Does the European Union “Walk the Walk” or Just “Talk the Talk” of Gender Equality in Water Development Projects in the Lower Mekong Region?

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Introduction

This article aims to assess the tension that exists between the European Union’s (EU) internal and international legal obligations to combat sex discrimination to achieve gender equality in all its activities, and the lack of actual implementation of this obligation in the context of water development projects in the Asian region. The EU promotes itself as a world leader in democratic values (including gender equality), international climate change and environmental negotiations, and it also has ambitions to lead the global debate on sustainable development. It is therefore legitimate to ask whether the existence of political and institutional rhetoric lead to the promotion of fundamental values such as gender equality with regard to development projects. Is the promotion of gender equality compatible with the EU’s willingness to foster good economic relations with key rising markets?

Special emphasis is given to the countries the Mekong River flows through in its lower part. This region includes four countries: Laos, Thailand, Cambodia and Vietnam. The region is important because there is a growing emphasis on trade between the EU and South East Asia. In particular, the EU is presently negotiating Free Trade Agreements (FTA’s) with Thailand and Vietnam, two of the largest economies of the Lower Mekong region. This region is also relevant given the importance of the river for all the countries and populations along its flow, as well as the interest shown by the EU (and other developed nations such as the US) in implementing water development projects in this area.

This article starts by providing a critical assessment of the legal background to the EU’s internal and international obligations in the field of gender equality (part 1). The paper examines the EU’s failure to implement gender equality norms in development projects in the Lower Mekong region (part 2). Lastly, the paper investigates the barriers to the implementation of gender equality in EU water development projects in the Lower Mekong region. Indeed, it is possible to identify two main sources of resistance that explain the difficulties to implementing gender equality in EU water development projects in Asia. While the EU’s institutional fails to implement gender mainstreaming (part 3), external barriers specifically relate to the Lower Mekong region and the EU’s relationship with that region of the world (part 4).

The EU’s obligations and commitments to gender equality in co-operation and development projects

The EU’s internal legal obligations to gender equality

Gender equality is one of the EU’s fundamental missions and values (Bell 2011; Koukouli-Spiliotopoulos 2008). Indeed, Article 2 of the Treaty on European Union (TEU) proclaims that equality is one of the values on which the Union is founded. As such, the EU has an obligation to take into account the principle of gender equality when planning and enacting any type of legislation (Pollack and Hafnew-Burton 2000). This so-called obligation of gender mainstreaming is now contained in Article 8 of the Treaty on the Functioning of the European Union (TFEU) and provides that “[i]n all its activities, the Union shall aim to eliminate inequalities and to promote equality, between men and women.” The obligation to achieve gender equality has further been confirmed as a constitutional fundamental right legally guaranteed by Article 23 of the EU Charter of Fundamental Rights (the Charter), which provides that:

“[e]quality between women and men must be ensured in all areas, including employment, work and pay. The principle of equality shall not prevent the maintenance or adoption of measures providing for specific advantages in favour of the under-represented sex.”

The EU’s constitutionalisation of gender equality law by the Amsterdam Treaty 1999 has international ramifications. Article 21(1) of the TEU outlines clearly that the EU’s Common Foreign Policy and Security Policy “shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law” (emphasis added).

In addition, the European Commission’s “Roadmap for Equality between Women and Men (2006 – 2010)” and the “Strategy for Equality between Women and Men (2010-2015)” cover both internal and external EU policies, with a view to improving the coherence between these two pillars. The Strategy provides in particular that “equality is one of five values on which the Union is founded. The Union is bound to strive for equality between women and men in all its activities” (European Commission 2011, 8). In relation to gender equality in external engagements such as projects in devel-

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oping countries, the Strategy states that “EU policy on the promotion of gender equality within the EU is closely linked to the work undertaken by the Union in third countries. Through all relevant policies under its external action, the EU can exercise significant influence in fostering gender equality and women’s empowerment worldwide” (European Commission 2011, 28). It further adds that the “EU will continue to use its development policies to promote gender equality and women’s empowerment” (Ibid). As a result, any international action undertaken by the EU must be guided by the principle of gender equality and should be imposed on countries in which the EU acts.

The EU’s international commitments to gender equality
At the international level, the EU has made a commitment towards meeting all of the United Nations’ MDGs, and in particular MDG three, which calls for gender equality and women’s empowerment. This commitment towards gender equality is well documented in the context of co-operation with developing countries in the African, Caribbean and Pacific regions, where the EU has been active since its creation in 1957 (Allwood 2012; Arts 2006).

In contrast, the more recent EU-Asia co-operation and development policy (European Commission 1994) has been directed largely to the growing economic and political power of the Asian region from the outset. Very little space has been left for the EU to influence Asian partners in the area of fundamental values such as the commitment to gender equality.


Gender equality rhetoric did not feature into EU-Asia cooperation and development policy until the adoption of Regulation 1905/2006/EC in 2006 and the establishing of the Development Cooperation Instrument (DCI). This financial instrument’s objective is to help eradicate poverty in 19 partner Asian countries, including the four countries of the Lower Mekong region. The DCI is guided by the EU Consensus on Development (Council of the EU 2006) which recognises that “gender equality and women’s rights is not only crucial in itself but is a fundamental human right and a question of social justice, as well as being instrumental in achieving all the MDGs […] Therefore, the EU will include a strong gender component in all its policies and practices in its relations with developing countries” (Council of the EU 2006, para 19).

In 2007, the European Commission adopted a Communication on Gender Equality and Women’s Empowerment in Development Cooperation, which sets a framework for increasing the efficiency of gender mainstreaming by ensuring that gender equality is included effectively in other important areas inter alia economic growth, trade, infrastructure, environment and climate change as well as agriculture (European Commission 2007). On this basis, the subsequent Council of the EU reached the “Conclusions on Gender Equality and Women’s Empowerment in Development Cooperation” (2007), calling on the European Commission and the Member States to promote “clear objectives and indicators on gender equality and […] as[sign] clear tasks and responsibilities to lead donors to this effect in all sectors” (Council of the European Union 2007, para 15).

With this general policy background, the European Commission adopted the Regional Strategy Paper for EU-Asia Cooperation (2007-2013). The European Commission identifies a number of general priorities for intervention in Asia which should be reinforced by cross-cutting issues including gender equality.

The relatively light commitment to gender equality in EU development and co-operation in Asia results directly from competing EU economic interests. As explained above, the EU-Asia relationship has always been based on fostering an economic relationship. Democratic values such as gender equality only began to appear in EU policy documents over the last decade. It is therefore not surprising that the formal commitment to gender equality evaporates before taking effect on the ground.

The Lower Mekong region and an assessment of the EU’s gender equality commitments
Despite constitutional legal obligations at the internal level and some rhetorical commitments on gender equality at the international level, the EU admits that, with only five years left to the MDGs deadline of 2015, it is still not on track to meet its targets (European Commission 2010). The EU recognises “a tendency on the part of both partner countries and donors not to prioritise actions for gender equality” (European Commission 2010, 3). The failure to incorporate gender equality in development projects is particularly well illustrated in the Lower Mekong where economic interests compete directly against EU values. Though one of the fastest growing economic regions in the world, the Lower Mekong region retains high levels of poverty and gender inequalities. With abundant water resources, the region is caught between two contrasting goals: the need to increase economic development by harnessing water resources for hydropower and the need to alleviate poverty through rural development.

Economically, the countries in the Lower Mekong region have diverse development patterns and needs. Cambodia and Laos are the least developed and most impoverished countries in the region with a GDP per capita of USD 897 and USD 1320 respectively (World Bank 2011) while Thailand is the most developed country of the region. Vietnam, meanwhile, is a median country with a GDP per Capita of USD 1407 and Thailand can be considered to have a upper-middle income economy with a GDP per Capita of USD 4972 (World Bank 2011). All four countries have
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gone through remarkable economic growth over the past decade ranging from an average of 6% for Cambodia to 7.6% for Cambodia (World Bank 2011).

With "several European policy makers labelling 2012 the European Union Year in Asia" (Channel News Asia 2012b), the EU has sought to capitalise on this economic growth by establishing FTA’s with its Asian trading partners. In particular, the EU is presently negotiating FTA’s with Thailand and Vietnam, the two largest economies of the Lower Mekong region, which, according to Singapore’s head of delegation to the EU, Ambassador Marc Ungeheuer, will “have a huge impact on our economies” (Channel News Asia 2012b).

Despite of considerable levels of economic growth, all four countries continue to display overall widespread poverty levels, especially within the rural areas. In Cambodia, for instance, rural poverty continues to be a challenge, with 92% of the poor residing in the country side (World Bank 2013a). Even in Thailand, poverty is primarily a rural phenomenon, with 88% of the country’s 5.4 million poor living in rural areas (World Bank report on Thailand 2013b). The poor are made up of majority of women and marginalized groups, such as ethnic minorities who are mostly relying on agricultural labour for income and substance (Asian Development Bank 2012, 67). Despite undeniable progress on many of the MDGs, Vietnam, Laos and Cambodia are off track on some of them, including with regards to tackling gender inequalities (Mekong Economics 2005; World Bank 2013a; Asian Development Bank 2012, 72; European Commission 2012, 102).

This region has long considered using the Mekong River as a source for hydropower and a base for increasing economic growth. Recognising the importance of the Mekong River and its natural basin, the Mekong River Commission (MRC) was formed in 1995 through a joint effort between Cambodia, Laos, Thailand and Vietnam, with the aim of guaranteeing the sustainable management of this vital shared natural resource. This is important given agricultural production provides livelihoods for approximately 60% of the region’s 60 million inhabitants (MRC 2012 and 2010). At the same time, this region relies on international aid and development projects in order to alleviate poverty (Asian Development Bank 2012, 251). The EU is involved in development projects in the Lower Mekong region. In 2011, the EU spent a total of EUR 11835 millions in development aid in the four countries considered (European Commission 2012, 195-198) of which EUR 19 million were dedicated to water supply and sanitation projects (European Commission 2012, 212). Access to individual projects details remains elusive as they are not usually given out by the EU.

As explained previously, in all its development and cooperation projects, including in projects relating to water supply and sanitation, the EU is committed and obligated to promote gender equality. The EU reports in general terms on the achievement of its goals. The evaluations made by the European Commission in relation to the EU Cc-Operations with Thailand (DRN 2009a) and Vietnam (DRN 2009b) found a number of examples in which the EU failed to ensure the implementation of gender equality in its development projects. For instance, the evaluation of Thailand found that while the official EU position has been very clear on gender, the outcomes of projects have not sufficiently translated into political dialogue and negotiations. Therefore, the EU’s actions in Thailand have made little impact on internal Thai policy. Although “capacity building and gender issues were integrated into [EU] programmes, […] there was no significant change on […] Gender in policy formulation and implementation in Thailand” (DRN 2009a, 42).

Meanwhile, the evaluation of Vietnam highlighted the lack of awareness regarding the designing and implementation of gender-specific approaches in EU-funded projects. In particular, there was poor integration of gender equality in ethnic minority projects and cross-cutting issues (DRN 2009b). It should be noted that these evaluations reports themselves are mostly addressing economic issues and spend little time on gender equality, which is in turn diluted with report on issues of human rights and democratisation. This is not surprising given that EU policy, as explained above, is mostly concerned with economic considerations, while values such as gender equality are mostly rhetorical concerns.

Internal barriers

This section considers why there is a gap between the EU commitment to gender equality and the implementation on the ground. The main issue relates to the well documented failure of mainstreaming gender in practice (Allwood 2013; Rao 2005). To be successful, the implementation of public policies, including that of gender mainstreaming, needs clarity of objective, unambiguous channels of authority, meaningful communication between the various groups, and of course, an adequate level of resources for implementation (McGauran 2009). However, critics have pointed out that gender mainstreaming policy is weak and falls in every single one of these factors (Rai 2003; Goetz 2001; Miller and Razavi 1998). The most important problems are the weak influencing power commanded by central authorities, lack of resources, the evaporation of gender policies when it comes to implementation, and gender-biased organisational and culture (Kusakabe 2005). It has even been suggested that under these conditions, gender mainstreaming is possibly instrumentalizing and diluting the feminist agenda to a point that it does more harm than good for gender equality (Standing 2004; Miller and Razavi 1998).

Theoretical contrast

Organisations, structures and policy actors that are deeply gendered and take an active role in reproducing inequalities are resisting gender mainstreaming (Walby 2004; Stratigaki 2005). Indeed, it is arguable that gender mainstreaming is bound to fail because the very same actors who resist change and reproduce inequalities are tasked with its implementation. Resistance comes in many forms including the adoption of “integrationism” policy practices (Meier and Cellis 2011; Woodward 2008). This means that gender mainstreaming is implemented as a mere box-ticking exercise, which lacks substantive content. In this case, when re-
porting on gender equality the actor highlights (or tick the box) that gender issues have been considered even if no concrete steps has been achieved or undertaken. By contrast, gender mainstreaming can and should be understood as a transformative agenda-setting of radical feminist potential with concrete gender outcomes (Allwood 2013). Feminist theory, in this case, represents a platform for fundamentally changing policy approaches to gender inequalities as opposed to just ticking boxes. Thus, while gender mainstreaming has largely been adopted by institutions in practice, it is not necessarily a sign of success. Its implementation form is frequently stripped of its feminist political content as it is too often understood as an integrationist theory (Wittman 2010) which is resisted by institutions (Rao and Kelleher 2005). According to Prügl and Lustgarten (2006), a transformative version of gender mainstreaming can only be successful if feminists remain involved in the policy process. Nonetheless, staff working in water-related projects, in the EU and elsewhere, are mostly concerned about technical issues. These water-related professions, such as engineering, have culture and identity that is profoundly embedded in masculinity (Zwartveen 2008). The involvement of feminist perspectives remains therefore doubtful (Udas and Zwartveen 2010).

Cross-cutting issues and the concept of gender mainstreaming
As the EU is committed, at least in rhetoric, to an ever increasing number of cross-cutting issues (including gender equality, human rights, sustainable development) which are supposed to be mainstreamed, each of these issues end up competing against one another. As Allwood (2013, 13) argues, “There is a limit to the number of issues which can be mainstreamed through all other policy areas” (Allwood, 2013 at 13). “Mainstreaming overload” (Geyer and Lightfoot, 2010) means that organisations have to decide which issues must take priority. Often, this means the easiest to integrate, or the most fashionable issue, will take precedence. Gender mainstreaming has been around for a while and therefore its efficiency might be compromised compared to other, more modern, cross-cutting issues. In addition, it has been suggested that mainstreaming works best when it is novel; “[h] owever, the novelty of the technique wears off and issues such as gender equality disappear from the agendas to be replaced by others” (Woodward, 2008 at 295).

External barriers
This section reviews some of the barriers to gender equality implementation in EU water development projects in the Lower Mekong region. In particular, it considers the contrasting development priorities, the rise of corporate agriculture, the lack of gender awareness by local actors and poor governance.

Contrasting development priorities
The region is caught between two contrasting goals which have unintended gender implications. With vast water resources, the Mekong River provides an important source of income from agricultural production for all four neighbouring countries; however, it also presents a significant opportunity for electricity production. The livelihood of many in the region is directly affected by construction of dams on the Mekong main stem and its tributaries. The alteration of the natural hydrological cycle, and its influence on downstream water levels, impact strongly on the agriculture sector and on women who make up a significant amount of the agricultural workforce (Asian Development Bank 2012, 253). Despite the environmental concerns raised by Cambodia and Vietnam, Laos recently announced the approval of the construction of the first of 11 planned hydro-

power dams on the Mekong River. Laos stands to gain economically by selling electricity to its richer neighbours, like Thailand, which, in addition to funding the project, has already pre-purchased nearly all the electricity (Channel News Asia 2012a). However, Cambodia and Vietnam, both of which are downstream of Laos and Thailand and therefore more adversely impacted, fear this project will decimate their agricultural industries, impacting the livelihoods of millions (Channel News Asia 2012a). While hydropower production can benefit urban populations and enhance overall economic development, it will adversely affect rural women who rely on agriculture as a source of food and income. Despite pressures from neighbouring countries (Cambodia and Vietnam) and NGOs (BBC 2012), the desire for economic development remains generally blind to gender or environmental impacts. Indeed, little or no consideration is actually given to the gender impact of such construction (Asian Development Bank 2012, 180). In addition, though European energy companies are involved in the construction of such dams, the EU failed to firmly condemn the announcement (The Economist 2012; WWF, 2012), illustrating the tension that exists between the EU economic interests in the region and its commitments to the value of gender equality.

Corporate agriculture as a barrier to gender equality
Additionally, local policy makers are increasingly interested in the economic gains linked to large-scale agricultural production, or corporate agriculture, which impacts poor rural farmers, including women (Van Koppen 1998). In particular, low concern is given to the fact that traditional irrigated agriculture tends to be more equitable, measured in terms of access to irrigable land, water supplies and delivery systems for women, as compared to modern corporate agriculture (Marbey and Cleveland 1996). Van Koppen (1998) rightly argues that the main focus of external aid is poverty alleviation in rural areas. However, external aid agencies in South Asia, such as Euro-

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2012). Targeting rural poverty through irrigation projects has had the unintended consequence of further entrenching existing gender inequality gaps in two ways. First, the promotion of corporate agriculture ultimately erodes rural women’s already meagre incomes. Indeed, women often lose access to land and resources when corporate agriculture is developed. Second, local irrigation agencies often fail to assess the gender impacts of how rights to water and irrigated land are distributed (Van Koppen 1998, 362-364).

Nevertheless, increased irrigation can provide significant benefits to rural poor women. Landless rural poor women make up a significant proportion of agricultural workers (FAO 2012) in the Lower Mekong region. Increased agricultural output, which can occur with increased irrigation, can result in higher wages and more employment opportunities. Moreover, the price of food, which comprises the largest portion of household expenditure of the rural poor, is likely to decrease due to a combination of a decrease in the price of food and a relative increased household income (Resurreccion et al 2004; Van Koppen 1998). However, corporate agriculture further entrenches gender inequality in two ways (Rao 2005). First, falling prices of agricultural produce due to a greater supply from increased agricultural efficiencies leads to the depreciated incomes of rural women. Second, the rise of corporate agriculture leads to market deregulation and the opening up of the markets to trade, from planned to free market economies. This leads to the removal of government subsidies that rural farmers rely on for agricultural products such as fertilisers and credit, which results in the decline of small rural farmer’s agricultural output and income, in particular rural women’s incomes (Rao 2005).

Thus, by contributing to the rise of corporate agriculture and the parallel decline of traditional irrigated agriculture, the EU’s participation negatively impacts poor rural women as these projects are gender-blind. However, when it comes to providing external aid, the EU has a legal obligation to ensure the agricultural transition, from small farming to large-scale corporate agriculture, is beneficial to women and that they do not lose out during this transition.

Lack of gender awareness and good governance in distributing water rights
It is common for international aid organisations to provide financial, technical and organisational aid to local irrigation agencies. Generally, however, local irrigation agencies are staffed with mainly male engineers and technicians who lack training relating to the benefits of women’s participation in water projects (Regmi and Fawcett 1999; Udas and Zwartveeen 2010). The historically male dominated profession of engineering is primarily concerned with what Chambers qualifies as the “normal professionalism of irrigation” (Chambers 1988, 68). This means that engineers are mainly concerned with, and rewarded on the basis of the design and building of physical structures. The profession is characterised by a strong masculine culture and identity, which affects its ability to address gender issues (Udas and Zwartveeen 2010, Zwartveeen 2008).

The structural exclusion of women from all major decision-making processes relating to the planning, designing and constructing of irrigation infrastructure ensures that these projects lack gender considerations, as the synergy between technology and social development is a relatively recent phenomenon (Resurreccion et al. 2004). This is particularly clear with regards to decisions on the allocation of irrigated land and water rights, which traditionally favour male farmers (Van Koppen 1998). Women’s participation should be promoted because they are frequently the ones working the land and therefore have greater knowledge on seasonal availability of water and the quality compared to men (Regmi and Fawcett 1999). Such strategy would also contribute to increasing environmental protection of water resources long-term.

The traditional and deeply gendered-structure (dominated by men) of Asian water management and rights allocation (Zwartveeen and Meinzen-Dick 2000) is further reinforced by external technical staffs collaborating with their local peers through consultations, technical meetings and workshops. These interactions serve as vehicles for technological transfer, further consolidating male knowledge and excluding women from both the decision-making process and access to water rights (Resurreccion et al. 2004). Furthermore, external aid agencies should provide oversight in the decision-making process of local irrigation agencies, as decisions on water rights are likely to favour powerful and connected landowners at the expense of poor rural women, further entrenching gender inequalities (FAO 2008; Molle 2005; Heyd and Neef 2004; Van Koppen 2004).

Conclusion
This article reveals that the EU has developed very strong legal gender equality obligations framed in constitutional and fundamental terms. Additionally, the EU is politically committed to achieving gender equality both internally and internationally.

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through its aid and development projects. This is clearly visible in the rhetoric displayed in general co-operation and development policy documents. However, in the Mekong region, we note a serious weakness in both the rhetoric and the commitment towards gender equality in policy documents. We believe this weakness is a sign that the EU is torn between their commitment to gender equality and their commitment to economic expansion. The prospect of access to economically viable markets like hydro-power weakens the EU's engagement to achieve gender equality. This is compounded by the general failure of gender mainstreaming, which is used as the main method to export the EU's value of gender equality.

External resistances from the Asian region, and specifically the Lower Mekong region, contribute to the further weakening of the EU's ability to implement gender equality in water development projects. Local actors favour large-scale development projects which provide larger economic benefits over projects of social value. The local traditional gendered structures are further reinforced by the EU's technical intervention in water development projects.

The hindrances to bringing gender equality to Asia can be traced to the EU's inability to assert its self-proclaimed "constitutional" value of gender equality, both within its internal and external actions. Although the EU aspires to lead the international community on a democratic path, it remains unable or unwilling to implement the general principle of gender equality through its international actions in the context of water. This impediment ultimately casts serious doubts about the EU's international image as an influential actor and fails to serve women in Asia.

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