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# A study for Effectiveness Enhancement of Women and Family-Related Legislations(VI): How to modify legislations for gender-mainstreaming

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: How to modify legislations for  
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## Abbreviations

- Focus group interview: FGI
- Gender Budget and Accounting: GBA
- Gender Budget: GB
- Gender Impact Assessment: GIA
- Gender Mainstreaming: GM
- Gender-sensitive accounting: GA
- Ministry of Economy and Finance: MOEF
- Ministry of Gender Equality and Family: MOGEF
- Ministry of the Interior and Safety: MOIS
- United Nations: UN

## I . Introduction

### 1. Research Purposes

Gender mainstreaming(GM)-related legislations have helped perform numerous gender impact assessments(GIA) and gender budgets(GB), and thereby contributed to making positive impacts on establishment of implementation systems. However, GM policies have met following criticisms. Firstly, the making of related legal rationals and the development of institutions have failed to lead to substantial changes in those institutions or the policies. Secondly, compared to GIA, the legal basis of gender budget is so weak that it has caused difficulties in its operation. Moreover, the separative operation of GB and GIA, which have different legal bases, implementation systems and persons in charge, reduces the institutional effectiveness of GB. Thirdly, because the implementation system has not been systematically managed, the institution cannot work either comprehensively or systematically.

Examining the accomplishments and limitations of the GM strategy that began in 2002, this study aims to seek how to strengthen legal and institutional bases for further development of the GM strategy and enhancement of its effectiveness.

### 2. Research Topics and Methods

This research report consists of five chapters. The first chapter outlines the research purpose and methods. The second maps out the major points regarding enactment and revision of GM legislations including the Basic Framework of Gender Equality, Gender Impact Assessment Act, the National Fiscal Act, and the Local Fiscal Act. The third chapter examines

the current features and outcomes of GB and GIA. The fourth analyses the results of the Focus Group Interviews(FGI) on the accomplishments of and suggestions for GB, GIA, and overall GM legislations. Based on those research results, the fifth chapter seeks ways to revise legislations to enhance effectiveness of GM, examining the strengthening of legal basis for GB and of the link between GIA and GB, the expansion of implementation system for GB, and the improvement of operation system for GIA.

As for research methods, we did literature review focusing on the process of enactment and revision of GM-related legislations, and examined a variety of research reports, legislative materials as well as government documents to map out the current situation of GM operation. Also, we carried out FGI with experts including persons in charge of implementing GM, such as GIA managers in central and local government organizations, task (program) managers, general managers of GB, consultants affiliated to GIA centers, gender-sensitive policy researchers, and scholars. Furthermore, we conducted advisory meetings with experts, such as GM-related researchers, legislators, and government workers, to discuss the direction of this research, research objectives and contents of expert survey, and the ways to modify GM-related legislations.

## II . Development Process of GM Legislations and Major Contents

### 1. Development Process of GB Legislations and Major Contents

GB began in 2006 when the National Fiscal Act was introduced. Two articles were made and began to be implemented: article 26 requires the government to write up a gender budget bill that makes an ex ante analysis on how budget affects women and men, and article 57 requires a gender balance sheet that evaluates whether or not women and men equally receive benefits from the budget and also whether or not budget has been executed in a way to tackle gender discrimination.

With the National Finance Act revised in 2010, GB programs have been expanded to funds, and, as a result, Gender-Sensitive Fund Operation Plan in Article 68-1 and Gender-Sensitive Fund Balance Sheet in Article 73-2 were introduced. In the Gender-Sensitive Fund Operation Plan, expected accomplishments and performance objectives of gender equality, and analysis on recipients' gender are to be included. In Gender-Sensitive Fund Balance Sheet, execution performance, impact analysis, and evaluation of gender equality are also to be included.

Additionally, when the National Accounting Act was revised in 2008, Gender-Sensitive Balance Sheet(Article 15-2, Clause 1 & 5) was included in it. And in its revision 2010, Gender-Sensitive Fund Balance Sheet(Article 15-2, Clause 2) was added so that the system and the content of GB could be equivalent to those of the National Finance Act.

According to the revised Local Finance Act in 2011, GB was adopted as documents attached to the general budget bill and 2013 Local Gender Budget Proposal was written from the end of 2012 for the first time. Above all, the Local Finance Act has a regulation to enforce the local governments to assess the impacts that budget make on women and men for the allocation of GB and to make an effort to reflect its results onto the budget of the local government (Article 3, Clause 2). Also, a regulation about the writing-up and submission of GB proposals has been

included (Article 36-2).

As for gender-sensitive accounting of the local government, the Local Accounting Act enacted in 2016 requires a gender balance sheet to be included in a document attached to a balance sheet of the local government(Article 17-1), stipulates an independent item about the writing-up and submission of a gender balance sheet(Article 18), and makes detailed contents delegated to the same enforcement ordinance. As for gender-sensitive fund of the local government, the revision of the Framework Act on Local Fund Management in 2015 introduced a provision of writing-up of Gender-Sensitive Fund Operation Plan(Article 8-2) and Gender-Sensitive Fund Balance Sheet(Article 8-3). Likewise, the detailed contents for these are delegated to the same enforcement ordinance.

In addition, the Article 16 of the Framework Act on Gender Equality stipulates that “The central and local governments should analyse the impacts that budget makes on women and men according to the related legislations, and also implement gender budget to be considered on the finance operation of the local government”, which has been clarified as an element of GM measures(Article 16, Clause 1). This clause was introduced in 2014 when the Framework Act on Women's Development was revised significantly and renamed the Framework Act on Gender Equality (Full revision on 28th May 2014, Implementation on 1st July 2015).

## **2. Development Process of the Legislative System of GIA and Its Major Contents**

The legal basis for GIA was first made in the Article 10 of the Framework Act on Women's Development in 2002 and began to be

implemented in 2005 after a pilot program in 2004.

In 2005, the Framework Act on Women's Development was revised to supplement its contents, which allows the Minister of Ministry of Gender Equality and Family(MOGEF) to designate organizations for GIA to be responsible for the support and counselling necessary for analysis and assessment. Accordingly, 16 centers were designated nationwide. GIA, which was based only on the Framework Act on Women's Development, has expanded its targets and the scope of application, and has also stipulated the implementation system and supportive system since the enactment of Gender Impact Analysis and Assessment Act in 2011. The scope of GIA-targeted policies has expanded not only to programs but also ordinances and plans, and also has led to increasing the number of target projects so that both the central administration and local governments, including the Offices of Education, make self-evaluations. Also, specific GIA has been newly implemented.

The first amendment of the Gender Impact Analysis and Assessment Act in 2014 has mended some problems. Those ordinances introduced and implemented prior to the Gender Impact Analysis and Assessment Act used to be left untouched, because it limited GIA-targets to “ordinances to be legislated or revised”. Having “ordinances being implemented” included in Specific GIA targets has fixed this problem. As for the outcome of GIA, before the amendment, there was no regulations to enforce the final report of GIA to be released. The Minister of the MOGEF was to examine the report, which would contain the performances of GIA implementation and of policy improvement in central administration and the local government, to give a presentation in the cabinet meeting, and to submit to the National Assembly but without making it public. The amendment of the regulation has now

enabled the Minister of the MOGEF to release the final report of comprehensive analysis to the public, which could help enhance the effectiveness of GIA.

Also, when the Framework Act on Women's Development was altered to the Framework Act on Gender Equality in 2014, GM-related regulations, including GIA, were entirely modified. In 2015 the second amendment of the Gender Impact Analysis and Assessment Act made it obligatory for the outcome of GIA to be applied in GB bills and proposals for gender-sensitive fund operation plans, aiming to raise the level of using the GIA outcomes.

Later, through the third and fourth amendments of the Gender Impact Analysis and Assessment Act, the procedure and use of GIA and specific GIA has been developed more, and the entitlement of the Minister of MOGEF has been strengthened to implement GIA. In 2018 as the Framework Act on Gender Equality and the Gender Impact Analysis and Assessment Act simultaneously were revised, the existing term 'Gender Impact Analysis and Assessment' was changed simply to 'Gender Impact Assessment.'

### **III. The Current Situation of GM operation and Its Outcomes**

#### **1. The Current Situation of GB Operation and Its Outcomes**

##### **A. Overview of GB operation and supportive system**

In GBA, persons in charge and the Acts applicated differ according to whether it is performed in the central government or in the local

governments. The central government is to follow the National Finance Act and the National Accounting Act with the Ministry of Economy and Finance responsible for sending written guidelines, whereas the local governments are to follow the Local Finance Act and the Local Accounting Act with the Ministry of the Interior and Safety(MOIS) responsible for sending written guidelines.

As the proposal of GB is submitted as a document attached to general budget bill, the proposal and the bill are to be written at the same time period. The gender-sensitive balance sheet is also written as a reference document attached to the final report of accounting.

#### B. The current situation of national GB operation and its outcomes

##### Gender Budget (GB)

After the revision of the National Finance Act, the criteria of GB-targeted programs have extended to include fund programs, and resultantly the number of government agencies subject to writing the GB proposals has increased from 29 in 2010 to 34 in 2011 through 2013. Furthermore, since the year 2014 when the Basic Plan for Women's Policy was being in transition from the third stage to the fourth, leading to increasing the implementation systems of the Basic Plan, the GB-targeted programs have been expanded, and the number of organizations required to write GB proposals has increased accordingly.

However, since 2019, both the number of programs and organizations have significantly declined due to reorganization of target programs. Completion and integration of the programs, and the scale of GB compared to the total budget of the government has also cut down. The number of GB-targeted organizations has reduced from 41 in 2018 to

33 in 2019, and that of GB-targeted programs from 345 to 261. The monetary amount of GB reached 256,283 million won in 2019. The proportion compared to the total budget has declined from 8.0% in 2018 to 6.4% in 2019.

It is noteworthy that there has been a change in the criteria regarding selection of a target program to write up a GB proposal in 2019. The GB-targeted programs have been divided into two categories: one is a program that aims to make a direct contribution to achieving gender equality in the minister (directly goal-oriented program), and the other that aims to make indirect contributions to achieving gender equality in the minister (indirectly goal-oriented program). Therefore, those directly goal-oriented programs included in the GB bill for the fiscal year 2019 have been 89 with 9.1 trillion won allocated, and 172 indirectly goal-oriented programs with 16.6 trillion won allocated.

#### Gender-Sensitive Accounting (GA)

In tandem with the increase in the GB, the scale of the GA has continued to grow in all the areas, such as the number of organizations, programs and fund. The monetary amount of GA has increased from 7.4 trillion won for 195 programs in 2010 to 31.3 trillion won for 350 programs in 2017.

Gender-sensitive balance and sheet in 2017 has been written on 350 programs in 42 organizations. The total monetary amount of accounting has taken up 31.2 trillion won, in which an execution rate has reached 98.3% out of estimated budget 31.8 trillion won. In contrast to the previous year, the number of organizations that wrote it has reduced, and yet that of target programs as well as the budget scale and execution rate has increased.

However, as for the goal of gender equality and the objective of performance set up in each GA-targeted program by all the organizations, their achievement rates have been declining over the last three years, from 70.9% in 2015 and 69.0% in 2016 to 67.3% in 2017. Also, it needs to bear in mind that there exist following limitations. First, even though goals have been achieved in terms of indicators, there are cases in which it is difficult to see that the programs have led to the actual results of gender equality, or cases in which we might see reverse discrimination. These cases may exist when the goal has been set up inadequately. Likewise, there are other reasons for us to be cautious when interpreting the achievement rates. Initially, the level of a goal could have been set up too high, or there can be a situation in which the lack of related data, such as gender proportion of program targets, makes it difficult to examine the adequacy of the performance objectives.

The women recipient rate, a good indicator of identifying gender gap in program beneficiaries, tends to be high in the program that has achieved the performance objectives.

### C. The current situation of GB operation and its outcomes in the local governments

#### Gender Budget

The number of target programs and the budget amount of local governments have been increasing, except that the number was reduced just a little in 2015. In 2018, The GB in the local governments has reached 20.290 trillion won, which is 9.6% out of the total budget of all the local governments and also makes an increase by 23.8%p compared to the previous year. Also, 16,700 GB proposals for detailed

projects of the local governments were written in 2018, showing an increase of 8.8%p.

In terms of types of target programs in 2018, GIA programs was 11,122(66.7%), programs to pursue women's policy was 3,623(21.7%), and programs particularized to the local organization was 1,955(11.7%). In terms of budget scale, the GIA programs accounted for the majority, taking up 48.2% with 9.784 trillion won, followed by programs to pursue women's policies, 43.5% with 8.819 trillion won, and programs particularized to the local organization, 8.3% with 1.686 trillion won.

#### Gender-Sensitive Accounting

Since the official statistics on the local GA has not been collected, unlike the national level, the comprehensive analytical report about local gender-sensitive balance sheet has not been written.

Except for 2015, there has been an increase in the gender-sensitive balance sheet in the 17 local administrations written on programs, all achieving their goals: The total number of programs has been 1,660 in 2014, 1,622 in 2015 and 1,920 in 2016, and the scale of expenditures was 6.86 trillion won, 6.04 trillion won, and 7.31 trillion won, respectively. Among the administrative districts, Seoul Metropolitan Government is the most salient in terms of the number of programs, reaching 92 in 2014, 131 in 2015, and 232 in 2016, and its execution expenditure has been 0.41 trillion won in 2014, 0.75 trillion won in 2015, and 1.27 trillion won. In 2016, Seoul Metropolitan government has written the highest number of gender-sensitive balance sheet about 232 programs, followed by Jeju with 213 and Chungnam Government with 177. The local administration which spent the biggest amount of execution was Seoul and Gyeongsang South Province with 1.27 and 0.90

trillion won, respectively.

## 2. The Current Situation of GIA Operation and Its Outcomes

### A. Overview of GIA operations and supportive systems

As of 2017, there are 306 GIA-implementing government organizations, including 45 organizations in the central government, 17 metropolitan and provincial governments, 226 local administrations and 17 metropolitan and provincial offices of education. The MOGEF is in charge of institutional management and designates and runs GIA bodies(1 Center for Gender Impact Analysis and Assessment at the national level and 16 centers at the local level).

### B. The current situation of GIA operation and its outcomes in the central administrative organizations

In 2017, GIA was conducted for 1,513 legislations. Although suggestions were made for only 4% of the 1,513 legislations, the suggestion acceptance rate has been as high as over 90% since 2014. As for the government plans, 29 plans in 14 Ministries were selected as target projects to carry out GIA in 2017. Suggestions for improvement were made for 2 plans(6.9%) by the responsible organizations themselves. The MOGEF gave to 1 plan(3.4%) a notice to urge improvement. The Ministers have agreed on the suggestions about all three pieces of planning, leading to making a plan for improvement.

The number of GIA-targeted programs has been about 100 to 140 since 2012. In 2017, there were 104 target programs. Since GIA starts with the selection and evaluation of a program, it can be said that the selection process is the beginning of GM.

C. The current situation of GIA operation and its outcomes in the local government

Metropolitan and Provincial Administrations

The number of GIA-targeted programs for local bylaws and regulations in metropolitan and provincial administrations has increased from 873 in 2012 to 1,847 in 2016 and to 1,645 in 2017. The rate of suggestions made for improvement has been 9 to 10%, which is relatively higher than the central government organizations. The rate of suggestions accepted was 40% to 50% in 2012, and since 2013 it has been 60% to 80%. In other words, The rate of suggestions made for improvement in the metropolitan and provincial administrations is higher than in the national level organizations, but the acceptance rate is lower.

The number of GIA-targeted projects has increased considerably since 2012, reaching 80 in 2017. Particularly, outstanding outcomes in policies are found in the areas such as transportation, mobility and safety, indicating synergy effects of integrating women-friendly city policies into those areas.

GIA on the programs of the metropolitan and provincial administrations has been more than doubled in its number since 2012. For instance, the number of GIA in 2017 reached 1,832.

Local Administrations

GIA on ordinances of local administrations has been significantly increased, soaring up from 6,234 in 2012 to 16,763 in 2017. The rate of suggestions made for improvement has been about 9%, a slight decrease from 11.7% in 2012, and the rate of suggestions accepted has been 70% to 90% since 2013.

As for GIA on the plans of the local administrations, the number of GIA-targeted projects has considerably increased from 37 in 2012 to 216 in 2017 with variations by year. The rate of suggestions made for improvement varies from 20% to 40%, and the rate of suggestions accepted has been quite high, varying between 70% and 100%. Looking at the improved cases, one can see there are many plans whose quality is now as high as those of the metropolitan and provincial administrations.

The GIA on the programs of the local administrations has made a considerable increase in its number, too. The number of target projects has more than doubled from 5,087 in 2012 to 11,690 in 2017. The acceptance rate of suggestions for improvement also appears high, varying between from 80% to 90%. The outcomes of institutions close to daily life, such as village, residents' participation, agriculture and jobs, have significantly improved.

#### D. The current situation of GIA operation and its outcomes in the Offices of Education

GIA on the ordinances of metropolitan and provincial offices of education has fluctuated between 200 and 500. The acceptance rate of suggestions for improvement has been from 70% to 100% since 2013.

GIA on the programs of metropolitan and provincial offices of education was 60 in 2012 and has increased to more than 200 since 2015. Yet, the rate of suggestions made for improvement or self-improvement have not been high.

#### E. Specific GIA

Specific GIA is to analyse and assess important policies that have a

large gender gap or are related to discriminatory factors significantly affecting the status of women's socio-economic status, and then to give “recommendations for improvement” or “expressions of opinion” to the organizations involved. For legislations, it is possible to conduct Specific GIA and make recommendations for improvement.

Persons in charge of Specific GIA include the Minister of the MOGEF and the heads of the local governments. In the local administration, there have been some cases of Specific GIA conducted autonomously, and yet there was no related legislation until the Gender Analysis and Assessment Act was revised in 2016. Hence, its results have not been fully analysed.

#### Central Government Organizations

Since the introduction of Specific GIA in 2012, there have been 4 to 10 projects undertaken annually. So far, legislations and policies in specific areas have been selected and assessed as Specific GIA-targeted programs. When the targets are legislations and ordinances currently in operation, all the legislations in the certain areas are included in yearly order for analysis and assessment, rather than focusing on some selected ones. As the results of Specific GIA on 4 projects in 2012 and on 9 projects in 2017, 9 and 71 recommendations for improvement were made respectively.

#### Local Government Organizations

Since the revision of Gender Analysis and Assessment Act on December 20, 2016, 33 local governments have put some important clauses regarding procedures and methods of Specific GIA into their ordinances. 7 Specific GIA programs were performed in 2017, five of

which were metropolitan and provincial administrations(Incheon, Daegu, Gyeonggido, Chungchengbukdo, and Gyeongsangnamdo) and 2 of which were local administrations (Sasanggu in Pusan and Suwon in Gyeonggido).

## IV. Legislative Outcomes and Tasks of GM Based on Expert Survey

### 1. Overview of the Survey

Focus group interviews(FGI) were conducted with the participants and agents of GM implementation to find out what outcomes have been made from the GM legislations and what need to be improved.

First, the agents of GM implementation include those who are in charge of the GIA organizations in the central and local governments, those in charge of tasks(programs), and general managers in GB. Also, the experts who provided gender-sensitive analyses are consultants affiliated to 16 central and local GIA centers, researchers of gender-sensitive policies, and scholars.

The number of interviewees for FGI is about fifty. We divided them into 10 groups of 4 to 5. There are 4 government employees in charge of GIA organizations, who had majored in gender studies, and have been working only for GM in the local governments.

## 2. Problems in GM Operation and Tasks for Improvement

### A. Gender Budget (GB)

〈Table 1〉 Limitations and Tasks in Institutional Operations and Implementation Systems of GM

Categories	Major Findings from FGI
Limitations and Tasks in Institutional Operation	<ul style="list-style-type: none"> <li>• Needs of feedbacks and use of GB</li> <li>• Securing budgets to enhance the effectiveness of GB</li> <li>• Strengthening function of screening of the proposals of GB</li> <li>• Need of linking between GIA and GB</li> </ul>
Limitations and Tasks in Implementation Systems	<ul style="list-style-type: none"> <li>• Clarifying the role and function of the MOEF in operation of GB</li> <li>• Clarifying the role and function of the MOIS in operation of GB</li> <li>• Clarifying the role and function of the departments in charge of GBA</li> <li>• Making supportive systems of consulting for local GB</li> </ul>

### B. Gender Impact Assessment (GIA)

〈Table 2〉 Limitations and Tasks in Institutional Operation and Implementation Systems of GIA

Categories	Major Findings from FGI
Limitations and Tasks in Institutional operation	Experts (researchers & consultants) <ul style="list-style-type: none"> <li>• Making a rationale to extend GIA to further public organizations</li> <li>• Making of more practical indicators to write up GIA report</li> <li>• Making of more practical implementation methods and procedures of Planning &amp; Specific GIA</li> <li>• Strengthening an item related to check the process of improving projects</li> </ul>
	Government employees <ul style="list-style-type: none"> <li>• Making easy the indicators for "gender analysis on policy environment" by using the format of check-list</li> <li>• Making the GIA-related work a part of the job performance evaluation of the government workers in charge</li> </ul>
Limitations and Tasks in Implementation Systems	Experts (researchers & consultants) Government employees <ul style="list-style-type: none"> <li>• Modifying the function and role of GIA Committees</li> <li>• Strengthening the role and accountability of analysis directors</li> <li>• Modifying the qualification of program managers and officers responsible for the organizations</li> <li>• Strengthening the participation of private sector</li> </ul>

### 3. Outcomes and Tasks for Improvement in GM Legislations

〈Table 3〉 Legislative Outcomes of GM

Categories	Major Findings from FGI
Experts (researchers & consultants)	<ul style="list-style-type: none"> <li>• Contribution to the stable operation of GM by establishing legal bases</li> <li>• Establishment of implementation systems for gender equality policies</li> <li>• Positive impacts on implementation of programs and job procedures in all government departments</li> <li>• Foundation of the basis for gender statistics for gender equality</li> <li>• Formation of gender expert groups and expansion of the demand of employment for gender equality</li> <li>• Enhancement of gender awareness of government workers</li> </ul>
Government Employees	<ul style="list-style-type: none"> <li>• Increase of the number of target projects and of gender trainees amongst government workers</li> </ul>

〈Table 4〉 Problems in GM Legislations

Categories	Major Findings from FGI
Experts (researchers & consultants)	<ul style="list-style-type: none"> <li>• Lack of qualitative effectiveness</li> <li>• Lack of the legislation related to GB</li> <li>• Difficulties due to the separate operations of GIA and GB</li> <li>• Constraints in legal restraints</li> <li>• Lack of monitoring on institutional operations</li> </ul>
Government Employees	<ul style="list-style-type: none"> <li>• Skeptical about the contribution to actual gender equality</li> <li>• Absence of motivation for program improvement due to heavy workload</li> </ul>

〈Table 5〉 Tasks for Improvement in GM Legislations

Categories	Major findings from FGI
Experts (researchers & consultants)	<ul style="list-style-type: none"> <li>• Need of comprehensive approach to GIA and GB</li> <li>• Establishing the basis for performance evaluation on implementation of GM</li> <li>• Making a rationale for the role of the Legislature (National Assembly)</li> </ul>
Government Employees	<ul style="list-style-type: none"> <li>• Giving de facto entitlement and accountability to the managers of gender equality in the organizations</li> </ul>

## V. Conclusion: How to Modify Legislations to Enhance Effectiveness of GM

### 1. Strengthening the Legal Basis of GB

For more comprehensive and systematic implementation of GB, it is necessary to strengthen the legal basis for GB. To do so, legislations that regulate gender budget and accounting separately should be made. But, considering the massive amount of time that would be taken for a new legislation and the difficulties in inducing cooperation from the related government departments, the revision of current National Finance Act might be a better choice.

#### A. Enactment of legislations on gender budget and accounting (GBA)

In order to implement the institution systematically and comprehensively, ground rules need to be made regarding the accountability of the state, the targets of GBA, the writing-up and also timing to write up the analytical report, evaluation on the specific GBA, and the systems for implementing and supporting of GBA, as the Gender Impact Assessment Act does. It is necessary to evaluate the effects of budget on women and men, and take them into consideration for the allocation of budget through implementing the GB without difficulties. In order for this to work, it may be necessary to make an independent legislation to regulate the overall institutions of GB.

The independent legislation bill would consist of 3 chapters and 18 articles (see the details in the main body of this report).

## B. Revision of the National Finance Act

The legislation of the independent bill related to GBA would help enhance its effectiveness through comprehensive and systematic implementation. However, given that the time-consuming legislative process as well as the difficulties in leading cooperation between related government departments, the revision of the National Finance Act can be a more practical way to modify its problems and thereby enhance the effectiveness of GB.

The system of GB should be established as a national finance institution by stipulating each stage of preparation of budget bill, budget allocation, accounting and evaluation in the National Finance Act. To do so, at the preparation stage of organizing a budget bill, the Act needs to add “the evaluation and analysis report on the impact of the direction and of resource allocation in each area on women and men to the attached document of the Plan for National Finance Operation”. At the stage of budget allocation, it is necessary to include “the relevance with the ministerial goal of gender equality, outcome indicator related to gender equality, and rationale for selection of the outcome indicator” in the proposal of GB. At the stage of accounting and evaluation, the gender-sensitive balance sheet needs to include execution performance, analysis of gender equality outcome, and plan to improve gender equality, and the evaluation of outcome should require each head of central administrative organizations and the Minister of MOEF to consider “the impact of financial programs on men and women in the establishment of outcome management system and evaluation of financial programs.”

## 2. Strengthening the Link between GIA and GB

There have been efforts to make GIA and GB connected with each other. There are two kinds of connectedness here: connectedness of programs and connectedness of writing up the contents. But in reality, the link cannot be achieved easily. One of the reasons is that the proposal of GIA should be completed and submitted before writing up the proposal for GB. Also, there are cases in which they cannot write up a GB because they could not find any specific program for their GIA.

Therefore, in regard to the submission of proposal of GIA-targeted programs, the connection between GIA and GB needs to be intensified by making it obligatory in Gender Impact Assessment Act that the enactment or revision of relevant legislations should be undertaken prior to the screening of a bill proposal by the legislative office, and the implementation of programs should be completed by the end of March in the year (Article 7).

## 3. Extension of Implementing System of GB

### A. Making legal foundation for Standing Consultative Body of GB

GIA has been operating by legislating the formation of related committees, appointment of a chief officer and a project manager, and designation of an organization for GIA. However, as for GB, its implementation system has not been clearly written down in law.

Therefore, GB screening committee can be established and given entitlement and function in the revised National Finance Act. This committee is affiliated to the minister of MOEF, and screens and adjusts matters including the basic direction of GB, the criteria and method of

GB, the improvement recommendations based on the results of GBA analysis, and the inspection and evaluation of GB.

As another plausible way, *Regulation of Operating a Standing Consultative Body for Gender Budget and Accounting*, as an order of the MOEF, may be legislated so as to strengthen the function of the current Standing Consultative Body and enhance the effectiveness of its operation process.

#### B. Reshuffling GB tasks in the organizational structure of the MOEF

In order for the MOEF, which is the operational agent of GBA, to carry out the overall management over GBA, an independent department in charge of management, inspection, evaluation and improvement of GBA should be established within the MOEF. To establish an independent department, *Organizational Order for the Minister of Economy and Finance and its Affiliated Bodies* needs to be revised to include the GBA issues in the tasks of the Head of Budget Office.

#### C. Legalization of GBA supportive bodies

In order to intensify the improvement and operation of GBA, the body fully supportive of GBA should be stipulated. It is necessary to clearly designate the Gender Budget Centre of the Korea Women's Development Institute, which is currently consulting on GBA of the government, as a body to be fully in charge of supporting GBA. Also stabilizing the conduct of tasks requires to stipulate the rationale to provide funding for the costs that are involved in the implementation of GBA, which not only consult on GBA, but also undertake specialized survey and research.

#### D. Strengthening of the function of the National Assembly to screen GBA reports

The proposal of gender budget and gender balance and sheet are currently screened in each standing committee in addition to screening responsible budget and accounting. However, there is limitation that the understanding and interest of the National Assembly about GB is pretty low, and that the contents of screening are dependent upon the individual interest of the member of the National Assembly. Also, since the members of the Special Committee on Budget and Accounting is replaced on a yearly basis, it is unavoidable that it fails to make feedbacks of the results from screening or to identify the improvement about those points criticized.

To solve this problem, it is necessary to establishing the GBA Sub-Committee within the Special Committee for Budget and Accounting of the National Assembly so that the National Assembly to constantly play a role in screening the reports of gender budget and accounting on a regular basis. Since establishing the GBA Sub-Committee within the Special Committee on Budget and Accounting of the National Assembly does not require legislation, it can be done through the consensus between the lawmakers.

### 4. Improving the Operative System of GIA

#### A. Qualitative development of GIA and institutionalization of motivational factors for implementing agents

Problems identified in the process of implementing GIA are as follows: producing meaningless numbers of projects and repeated selection of programs; the difficulties in using the indicator of “gender analysis in

policy environment”); and the failure to use the Specific Gender Impact Assessment in the local governments.

In order to address the problems of meaningless production of project numbers and of repeated selection, it is necessary to change the current government joint evaluation indicators, which are to increase the number of target projects, to qualitative evaluation indicators.

As for the problem regarding the indicator of “gender analysis in policy environment,” it is necessary to change the indicator in a way to encourage government workers to resolve difficulties and resistance towards the analysis report by specifying and listing up gender issues as an area of program; for instance, ticking on the phenomena of gender stereotypes or gendered features that people face in everyday life.

Also, while the workload involved in the series of GIA is heavy, there is no reward for the workers actually working for the program. Such problem needs to be solved in a way to create motivations for the program managers and to enhance effectiveness of GIA.

**B. Strengthening the role of GIA Committee and expertise of officers in charge of analysis and assessment, and expansion of governance**

As for the implementation system, it is necessary to strengthen the function of the GIA Committee, which is already stated in the ordinance related to Gender Impact Assessment Act. The expertise and role of the officers in charge of analysis and assessment need to be enhanced. As long as government workers are appointed to persons in charge of analysis and assessment in rotation, they will be inevitably constrained by the increased workload and working hours. In order to secure gender expertise of the directors in analysis and assessment, recruitment of

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external gender experts can be considered.

Lastly, the participation of private sectors in GIA should be further encouraged. In order to inspect whether or not the improved programs suggested from the results of GIA have been actually implemented, citizens' participation in monitoring should be guaranteed. This will further enhance the effectiveness of GIA.



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