

## ADVISORY COMMITTEE ON EQUAL OPPORTUNITIES FOR WOMEN AND MEN

### OPINION ON THE FUTURE OF GENDER EQUALITY POLICY AFTER 2010 AND ON THE PRIORITIES FOR A POSSIBLE FUTURE FRAMEWORK FOR EQUALITY BETWEEN WOMEN AND MEN <sup>1</sup>

29<sup>th</sup> January 2010

#### Mandate of the Working Group

The Advisory Committee (AC) decided at its meeting on 18 December 2008 to set up a working group to prepare an opinion on the future of gender equality policy after 2010 and on the priorities for a possible future framework for equality between women and men.

The purpose of this Opinion is to identify the main issues to be addressed in order to eliminate gender inequalities, to define the main objectives at European Union level and to propose key actions for the future policy framework.

#### Background

The year 2010 represents an important step for the future of gender policies because it marks the end of the actions promoted by the "Roadmap for Equality between Women and Men 2006-2010". The timing for the preparation of the future strategy is set in a period of unprecedented global financial and economic crisis.

Some analysts have put on evidence that the recession is producing a multiple gender impact and in order to address this, it is necessary to segment and distinguish the different social consequences.

The EU has made significant progress over the last decades in delivering greater equality between women and men; it is essential that this progress is continued. There is a need to ensure that advances made in protecting and promoting the rights of women and men are not eroded by measures enacted to meet the economic crisis. It is therefore essential that the crisis should not be used as an argument to reduce public resources allocated to policies and actions aimed at combating discrimination between women and men.

The achievement of the objectives of gender equality has been supported by the European gender equality legislation, gender mainstreaming and specific measures for the advancement and empowerment of women, promoted by the European Union<sup>2</sup>, and the internationally recognised agreements<sup>3</sup>. The new strategy should define measures and policies designed to deliver *de facto* gender equality and women's rights. One of the major remaining challenges concerns the differing levels of implementation and knowledge across the EU of those European gender equality provisions and international commitments, including gender mainstreaming.

The EU Roadmap for equality between women and men set out the priorities for the period 2006-2010 combining specific initiatives and the integration of equality between women and men into all EU policies and activities (gender mainstreaming). It not only contributed to the promotion of gender equality, but it also requested a stronger level of intervention from Member States. In particular, it offered a new opportunity to create a framework based on common objectives for progress towards equality between women and men.

Considering the context presented above and in order to progress towards *de facto* equality between women and men in the next decade, the future strategy will need to be comprehensive and to address the following challenges:

- I. *on-going challenges*
- II. *new challenges*
- III. *cross cutting challenges*

In order to meet these challenges and to make the future framework more operative and effective, it will be crucial to increase the awareness and active involvement of all the *stakeholders* at all levels: the European

<sup>1</sup> The opinion of the AC does not necessarily reflect the positions of the Member States and does not bind the Member States.

<sup>2</sup> i.e. the European gender equality legislation adopted since 1957, the European Employment Strategy (EES) and the Lisbon Strategy, the Social Agenda and finally the European Pact on gender equality and the Roadmap for equality between women and men with the relative 2007 and 2008 work programmes.

<sup>3</sup> See the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979), the 1995 UN Beijing Platform for Action and its 12 critical areas of concern, the 2000 UN Millennium Development Goals and the commitments recently taken by Governments at the 98<sup>th</sup> session of the International Labour Conference (2009).

Commission and the other EU institutions, Member States, national parliaments, social partners, NGOs and civil society.

Moreover, the delivery of the future strategy for gender equality would need not only the involvement of stakeholders at all levels but also adequate human and financial resources, as well as the access and the efficient and effective use of all the *financial resources* available, from the Community Funds, such as the Structural Funds and the PROGRESS Programme, to the Member States' national budgets.

To achieve its **goals**, the future Roadmap will need to present an overarching structure and tools which include a better **gender mainstreaming** strategy in which all European instruments, policies and strategies are connected to one another and follow a coherent pattern with the aim to progress *de facto* gender equality. It should also complement and support the internationally agreed twelve critical areas of concern established by the Beijing Platform for Action.

The dual approach, adopted also by the Roadmap 2006-2010, is still valid and crucial to the realisation of gender equality and the gender mainstreaming strategy should in no way lead to the disappearance of specific measures for gender equality, addressed to both women and men, together with institutional mechanisms designed to abolish inequality between women and men.

## **PRIORITY AREAS OF ACTION**

### **I. ONGOING CHALLENGES**

#### **1. Achieving equal economic independence for women and men**

##### **1.1 Occupational segregation**

The labour market continues to be characterized by phenomena of horizontal and vertical segregation and to reflect major areas of inequality between men and women particularly in access to jobs, correspondence of women's level of qualification and the quality of their jobs, career progression, pay and experience of discrimination and harassment. It is still mainly women who undertake unpaid work for the family and there is still over-representation of women in some sectors, including, for example, in the caring professions and in part time work, less skilled jobs, atypical and/or temporary contracts, and under-representation in others, for example, the science, engineering and technology sectors.

##### **1.2 Gender pay gap**

One of the consequences of the inequalities in the labour market can be measured by the persistence of the gender pay gap. Across the EU, women earn, on average, 17.4%<sup>4</sup> less than men for each hour worked. In some countries the gender pay gap is widening, while in others it is narrowing, and strong differences persist between the public and the private sector, with generally a higher gender pay gap in the industry sector<sup>5</sup>.

##### **1.3 Gender based discrimination in the labour market**

Gender based discrimination in the labour market persists. Women continue to share the higher proportion of atypical and precarious jobs, register lower employment rates than men and experience discrimination in vocational training and career progression. It is essential to strengthen the role of Member States' gender equality mechanisms for the elimination of gender discrimination and the promotion of equality between women and men in employment, taking into account the need for reconciliation between work and family life and women's educative level which has risen in recent years.

##### **1.4 Women's entrepreneurship**

In the last decade, women have demonstrated more dynamism and autonomy as self-employed and independent professionals, as shown by the low but increased number of enterprises run by women and women's entrepreneurship. However, women still face many difficulties in the support of new businesses through their early years.

##### **1.5 Social protection**

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<sup>4</sup> See EAC Opinion on the effectiveness of the current legal framework on equal pay for equal work or equal value in tackling the gender pay gap, June 2009.

<sup>5</sup> According to the most recent Eurostat data, the gender pay gap (in unadjusted form in %) in the industry and services (excluding public administration) was 21.7% in 2007 in the EU27. In the same year it was 15,3% in the public administration and defence; compulsory social security. See: <http://nui.epp.eurostat.ec.europa.eu/nui/setupModifyTableLayout.do>

The employment of women is, and will continue to be, an essential component for ensuring both women's autonomy and independence as well as successful economies. It is therefore vital to combine the measures targeting employment with other measures strengthening the national social protection systems in order to ensure adequate support for women and men in their dual responsibility as workers and parents/carers.

The challenge for Member States is to implement, a system of social protection for both male and female workers, and their families, where special attention should be paid to single-parent families.

This is an even greater challenge in the current economic downturn, as many women and men might find themselves in a weaker position in the labour market which presents a greater risk of poverty, especially for women and men who belong to already vulnerable groups.

The gender gap in pensions, which can be related to the pay gap and to the unequal share of unpaid work, should also be taken into account as a factor of poverty for women.

### **1.6 Poverty and social exclusion**

Women are still more likely to undertake caring and home responsibilities and, therefore, are likely to have shorter careers or interrupted periods of work when compared to their male counterparts. This may render them more vulnerable than men to poverty. There are a number of contributory factors which can include women's unequal position in the labour market, their dependency status in social protection systems and limited pensions. The concept of the "feminisation of poverty" is increasingly used to express the gendered nature of poverty and social exclusion. However, the full extent of women's poverty and social exclusion remains hidden. This is due primarily to the lack of data systematically measuring women and men's situations. Moreover, income poverty continues to be measured in terms of household earnings, instead of earnings connected to each individual. Poverty also interlinks with other gendered phenomena, as poverty is one of the factors that render women and girls more vulnerable to prostitution and trafficking for the purposes of sexual exploitation, labour exploitation and organ removal resulting from trafficking, while women who are victims of violence may experience poverty as a result of this violence.

### **Recommendations in relation to achieving equal economic independence for women and men**

**In this area, the AC underlines the need to focus on the following challenges in the new Roadmap:**

1. The European Commission (EC) and Member States should renew their commitment to create more and better jobs under the successor to the Lisbon Strategy for Jobs and Growth<sup>6</sup> recognising women's employment and gender equality policies are a key factor for the growth of employment and competitiveness in the EU and a necessary contribution to respond to labour shortages and new skills needs.
2. The EC and Member States should not limit themselves to only look at the number of women in the labour market, but should also address the issue of women working more hours, of quality and sustainability of employment for women, of their situation in the labour market and should strongly support the breakdown of all forms of occupational segregation, both horizontally and vertically, in order to ensure the full use of women's education, skills and talents.  
In parallel, Member States should also focus on encouraging both girls and boys to make non-gender specific choices of education and profession.
3. The EC should ensure that statistical data to monitor the gender pay gap are comparable between Member States, also through the involvement of the European Institute for Gender Equality.
4. The EC should encourage Member States to establish targets and timeframe for closing the gender pay gap. Moreover, the EC should promote supporting tools for employers and trade unions, such as job evaluation methods free from gender bias and concrete measures on transparency of wages.
5. The EC should encourage Member States to ensure that their national monitoring systems for employment contracts and working environments comply with the principle of equal treatment in both public and private sectors and to both full and part time occupations.
6. Member States should support women's entrepreneurship and economic independence through measures fostering a positive environment which might include the provision of appropriate vocational training and re-skilling, creation of organisational networks and mentoring, promotion of good practices, financial incentives and access to credit leading to the consolidation of these enterprises.

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<sup>6</sup> See COM (2008) 868.

7. Member States should, where necessary, improve the protection of women and men workers through ensuring equality of access to social protection systems, including pension rights and health care in order to guarantee individual rights to social protection and social benefits concerning motherhood, fatherhood, parenting and caring, and to address the issue of poverty and its impacts on women and men.

8. Member States should, if necessary, revise the household unit measure used to determine income-poverty and to implement indicators in respect of women and poverty<sup>7</sup> as a tool to monitor the impact of broader social, economic and employment policies on women and poverty.

9. The EC should encourage Member States to guarantee a minimum income or other forms of support for all as a means of making a decisive impact on reducing income related poverty.

10. Member States should strengthen the aspects of security and quality of work while implementing the flexicurity principles, including through a review of the principles from a gender equality perspective and a greater promotion of gender equality in the social dialogue and in corporate social responsibility.

11. Member States should, if necessary, strengthen the role of national gender equality mechanisms, also through the allocation of adequate human and financial resources, to ensure increased awareness and full implementation of existing European gender equality legislation, in order to eliminate gender discrimination in the labour market.

12. Member States should emphasise the usefulness of mechanisms such as positive actions and promote gender equality plans negotiated among social partners at company and sectoral level, aimed also to guarantee flexible working arrangements and provide better work-life balance.

## **2. Enhancing reconciliation of work, private and family life**

### **2.1 Need for more effective reconciliation policies**

Care work is still unequally divided between women and men. Women are still taking on most of the care work and, at the same time, many women are in paid employment.

The double burden of paid work and unpaid work within the family, together with a possible lack of support care services, are some of the reasons behind the declining fertility rate in Europe and can be identified as one of the main barriers to women's full participation in the labour market and decision making at all levels.

### **2.2 Maternity, Paternity, Parental and Family Leaves and flexible working patterns**

Maternity, paternity, parental and family leave are effective measures, amongst others, to encourage the sharing of family caring responsibilities between women and men or partners of the same sex. However, barriers still exist which discourage their use. Women take up parental leave more than men and several studies show that men can be discouraged from utilising this right, due to women's lower income and the persistence of gender stereotypes which can influence women and men's behaviours and roles in caring responsibilities<sup>8</sup>.

### **Recommendations on reconciliation policies**

In general, the AC recommends that the new Roadmap concentrates on strengthening measures which enable women and particularly men to reconcile work, private and family life in a life-cycle approach.

**To this end, the AC underlines the necessity to focus on the following aspects in the new Roadmap:**

1. The EC should encourage Member States to further develop a more egalitarian family and social model.
2. The EC should encourage Member States to further develop a new model of labour and employment relations and quality employment that facilitates the co-responsibility approach to reconciliation of private, family and working life.
3. The EC and Member States should strongly pursue and fulfil the targets on childcare established during the European Council in Barcelona<sup>9</sup> in accordance with the timeframe.

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<sup>7</sup> Council of the European Union, Employment, Social Policy, Health and Consumer Affairs, "Review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action – Indicators in respect of Women and Poverty" – Draft Council Conclusions", December 2007, 13947/07 ADD 1.

<sup>8</sup> See EAC Opinion on New Forms of Leave (Paternity Leave, Adoption Leave and Filial Leave), July 2008.

<sup>9</sup> Barcelona's targets concern the creation of care services for at least 33% of children between 0 and 3 years and 90% of children between 3 years and the age of compulsory education.

4. The EC should encourage Member States to establish targets for affordable and quality care services for dependants other than young children.
5. Member States should adopt, as part of the measures aimed at reconciliation, legislation in relation to paid leaves (including maternity, paternity, adoptive, parental and accessible working hours for carers) and include strong measures to encourage men to share leave provisions.
6. The EC and Member States should elaborate instruments for employers and trade unions and other stakeholders and share good practices and knowledge, in order to promote family-friendly measures, flexible working patterns<sup>10</sup> available to women and men in the labour market and appropriate measures to facilitate the return to work after a period devoted to private care.  
Moreover Member States should promote and disseminate good practices which develop co-responsibility between women and men.
7. The EC should encourage Member States to use resources of the European Structural Funds to fund care services and support for families of dependent persons.
8. The EC and Member States should undertake periodic awareness raising and, if appropriate, information campaigns, particularly addressed to men/fathers and to social partners to encourage the equal sharing of family responsibilities.
9. The EC and Member States should agree on a monitoring system of the actions undertaken in this field in order to guarantee the existence of comparative data at both EU and Member States level.

### **3. Promoting equal participation of women and men in decision-making**

The unbalanced representation of women and men in decision-making positions is another issue of deep inequality. Despite some increase of women in decision-making positions, the under-representation of women in politics is a serious issue of democracy and fundamental rights. There is also a low proportion of women with leadership roles in politics, in public administration, in public and private enterprises, in the media and universities, in employers' organisations, trade unions, etc. Although women are becoming more and more qualified, barriers that prevent the access to decision-making and political representation persist.

The average percentage of women in **national parliaments** in the EU countries has increased from 16% to 24% between 1997 and 2008<sup>11</sup>. However there is a significant variation between Member States. On average in the EU one out of four senior Ministers and members of national parliaments are women. Moreover, only 35% of the members of the recently elected **European Parliament** are women<sup>12</sup>. The low representation of women in elected positions creates a democratic deficit and represents one of the key elements of the crisis of credibility of institutions; it also highlights the need to reform and restructure the representation and participation of women and men in all areas of life.

The number of female managers (directors, chief executives and managers of smaller enterprises) in the EU has remained stable over the last few years, at an average of 30%. The proportion of women directors of top quoted company boards is 3% across the EU, while only one in ten company board members is a woman. There are no female governors of the national Central Banks in the EU and women only account for 16% of the highest decision-making bodies of these institutions<sup>13</sup>.

The overall picture shows that, in most of the EU countries, women continue to be under-represented in decision-making positions and processes at all levels and in most fields. The EC and the Member States must, therefore, take concrete measures to ensure an equal representation of women and men in decision-making, both in **economic and political decision-making**.

#### **Recommendations on equal participation of women and men in decision-making**

**The AC underlines the necessity to focus on the following aspects in the new Roadmap:**

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<sup>10</sup> It has been shown in research that flexible working hours or flexible working position are taken mostly by women in order to cope with work and family responsibilities; these policies should therefore also be directed to men in order not to increase other gender gaps (pay, pension etc).

<sup>11</sup> See Report from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions – Equality between women and men 2009, Brussels, 27.02.2009, COM (2009) final.

<sup>12</sup> See EC Database on women and men in decision-making positions.

<sup>13</sup> See footnote 12.

1. The EC should implement positive action measures addressing the under-represented gender in any area and decision making level of European Institutions and Agencies, also introducing targets and a deadline for achieving them.
2. The EC should develop and support mentoring programmes, as well as confidence building, leadership and media relations training for women within the European civil service.
3. The EC should create a European funding programme to support the training and career progression of women within political parties and social partners' organisations and to foster the promotion of studies on the impact of recent legislative measures on gender equality.
4. The EC should continue to support Member States' actions, also through the European Institute for Gender Equality, by collecting, analysing and disseminating comparable data on the persistent gaps and by promoting networking between all stakeholders and the exchange of experiences and good practices at European level.
5. The EC should encourage and Member States should support a greater participation and representation of women in all governing bodies and public appointments (including in the judiciary sector) and foster a greater participation and representation of women in political parties, in economic and social partnership, in corporate management, in executive and other positions of responsibility (including in the media) as well as undertake appropriate positive actions to remove obstacles to women's participation.
6. The EC should conduct an exploratory study on the impact of recent legislative measures on gender parity in order to assess if these are effective in attaining a more balanced presence of women in decision making positions.

#### **4. Eradicating all forms of gender based violence and trafficking in human beings**

In Europe today, one in four women may be or may have been a victim of **gender based violence**: domestic abuse, stalking, rape, sexual exploitation, sexual harassment, pornography, female genital mutilation, forced prostitution, honour crimes, etc. Violence against women is the most intolerable form of negation of women's human rights.

Violence against women takes different forms and cuts across all countries and social classes. It is an obstacle to the realisation of equality between women and men<sup>14</sup>. Therefore it requires robust action by all Member States and by the European Commission.

**Trafficking in human beings**, which is different from illegal migration, refers to the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation<sup>15</sup>.

Trafficking in human beings, including trafficking for the purpose of sexual exploitation, is very often linked with organised crime, therefore the response by Member States must be strong and effectively deal with prevention, prosecution of traffickers, and at the same time giving protection and support to victims<sup>16</sup>.

#### **Recommendations on eradicating all forms of gender based violence and trafficking in human beings**

In general, the AC recommends that the new Roadmap includes a stronger contribution for the identification and definition of common criteria to tackle gender based violence and trafficking in human beings as a crime and public wellbeing problem.

#### **To this end, the AC underlines the necessity to focus on the following aspects in the new Roadmap:**

1. The EC and Member States should take all necessary measures to address and eradicate all forms of violence against women as an inherent part of gender equality strategy, policies and actions.

<sup>14</sup> Beijing Platform for Action, paragraph 118.

<sup>15</sup> Article 3 of the Palermo Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the UN Convention against transnational organized crime (2000).

<sup>16</sup> The UN estimates that about 80% of persons trafficked are trafficked for sexual exploitation, the great majority of these persons are women.

In particular, the EC should:

- work through the relevant channels to consolidate the legal base within the current EU structure to ensure that all forms of violence against women are addressed through a broader definition of violence against women;
- investigate the feasibility of appropriate legal instruments within the EU framework, that delivers legal protection and minimum standards for a comprehensive support for women and sanctions for the perpetrators of violence;
- investigate the relevance of a European Action Plan on violence against women, with specific funding, which expresses an enhanced understanding of gender based violence against women and its link to issues relating to gender (in)equality;
- recognise and support the role of women's NGOs working with victim support services.

In particular, Member States should:

- reinforce their national mechanisms for gender violence prevention and protection to victims, promote programs for perpetrators and preventive programs for youth and enhance the cooperation with NGO's, social partners and civil society;
- ensure that a national quality support services can be accessed by victims of gender based violence.

2. The EC should ensure greater knowledge and broader awareness of gender based violence across the EU. It should guarantee ongoing and systematic monitoring, in collaboration with all relevant EU institutions, bodies and agencies such as the European Institute for Gender Equality and the European Union Fundamental Rights Agency, to measure progress in relation to the fight against all forms of violence against women. For this purpose, the AC recommends the setting up, preferably within an existing institution, of a European monitoring framework and mechanism on violence against women to measure progress in relation to the EU commitments and identify gaps and critical emerging issues. In addition, the EU framework should produce objective, reliable and comparable information, annual gender disaggregated statistical data on all forms of gender based violence, including common indicators at European level, and develop specific EU strategy and research opportunities about violence against women within the existing EU programmes, namely the Daphne programme.

Moreover, the European Union should examine the usefulness of designating a Regional European Union Rapporteur on Violence Against Women with possibility to cooperate with the UN Rapporteur and the Council of Europe Rapporteur on violence against women.

3. The EC should encourage Member States to prevent and protect victims of trafficking for the purpose of sexual exploitation, labour exploitation and organ removal and define more severe measures on prosecution procedures for traffickers.

In particular, they should:

- set up mechanisms to ensure that the gender dimension of trafficking in human beings is part of all policies aimed at preventing and combating trafficking;
- ensure that victims of trafficking for sexual exploitation are properly supported;
- support networking of organisations, including NGOs and social partners, involved in the provision of assistance to victims, rehabilitation of victims of trafficking;
- enhance and make accessible training programmes for all stakeholders, members of the judiciary (while respecting the principle of judicial independence), the police force, medical professional, social workers, teaching professions, journalists and media personnel within an integrated approach policy.

## **5. Achieving equality between women and men in education and skills**

The Lisbon Strategy focuses on an economic and social model generally known as the "knowledge society". However, gender differences and inequalities persist not only in terms of choice of subject and performances, but also in qualitative aspects of the education and training experience.

Education offers real opportunities to challenge inequalities. Primary and secondary education have an important role in achieving gender equality: it could challenge gender stereotypes that are related to the choice

of education and discourage early school leaving. Moreover, teachers and trainers should be instructed in the practice of incorporating a gender equality and the fight against gender stereotypes in education<sup>17</sup>.

The university system of higher education also plays a key role since it represents a key stakeholder in the production of human capital. Also this context shows gender inequalities: women are present in all fields of study, with educational attainment above 60%<sup>18</sup> compared to men. Women's representation is higher than men's in most subjects, including some very competitive and highly rewarding subjects like medicine and law. Women are now more highly represented in some science subjects i.e. biological sciences, veterinary sciences and medicine but men still have higher participation in engineering and the physical sciences.<sup>19</sup>

It is expected that the drive towards research and innovation will generate greater investment and competitiveness: it is necessary to encourage women's equal access to these employment areas, to ensure the presence and representation of women in the innovative circuits, in order to avoid the risk of new areas of segregation. But it is in the transition to work that gender critical issues can be highlighted and reinforced. Women still have difficulties in finding employment at the appropriate level of their qualifications, even women who made "non-traditional" educational choices have difficulties in entering the labour market under the same conditions as men and often fall back on traditional career paths which can facilitate the reconciliation of professional and family life.

### **Recommendations on achieving equality between women and men in education and skills**

In general, the AC recommends that the new Roadmap strongly supports the implementation and development of non-sexist education which contrast the so-called *feminisation* of education and teaching, eliminate traditional gender stereotypes and fight against gender prejudice and discrimination.

#### **To this end, the AC underlines the necessity to focus on the following aspects in the new Roadmap:**

1. The EC should promote the implementation and evaluation of existing EU gender equality legislation and encourage Member States to consider reviewing and amending their policies and legal frameworks, if necessary, in order to eliminate gender gaps in the areas of education and university systems and to ensure at least the same level of legal protection against gender-based discrimination as for discrimination based on race<sup>20</sup>.
2. The EC and Member States should strengthen and implement specific actions aimed at ensuring women's full equality in the education and university systems, as reaffirmed in the Lisbon Treaty, and encouraging women's choice of non-traditional fields of studies to enable them to increase access to all fields of skilled work and occupations.
3. The EC should define specific measures such as European guidelines to promote women's participation in top management positions in scientific public research and support to the programmes for women's mentoring in science, research and academia.
4. The EC and Member States should promote information and awareness raising campaigns on the importance of institutional leaders' roles in overcoming gender stereotypes in relation to the top positions in public research and at the universities.
5. The EC should put together best practice in relation to gender sensitive education material and curricula at all levels including for the training of teachers and should promote these across the Member States.
6. The EC should encourage Member States to adopt a gender mainstreaming approach to all areas of education including through specific awareness training in initial and continuous teaching training.

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<sup>17</sup> See the independent report submitted to the European Commission "Gender and Education (and Employment) Gendered imperatives and their implications for women and men lessons from research for policy makers" edited by the NESSE networks of experts, July 2009.

<sup>18</sup> See Eurostat – Labour Force Survey – Annual Average 2007 – Educational Attainment of young men and women: women between 20-24 years old have an average participation rate of 65,5%.

<sup>19</sup> See Report from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions – Equality between women and men 2009, Brussels. 27.02.2009, COM (2009) final.

<sup>20</sup> This recommendation is not supported by some MS which rather prefer the following wording "The EC should not only promote the implementation and evaluation of existing EU gender equality legislation, but also propose and support its review and amendment, if necessary, in order to eliminate gender gaps in the areas of education and university systems and to ensure at least the same level of legal protection against gender-based discrimination as for discrimination based on race".

7. The EC should encourage Member States to ensure that life-long learning opportunities are available to women (including those who have lost their jobs and those re-entering in the labour market) and that those opportunities include the development and recognition of broad pre-labour-market skills such as empowerment, capacity building, support systems and basic skills training (reading-writing, language and digital learning, including the internet).

8. The EC should encourage Member States to use a non sexist language at all levels, including educational material, curricula, professional qualifications, etc.

## **6. Promoting gender equality outside the European Union**

Progress in relation to strengthening women's rights is a precondition to the democratic development of societies, to the prevention of conflicts and sustainable development. This objective can be achieved through the establishment of lasting partnerships between the European Union and Non-European countries aiming at the promotion of women's rights and gender equality.

In order to achieve this general objective, it is necessary that the European Union, in the framework of the strategy of partnership for development, will further promote gender equality through a "participative" approach and progress dialogue on gender issues between Member States with other bilateral, multilateral and civil society partners.

It is also necessary to strengthen the commitment of the European Union in the promotion of women's rights and the gender perspective in external relations, including:

- in the European Neighbourhood Policy,
- in all cooperation opportunities eg, the **Euromed partnership among the Mediterranean countries**,
- in international employment strategies, and
- At the United Nations particularly in the delivery of the new UN Gender Entity.

### **Recommendations regarding gender equality outside the European Union**

The AC recommends to reinforce in the new Roadmap the implementation and follow up of the EU Strategy on gender equality in development cooperation by ensuring, the follow up of the implementation of the 2007 Council Conclusions on gender equality and women's empowerment in development cooperation.

1. In particular the EC should:

- develop a Plan of Action for Gender Equality in External Relations and Development Cooperation;
- ensure that all EU external aid programmes incorporate a gender impact assessment;
- support training actions in gender and peace building and peace keeping issues, particularly the role of women in all the phases of the peace processes and develop measures to end sexual violence in conflicts;
- prosecute and convict sexual violence crimes committed by troops in EU peace keeping missions.

2. The EC should encourage Member States to:

- support interventions to combat poverty and that promote the effective enjoyment of economic, social, cultural and political rights by women, with particular attention to the equal access to and management of resources and control over assets;
- support interventions addressed to guarantee women's access, during the whole life cycle, to health care, including reproductive health;
- support interventions to combat and prevent all forms of violence against women, in particular harmful practices such as female genital mutilation;
- support the creation of the new UN Gender Entity and work to ensure that it can deliver positive change to improve the lives of women and girls worldwide
- actively implement UN Security Council Resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009), in particular in relation to women in peace keeping and armed conflicts through positive

## II. NEW CHALLENGES

### 7. Addressing Equality between women and men in the framework of environment and sustainability

Restoring the territory's environment, working towards a sustainable future, promoting innovative environmental policies: the gender approach to these policies is still insufficient. It is still necessary to reiterate the fundamental role of women in the patterns of consumption, production and management of natural resources for sustainable development in order to preserve the quality of life and to avoid depopulation from rural areas for present and future generations. In fact, as affirmed in the Beijing Platform for Action, the harmonization of the relationship with the environmental issues such as biodiversity, sustainable development, climate change, prosperity and quality of life is part of the culture of gender difference (as protection, enhancement and strengthening of identity and diversity). Moreover, sustainability should address concerns about labour market participation, pension system and education.

There is very little measurement or evaluation of the gender dimension to commitment to environmental issues. There are no surveys describing:

- how and how much women are actively involved in the decision-making processes relating to the environment;
- how and how much their needs, concerns and opinions are integrated in the policies and programmes for sustainable development;
- in which area the different impact of development policies and environmental policies on women and men is assessed.

#### **Recommendations regarding equality between women and men in the framework of environment and sustainability**

The future Roadmap should ensure that gender equality policies are mainstreamed in all policies for sustainable development at local and regional level and that gender mainstreaming is taken as a principle and an instrument for good governance.

#### **To this end, the AC underlines the necessity to focus on the following aspects in the new Roadmap:**

1. The EC and Member States should increase the awareness about the contribution of gender equality policies and their links with the environment and systematically include a gender equality perspective in the definition, implementation and monitoring of environmental and local/regional development policies, including the European Agricultural Fund for Rural Development (EAFRD).
2. The EC and Member States should ensure and reinforce balanced presence and participation of women and men in decision making structures in government appointed bodies and institutions which define and implement environmental policies.
3. The EC and Member States should consolidate their efforts in the policies concerning the development and promotion of female entrepreneurship in order to strengthen the production structures related to innovation and investing in the quality of life, continuous training, culture, preservation of land and environment (including female enterprises in agriculture) as well as in other sectors as tourism and care work to ensure adequate enhancement of the role of women in these areas.
4. The EC and Member States should promote the presence of women in training and in employment related to the environment (*green jobs*) and in promising environmental-friendly techniques including in sectors where women are traditionally less represented.
5. Member States should bridge the current under-representation of women in bodies and government at regional and local levels in the fields of environment and sustainability and build skills for implementing gender mainstreaming at these levels.

## **8. Addressing the differential impact of the economic and financial downturn on women and men**

The financial and economic downturn is likely to have a differential impact on women and men, given their different position within economic and social spheres. It seems also to have a differential impact among different groups of women and among different groups of men. So, it is important to ensure that, where women are differently affected compared to men, these differences are addressed by both national and EU policy responses.

Among the responses, it is necessary to consider two main levels of intervention: on the one hand, the possible different impact on women and men within the labour market and, on the other hand, the impact of the financial and economic crisis on policies directly or indirectly promoting gender equality, including in terms of public spending<sup>21</sup>.

As stated in the EAC Opinion on the gender perspective on the response to the economic and financial crisis, the role and impact of the economic downturn on women is likely to be different from past recessions because women are now much more integrated into the labour market and contribute more to household incomes. Many of them are the sole or main breadwinner while others provide an essential contribution to the family economy. So, the impact of either female or male job loss is likely to be significant overall and the impact of labour market inequalities is thus felt by the whole household.

Moreover, it should be noted that the unemployment rate measure does not necessarily capture the full impact of the changing economic conditions on both women and men, so the full range of relevant indicators should be highlighted.

In relation to public spending, the downturn is starting to cause reductions in tax revenues which may have an impact on several Member States' budgets and may lead to reductions in public expenditure, in particular public services, such as education, training, health and social care.

Women and men who are concentrated in different economic sectors are also likely to be affected in a different way in the long term. Therefore, data should be collected on basis of gender occupation by sector to calculate the possible impact on men and women in each sector.

In addition, the economic downturn has led to a high level of job losses, particularly in the part time work sector, in which a high percentage of women are employed. Moreover, also changes in pension provisions through restrictions on caring credits may deepen inequalities between women and men.

The crisis could constitute a chance to give gender equality policies new impulse, such as renewing the commitment to the equal treatment of women and men in the labour market, women's access to decision making levels and an adequate development of caring services<sup>22</sup>.

**It is also important to collect information on women's entrepreneurial achievements during the financial crisis including innovative strategies and measures implemented in economic activity.**

### **Recommendations regarding the differential impact of the economic and financial downturn on women and men**

**The AC recommends the following actions<sup>23</sup>:**

1. The EC should shape its forthcoming strategic framework for gender equality after 2010 with a clear priority on measures to promote gender equality in addressing the current financial and economic crisis. In this way the new Roadmap should contribute to the creation of an economic sustainable development model which corresponds to a social model based on equality and equal opportunities between women and men.
2. The EC should take into account the differential impact of the crisis on women and men into the future revision of the Lisbon Strategy after 2010, including the European Employment Strategy.
3. The EC should undertake gender impact assessment of the measures currently being taken under the European Economy Recovery Plan, the European Global Adjustment Fund and others.

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<sup>21</sup> See EAC Opinion on the gender perspective on the response to the economic and financial crisis, June 2009.

<sup>22</sup> See Draft Council Conclusions - Gender Equality: strengthening, growth and employment – input to the post 2010 Lisbon Strategy.

<sup>23</sup> Recommendations have been taken by those suggested in the EAC Opinion on the gender perspective on the response to the economic and financial crisis, June 2009.

4. The EC and Member States should integrate a gender equality perspective into all policies in response to the crisis and periodically submit them to gender impact assessments, as a matter of good governance.
5. The EC and Member States should adopt relevant measures to ensure that progress achieved so far in the area of gender equality is sustained and developed during and post the economic and financial downturn.

## **9. Addressing intercultural dialogue, integration, immigration and asylum policies from a gender equality perspective**

Despite the gender mainstreaming provision of the EC Treaty, a number of Member States within the European Union fail to effectively integrate a gender perspective into their policies on intercultural dialogue, immigration, integration and asylum. There is nevertheless evidence of an increasing acknowledgement of this need to integrate a gender perspective in recent policy papers in this field at the EU level<sup>24</sup>, but its implementation will be one of the main challenges in the future. The gender bias of current policies needs to be urgently addressed.

Intercultural dialogue should also have a gender equality dimension in order to challenge cultural stereotypes on the *roles* of women and men.

Some immigration policies still appear to adopt a gender-neutral approach that might have an indirect discriminatory effect on women such as high-skilled migrant workers<sup>25</sup> and selections systems favouring men.

Integration policies appear to pay much more attention to migrant women, but mostly to strengthen their integration in the labour market and lack a comprehensive picture of integration beyond employment. There is a great disparity in the recognition of gender-based persecution among EU Member States, which is very problematic in the current Dublin system which obliges asylum seekers to apply in the first country they entered the EU.

### **Recommendations regarding integration, immigration and asylum policies from a gender equality perspective**

1. The EC and Member States should promote, in accordance with their respective competencies, gender equality policies especially addressed to cultural minorities and migrants and integrate gender equality in intercultural dialogue.
2. The EC should encourage gender-sensitive labour policies<sup>26</sup> addressed to migrants and strengthens the support for social inclusion policies and measures to combat direct and indirect discrimination towards ethnic minorities in general, immigrants and refugees, aimed at promoting empowerment and their economic, social and cultural independence<sup>27</sup>.
3. Member States should consider the opportunity of promoting labour market needs assessment which take into account the needs for domestic and private care-related work.
4. The EC and Member States should promote a gender-impact assessment of bilateral labour agreements and all migration policies, including family reunification, in order to ensure they do not discriminate, indirectly or directly, migrant women.
5. The EC, according to the Conclusions of the European Council of Tampere and the provisions contained in the new Lisbon Treaty aimed at harmonizing Member States provisions on asylum, should encourage<sup>28</sup> common asylum systems with the aim of assisting asylum determination authorities in interpreting gender-specific asylum claims.
6. The EC should ensure gender equality expertise within the European Asylum Support Office which would prove vital in providing an institutional framework to co-ordinate gender specific issues within the broader asylum support system.

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<sup>24</sup> See for example: The European Commission's Communication on "A common agenda for Integration" COM (2005) 389; The European Parliament Kratsa report on Immigrant women in the EU (2005); The "Roadmap for equality between women and men" (2006); The Recommendation 1732 and Resolution 1478 (2006) of the Council of Europe; European Commission Policy Plan on Asylum COM (2008) 360 and Vichy Ministerial Declaration on Integration (2008).

<sup>25</sup> See the Policy Plan on Legal Migration for 2007-2009 presented by the EC in October 2007.

<sup>26</sup> As highlighted by the OSCE (2009).

<sup>27</sup> See the EAC Opinion on the gender dimension of the inclusion of ethnic minorities, November 2007.

<sup>28</sup> Within the framework of Practical Co-operation through an EU ad-hoc gender expert group.

7. The EC and Member States should promote the collection of gender-disaggregated data and studies, considering the grant of protection on the basis of gender-based persecution and the forms this protection takes.

## **10. Promoting women's and men's health**

Several important documents adopted at the EU level, including Council Conclusions and European Commission programmes, in the area of public health, recognise gender equality as an important element of health policies.

The Roadmap 2006-2010 included a small section on gender equality and health but no concrete action was undertaken<sup>29</sup>. Thus, the gender equality agenda promoted at the EU level should be more consistent, introduce and recommend specific measures related to health, especially women's health.

### **Recommendations regarding women's and men's health**

1. The EC should, in accordance with its competence, address health issues that affect women directly in European public health policies and integrate a gender equality perspective in the activities of the responsible Commission services.
2. The EC should foster closer cooperation among Commission bodies in charge of gender equality and the Commission services responsible for health issues in order to support and monitor each others' actions in this area and develop programmes together.
3. The EC should encourage Member States to continue to collect statistical information on gender-related health inequalities, and to develop or exchange efficient policies and practices.
4. The EC should provide regular monitoring, evaluation and reports on the status of women's health in the EU and Member States, having included several other factors such as disability, age, education, professional qualification, employment, civil status, ethnicity, race, location (rural-urban), stress, sexual harassment and sexual orientation.
5. The EC and Member States in accordance with their respective competences should continue to support research programmes in the area of health that are focused on specific issues connected to women's health or diseases that affect women more than men or that include a gender dimension.

## **III. CROSS CUTTING CHALLENGES**

### **11. Eliminating gender stereotypes across all sectors**

Different forms of discrimination against women result from gender stereotypes which still exist in our society. If not addressed, they risk increasing the existing inequalities between women and men. Gender stereotypes are an obstacle to any process of transformation, since they prevent a full use of human resources.

Stereotypes are visible in many forms and at all levels of participation of women and men in the economic, productive and social systems and they may determine different forms of segregation in access and development within training and work systems and in the home, since they present a barrier to full access, participation and active citizenship. Stereotypes of men may impact upon their exclusion from family life, from their parenting role and from caring for dependants; they also can discourage men from certain sections of the labour market, i.e. education of young children or the caring professions. The situation is similar for women due to opposite gender stereotypes that tend to limit their access from large sections of the labour market and leadership positions for example.

The existence of gender stereotypes presents a barrier to the development of specific interventions addressed at two fundamental fields which spread values and cultures: educational and training systems and the media/communication world.

These interventions should give particular attention to the **central role of boys/ men and fathers** and **mass media** in overcoming the traditional gender based stereotypes.

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<sup>29</sup> As of October 16<sup>th</sup> 2009.

## **Recommendations regarding the elimination of gender stereotypes across all sectors**

In general, the AC recommends that the new Roadmap focuses in a stronger way on fighting gender based stereotypes in the functions of the **educational and training system and the communication world**.

### **The AC recommends the following actions:**

1. The EC and Member States should develop policies and programmes for eliminating gender stereotypes and promoting gender equality in education curricula and practices from an early age, support the elaboration of specific tools and methods specifically addressed to both girls/women and boys/men to overcome gender stereotypes and prejudices starting from their early childhood care/education centres<sup>30</sup> (and even before ) on the whole life cycle learning experience.
2. The EC should promote European guidelines addressed to the educational world both for the initial and in-service education and training of teachers and trainers and for the elaboration of gender sensitive school textbooks, career guidance and other pedagogical materials for all levels of education.
3. The EC and Member States should strongly support a greater involvement of all forms of communication, media and ICT for awareness raising campaigns against traditional gender stereotypes which should be presented for education of children and for the whole society.
4. The EC should develop research and recent comparable data concerning women and media.
5. The EC and Member States should encourage training programmes on gender stereotypes and anti-discrimination for media professionals, especially editors and journalists.
6. The EC should develop guidelines discouraging the use of degrading images of women on all media and encourage existing institutions, both public and private sector, to explore how partnership working could be used to challenge stereotypical attitudes and raise awareness of gender equality, including through media organisations.
7. Member States should use their existing legal powers to take action and penalise those who publish degrading images of women and men, girls and boys.

## **12. Addressing multiple discrimination/intersectionality<sup>31</sup>**

In recent years, the issue of discrimination has largely been researched from a legal perspective and has therefore concentrated on a single issue approach which may ignore the profound impact experienced by those who face multiple discriminations.

Even if the European legislation on equal treatment or non discrimination on grounds of race/ethnic origins or on the other grounds does not contain an explicit provision on multiple discrimination, it would be appropriate that this concept be clearly included and tackled<sup>32</sup> in the new Roadmap for equality between women and men.

Gender is a socially constructed set of characteristics that shape the social behaviour of women and men and the power relations between them thus contributing to build their identities together with other unequal power relations due to the ethnicity, religion, culture, disability sexual orientation and age. For instance, particular groups of women and men are more vulnerable to multiple discrimination (lesbians and gays, bisexuals and transgenders, women and men of ethnic minorities, migrants, disabled women and men, etc.).

Most of the legal scholars agree that the present anti-discrimination legislation in many EU Member States fails to meet the needs of victims experiencing multiple discrimination because it focuses on abstract categories and generalisations rather than specific effects and impacts<sup>33</sup>.

### **Recommendations on multiple discrimination**

#### **The AC recommends that the new Roadmap focus on the following actions:**

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<sup>30</sup> As affirmed during the first session of the Ministerial Conference “New way to overcome gender stereotypes” held in Prague on 27<sup>th</sup> May 2009.

<sup>31</sup> Intersectionality refers to a situation where several grounds operate, and interact with each other at the same time in such a way that they are inseparable.

<sup>32</sup> See Decision of the European Parliament and the Council n° 771/2006/CE, 16 May 2006 – European Year of Equal Opportunities for All.

<sup>33</sup> See the report Tackling Multiple Discriminations, Practices, policies and Laws, European Commission, 2007.

1. The EC should ensure that a gender equality perspective is fully enacted in European anti-discrimination policies and legislation, in order to support and promote the right of each individual to reach their full potential, reinforcing the participation of everyone, regardless of their sex, nationality, racial or ethnic origins, culture, religion or belief, disability, age or sexual orientation<sup>34</sup> and to improve and develop an organic strategy and common action.
2. The EC and Member States should promote training to all the relevant stakeholders on each ground of discrimination as well as on the possibility and characteristics of multiple discrimination so that they are better able to assist persons who are discriminated or to refer them to the respective entity that can assist them.
3. The EC and Member States should promote analysis and Member States should introduce policies and consider legal measures, if lacking, to combat multiple discrimination and protect its victims.
4. The EC and Member States should develop full and strong cooperation between policy and governance at local, regional, national and Union levels and including social partners and grass-root associations working in the risk factors of multi-discriminations.
5. The EC and Member States should promote the collection and elaboration of statistical data not only disaggregated by gender, but also by the other grounds of discrimination.

#### **IV. The implementation of the new Roadmap for equality between women and men**

##### **Duration**

Since the current European social scenario is strongly affected by the financial and economic crisis, the AC considers that the future Roadmap should have a duration of 5 years to allow, both medium-term in-depth control and the opportunity to take forward extremely fast changes which characterize our complex societies.

##### **Main goals**

The Roadmap has to become the instrument which will lead to the transition from *de iure* gender equality to *de facto* gender equality. This process requires the strengthening and resourcing of institutional mechanisms and strategies that promote equal empowerment for both women and men. These actions are a prerequisite for good governance at both national and EU levels.

##### **Governance**

In order to improve the implementation of the Roadmap objectives and make the future framework more operative, it will be necessary to build on the results achieved with the 2006-2010 Roadmap and to increase awareness and the active involvement of all the **stakeholders** at all levels: the European Commission and the other EU institutions, Member States, parliaments, social partners, associations, NGOs and the whole civil society.

Moreover, an effective implementation of the future strategy for gender equality will require not only the involvement of the stakeholders, but also an efficient and effective use of all the **financial resources** available, from the Community Funds, such as the Structural Funds and the Community programmes, like the Progress Programme, to the Member States' national budgets. In order to implement the future Roadmap, it would be necessary to strengthen its capacities of direction and intervention, allocating also **specific financial resources**.

##### **Tools**

The new Roadmap should develop a monitoring/evaluation system of the measures undertaken, including those aimed at limiting the effects of the current economic crisis on women and men. Gender equality plans are needed not only in Member States, their public and private institutions, including enterprises and social partners, but also in all the Community institutions and agencies.

Moreover, consideration should be given to the introduction of **gender budgeting** as a further mechanism to mainstream gender in the construction and evaluation of the resources allocation at national and European level.

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<sup>34</sup> According to Article 13 of the Amsterdam Treaty which enables the Council to take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

## **Recommendations in relation to the implementation of the new Roadmap for equality between women and men**

In general, the AC calls on the EC to better promote the significant role which Member States can play in addressing these challenges by committing themselves to the achievement of equal rights, opportunities and results between women and men in such a way that the behaviours, needs and expectations of women and men are **equally valued and favoured**. According to this objective, the future Roadmap should promote the on-going strategy of specific measures and gender mainstreaming, make the principle of equality between men and women more effective and systematic moving from *de iure* gender equality to *de facto* equality.

The AC recommends that, in the new Roadmap, the EC should strengthen the institutional mechanisms for the advancement of women and reinforce the implementation of strategies for achieving equality between women and men as a **prerequisite of good governance**, both at national and EU level.

**In order to achieve such goals, the AC recommends that the new Roadmap focus on the following actions:**

1. The EC and Member States should strengthen the **implementation** of gender equality policies through the reinforcement and adequate allocation of human and financial resources to institutional mechanisms for women's rights and gender equality; according to the obligation to mainstream the **gender perspective** in all activities of the Community contained in Article 3, 2 of the EC Treaty, also in view of the implementation of the Lisbon Treaty which reinforces the **gender mainstreaming obligation**.
2. The EC and Member States should ensure a strong **institutional link** between commitments at the European and national level, for example through the endorsement of the new gender equality strategy by the Council.
3. The EC should create permanent positions of gender equality and gender mainstreaming advisors to support gender mainstreaming in each European Commission Directorate and attached to directors and ensure systematic gender mainstreaming through **training** of decision-makers and officials and the involvement of gender focal points and/or dedicated expert staff..
4. The EC should set up mandatory gender mainstreaming and gender awareness training for **Commissioners**, for the highest levels of civil servants, and within all management training for European civil servants and make information about the **training** publicly available.
5. The EC should strengthen the existing **Commission Inter-Service Group on Gender Mainstreaming** in order to make its efforts more visible and effective, inside and outside the Commission, through the allocation of additional financial and human resources, expertise and training commitment to gender equality of its members.
6. The EC should include a section on gender mainstreaming from each Commission Directorate General in its **Annual Report on Gender Equality**.
7. The EC and Member States should reinforce the gathering of **data disaggregated by sex** and an effective use of **gender indicators**.
8. The EC and Member States should promote a better **monitoring system** and systematic application of **gender impact assessment**, including in all new legislation.
9. The EC should set up a **permanent gender impact assessment** procedure for all **European Structural Funds, Cohesion Funds and funds related to the European Neighbourhood Policy**, with a special attention to fields other than employment.
10. The EC and Member States should consider introducing **gender budgeting** both at European and national level, in order to give better **consistency to the implementation of gender mainstreaming**.

In particular, the EC should:

- establish gender budgeting guidelines at European level and also set up a Gender Budgeting Working Group within the Budget Directorate General to back up the work of the Inter-Service Group;
- carry out a separate analysis from a gender perspective of the EU budget each year, and introduce a budget heading for activities on gender equality in the budget of each Commission unit.

11. The EC and Member States should promote the stronger involvement of all stakeholders at all levels especially social partners, associations, NGOs and the whole civil society, in the development and implementation of gender mainstreaming policy.

12. The EC and Member States should support the **European Institute for Gender Equality** in its role of promoting gender equality in all Community policies and resulting national policies and in the fight against discrimination based on sex.