected, should be identified using a clear framework linked to a strategic vision. This will ensure a focus is given on what matters in gender equality and will make it easier to measure progress and outcomes.

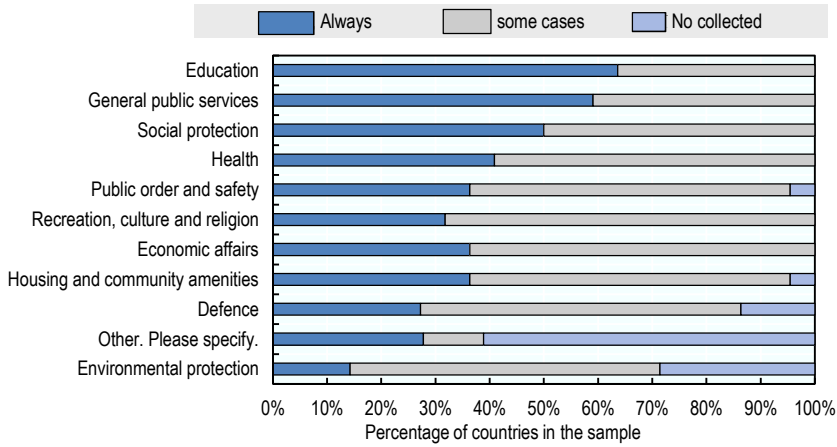
Accordingly, the GEPL Recommendation emphasises strengthening the evidence base and systematically measuring progress towards gender equality performance based on gender impact indicators and measurable outcomes. The recommendations are:

- Developing and implementing evaluation, measurement and accountability frameworks and indicators and collecting data to regularly assess and report on performance of gender equality and mainstreaming strategies, initiatives, public policies and programmes at appropriate levels of government. Consider building capacity of public institutions based on these evaluations.
- Actively promoting data dissemination and ensuring affordable, effective and timely access to performance information on gender equality and mainstreaming, that allows for tracking results against targets, monitoring progress towards socio-economic development and for drawing comparison with international and other benchmarks.

- Increasing co-ordination among data collecting and producing bodies and collaboration with relevant stakeholders with a view to developing better gender impact indicators.

Many OECD countries report setting up a unit within a national statistical office, establishing co-ordination mechanisms to determine horizontal gender disaggregated needs and undertaking the systematic identification of gaps in knowledge related to gender equality. In addition, national gender institutions can play a strong role in feeding gender-sensitive indicators into the policy process. For example, in 2011, the White House Council on Women and Girls published a landmark set of social and economic well-being indicators grouped into five areas of interest – people, families and income, education, employment, health and crime and violence – to compile a baseline on how women are faring in the United States and how these trends have changed over time (OECD, 2014c).

Figure 4.5. **Collection of gender-disaggregated data across sectors (2012)**




*Note*: Data included from Australia, Austria, Belgium, Canada, Chile, Czech Republic, Finland, France, Germany, Greece, Ireland, Israel, Korea, Luxembourg, Mexico, New Zealand, Norway, Slovak Republic, Spain.

*Source*: OECD (2011), "Survey on National Gender Frameworks, Gender Public Policies and Leadership".

In its replies to the OECD Survey on National Gender Frameworks, Kazakhstan reported that the availability of gender-disaggregated data, evidence and analysis to support gender equality initiatives is one of the major success factors in advancing gender equality. The country also reported various challenges impeding the effective collection of data related

to gender equality and mainstreaming at all levels, both national and subnational. These challenges include limited capacity in line ministries to determine the need for gender-disaggregated data, limited co-ordination mechanisms to determine the kind of data that need to be collected and poor quality and accuracy of existing data.

To address these challenges, some progress has been made in the collection of gender-disaggregated statistics. As such, a gender statistics unit has been established within the Committee for Statistics of the Republic of Kazakhstan, located within the Department of Social and Demographic Statistics. The Agency for Statistics annually publishes *Women and Men in Kazakhstan,* a compilation of sex-disaggregated statistics. But the focus is on social areas, and sectors that are viewed as gender neutral (e.g. transport, energy, infrastructure improvement) are not included (ADB, 2013). Gender indicators are identified by the Committee for Statistics and subsequently presented to the National Commission for approval. In addition, most of the national programmes do not appear to include gender indicators or to provide gender-specific information for the purposes of monitoring and evaluation, thus hindering progress towards gender equality. Looking ahead, Kazakhstan would benefit strongly from expanding the availability of gender-disaggregated data to the sectors that are considered gender neutral to identify potential inadvertent discriminations and by making use of gender-disaggregated statistics a routine element of the policy-making process. Establishing mechanisms to collect evidence by empowering gender focal points in each ministry, agency, *akimat* and region could promote success. These data could feed into a coherent system of gender indicators (including outputs and outcomes), which could underpin the proposed report on the State of Gender Equality in Kazakhstan.

The country seems to be aware of the need to develop gender statistics further. Gender is considered when the new forms of state statistical reporting are developed. The Committee for Statistics in cooperation with the United Nations Children's Fund (UNICEF) and UNFPA conducted three rounds of a multi-indicator cluster survey (in 2006, 2010, and 2015) on the conditions for women and children.

The draft Concept on Family and Gender Policy for 2030 suggests broadening the scope of collecting gender indicators to include the industries covered.

### Key recommendations

- **Increase capacity within government institutions to conduct gender impact assessment** through training and coaching and enhancing the skills and resources of the available staff to apply a gender-based to approach to design, implement and evaluate policies through a gender lens both at the national and at the local levels. Reinforce the potential results of gender impact assessment through case studies and pilot projects. Widely disseminate the results of such examples.
- **Enhance the capacities of the Secretariat of the National Commission** as well as the Academy to provide training and awareness raising campaigns to public bodies responsible for undertaking GIAs at various levels of government (as already included in the draft Concept on Family and Gender Policy for 2030).
- **Ensure that gender analysis** is systematically carried out for subordinate regulations, government programmes and initiatives, including at the subnational levels.
- **Strengthen the evidence base for gender-sensitive policy making, gender-impact assessments and budgeting** by expanding the scope and depth of gender-disaggregated statistics, including across sectors, increasing co-ordination among data collecting and producing bodies and improving access to gender-disaggregated data.
- **Further integrate gender considerations into the mainstream budgeting process** by building necessary capacities, raising awareness of the impact of budgeting in meeting men's and women's needs and reducing gender gaps (as envisaged in the draft Concept on Family and Gender Policy for 2030). The ongoing reforms to achieve results-based budgeting can be leveraged to incorporate gender perspectives.

# Notes

1. For more information, see the Institute of Legislation's webpage at www.iz.adilet.gov.kz/ru. Annual reports are available for 2014 and 2015 at www.iz.adilet.gov.kz/ru/otchety-o-prodelannoy-rabote.
2. See the concept paper on strategic planning.

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