



Referat 405  
Europäische und internationale  
Gleichstellungspolitik

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ORT, DATUM Bonn, den 02.03.2012

## Legislative and policy reforms in times of political transition

### Information from the German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth

In Germany, gender equality policy was given new impetus by the process of **unification**:

**Article 31 of the Unification Treaty** of 31st August 1990 between the Federal Republic of Germany and the German Democratic Republic (GDR) placed an obligation on the all-German legislature:

- To further develop legislation aimed at ensuring equal rights for men and women;
- and in view of the differing legal and institutional initial situations in respect of the gainful employment of mothers and fathers, to make reconciliation of family life and work a criterion for future legislation.

These obligations were being fulfilled within the framework of the **Constitutional Reform** through an extension to the Basic Law. On 30th June 1994 the German Bundestag passed the following extension to Article 3 section 2 of the Basic Law: "The State shall promote the implementation of de facto equal rights for woman and man and shall work towards the removal of existing disadvantages". The intention was to include a provision in the Basic Law



SEITE 2 defining a goal of the state requiring the competent state organs to take measures aimed at actual equality of rights.

In the beginning of the Nineties, the Federal Government made **women in the new Länder a focus of its policy**. Its concept here was to ensure that women:

- receive the information necessary to orient themselves to the changed circumstances, for example the transfer of responsibility for certain state benefits and services to the new Länder;
- receive support in order to assert themselves in the labour market;
- and are enabled to represent their interests through associations.

Both the Federal Government and the Länder governments created numerous counselling facilities in the new Länder providing advice and information specially tailored to women.

Women were increasingly benefiting from the massive implementation of an active labour-market policy since re-unification, for instance job-creation and vocational development schemes. In addition, special women's programmes were established in order to increase their chances of re-employment after long periods of unemployment, and also to help women set up in business on their own.

At the heart of social change in the new Länder was the **formation of pluralist social structures**. Almost as soon as the Wall was opened, a broad spectrum of women's groups and initiatives sprang up in the former GDR. The Federal Government's programme entitled "Establishment and Promotion of Women's Associations, Groups and Initiatives in the New Länder" provided important starting up grants. In addition, since 1991 the Federal Government had been promoting the consolidation of the new structures, as well as cooperation with women's organizations in the old Länder. The spontaneous initiatives for the **setting up of women's shelters** for victims of violence had also received starting-up grants from the Federal Government.

A very particular contribution to the strengthening of women's interests was made by the **local equal rights offices** set up under pressure from numerous women's groups. In the



SEITE 3 new Länder especially, the institutionalization of local equal rights offices has been rapidly completed, as the 1989 GDR Local Government Constitution had placed an obligation on all towns and districts with a population of more than 10,000 to employ professional equal rights commissioners.

Comparing the situation of women in the old and new Länder **today, more than 20 years after unification**, it can be noted that their life courses still differ. Young East German women, for instance, are considered to be one of the especially highly-qualified and mobile population groups in all of Germany. Furthermore, women in East Germany are markedly better integrated into the labour market. There is, even though at a lower level, higher wage equality between women and men and there are proportionally more women in decision-making positions in companies. Women in the East even as mothers seek full-time employment at a higher rate. One reason is that the childcare infrastructure in the new Länder is still considerably better than in West Germany. The East thus provides women with a good institutional framework to reconcile work and family life. The birth rate is still higher in the East, even as it approaches the birth rate of West Germany.