

# Beijing + 10

## Progress made within the European Union

Report from the Luxembourg Presidency of the Council of the European  
Union



*Présidence luxembourgeoise  
du Conseil de l'Union européenne*

**With support from the European Community – Programme relating to the Community Framework Strategy on Gender Equality (2001-2005). The information contained in this publication does not necessarily reflect the position or opinion of the European Commission.**

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ISBN 2-919876-62-7

<b>PREFACE .....</b>	<b>5</b>
<b>I INTRODUCTION .....</b>	<b>6</b>
<b>II DEVELOPMENTS AT INSTITUTIONAL LEVEL OF THE EUROPEAN UNION</b>	<b>8</b>
<b>2.1. PROGRESS OF GENDER EQUALITY MECHANISMS .....</b>	<b>8</b>
2.1.1. General context .....	8
2.1.2. Millenium development goals .....	9
2.1.3. EU political structures and advisory bodies.....	10
<b>2.2. ADVANCEMENT OF GENDER EQUALITY INSTRUMENTS.....</b>	<b>12</b>
2.2.1. Major legislative developments .....	12
1. Primary legislation – The EC Treaty .....	12
2. Secondary legislation and the case-law of the European Court of Justice	12
3. New legislative projects .....	14
2.2.2. A central role for Gender Mainstreaming .....	14
1. The open method of coordination .....	15
2. Gender mainstreaming in the European Employment Strategy .....	16
3. Gender mainstreaming in the Social Inclusion Process .....	17
4. Council resolutions and recommendations on gender mainstreaming...	17
5. Gender mainstreaming in the Structural Funds.....	18
6. The Framework Strategy on Gender Equality .....	18
<b>2.3. MAJOR ACHIEVEMENTS AND PERSPECTIVES.....</b>	<b>19</b>
<b>III DEVELOPMENTS OF INSTITUTIONAL MECHANISMS AND OTHER AREAS</b>	<b>22</b>
<b>OF CONCERN IN THE MEMBER STATES.....</b>	<b>22</b>
<b>3.1. IMPLEMENTATION OF INSTITUTIONAL MECHANISMS AT THE LEVEL OF THE EU</b>	<b>22</b>
<b>MEMBER STATES.....</b>	<b>22</b>
3.1.1. General definition .....	22
3.1.2. Progress of institutional mechanisms in the Member States .....	22
1. Austria .....	22
2. Belgium.....	24
3. Cyprus .....	25
4. The Czech Republic .....	26
5. Denmark .....	27
6. Estonia.....	28
7. Finland.....	29
8. France .....	30
9. Germany.....	31
10. Greece.....	32
11. Hungary .....	33
12. Ireland.....	35
13. Italy .....	36
14. Latvia .....	36
15. Lithuania .....	38
16. Luxembourg.....	39
17. Malta.....	40
18. The Netherlands .....	41
19. Poland .....	43
20. Portugal .....	44
21. Slovakia .....	45
22. Slovenia.....	46
23. Spain .....	47
24. Sweden.....	48

25. United Kingdom .....	49
3.1.3. Overview on the progress made in institutional development .....	50
3.2. IMPLEMENTATION OF ACTIONS IN THE OTHER AREAS OF CONCERN AT THE LEVEL OF THE EU MEMBER STATES.....	51
3.2.1. Definition of indicators .....	51
3.2.2. Analysis of indicators and developments.....	53
1. Women and Poverty .....	53
2. Education and Training of Women .....	55
3. Women and Health.....	57
4. Violence against Women.....	59
5. Women and Armed Conflict.....	60
6. Women and the Economy .....	61
7. Women in Power and Decision making.....	67
8. Human Rights of Women .....	70
9. Women and the Media .....	71
10. Women and Environment .....	71
11. The Girl-Child .....	72
IV CHALLENGES .....	74
4.1. INTRODUCTION .....	74
4.2. OVERVIEW ON PROGRESS.....	74
4.2.1. Progress at the European Union level.....	75
4.2.2. Progress within Member States .....	77
4.3. OVERVIEW ON CHALLENGES .....	78
4.3.1. National machineries and other governmental bodies .....	78
4.3.2. Development and consolidation of tools .....	81
1. Gender Impact Assessment .....	81
2. Gender Budgeting .....	82
4. Indicators .....	83
V CONCLUSIONS.....	87
VI ANNEXES .....	90
6.1. ANNEX 1 .....	90
6.2. ANNEX 2 .....	92
6.3 ANNEX 3 – STATISTICAL DATA ON INDICATORS .....	93
6.3.1. Women and Poverty .....	93
6.3.2. Education and Training of Women .....	94
6.3.3. Women and Health .....	96
6.3.4. Women and the Economy .....	99
6.3.5. Women in Power and Decision making.....	102
6.3.6. The Girl-Child.....	106
BIBLIOGRAPHY .....	107

## PREFACE

The Beijing Declaration and Platform for Action adopted at the United Nations Fourth World Conference on Women in 1995, form the guidelines for European and national policies promoting equality between women and men and have been a catalyst for a large number of initiatives launched by governments to promote gender equality.

Ten years later, in March 2005, the Commission on the Status of Women, at its 49<sup>th</sup> session, will review and assess the progress made by women in the world since 1995. It will deal with two topics: the review of the implementation of the Beijing Platform for Action and the outcome documents of the 23<sup>rd</sup> special session of the General Assembly, and the current challenges and forward looking strategies for the advancement and empowerment of women and girls.

The present report is part of the contribution by the Luxembourg Presidency to this process of evaluation and I express my special thanks to the European Commission for their strong support during the whole process of elaboration as well as to the international team of experts for their strong and continuous commitment.

It enables identification of the progress achieved at the level of the enlarged European Union in the twelve critical domains. It also provides an analysis of institutional development and in particular national mechanisms and other governmental bodies, as well as an analysis of development in terms of the instruments and techniques required in order to translate political commitments into reality. Despite the encouraging progress which has been made regarding the situation of women in the Member States, the study also confronts us with the obstacles which prevent the achievement of equality between women and men and highlights the major remaining challenges.

Alarmed by the disparity which still exists between de jure and de facto equality, I am pleading for a reaffirmation of our commitment at European and national level for the full and effective implementation of the Beijing Platform. Achievement of real gender equality is an objective of the Luxembourg Presidency.

The conclusions of the present report will form a basis for discussion at the Presidential Conference organized with the support of the European Commission on 2 and 3 February 2005, as well as at the ministerial meeting to be held on 4 February, during which the European Ministers for Equality will discuss further needed strategies for gender equality and adopt a common declaration.

I hope that this document, as well as the conclusions of the Conference and the declaration by the ministers, will provide a substantial contribution to the preparations for the enlarged meeting of the Commission of the United Nations on the Status of Women to be held in New York on March 2005.

May they support us in our fight to promote the empowerment of women and their full participation on the basis of equality in all spheres of society which are fundamental for the achievement of equality, development and peace, and a prerequisite for achieving the Millennium Development Goals.

Marie-Josée Jacobs  
Minister for Equal Opportunities

## I INTRODUCTION

The Fourth World Conference on Women had emphasized women's enjoyment of human rights at the national and international levels.

The Beijing Platform for Action had provided a framework for translating the human rights law into concrete actions for achieving gender equality.

In the multi-annual programme of work of the Commission on the Status of Women (CSW) for its forty-ninth session in March 2005, there is a mandate for a review and appraisal of the implementation of the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women (Beijing, 1995) and the outcome of the twenty-third special session of the General Assembly (2000).

The CSW will consider two themes:

“Review of the implementation of the Beijing Platform for Action and the outcome documents of the twenty-third special session of the General Assembly”; and

“Current challenges and forward-looking strategies for the advancement and empowerment of women and girls”.

The review and appraisal by the CSW will identify achievements, gaps and challenges and provide an indication of areas where actions and initiatives, within the framework of the Platform for Action and the outcome of the special session (Beijing + 5), are most urgent to further implementation.

The present report “Beijing + 10 - Progress made within the European Union” prepared by the Luxembourg Presidency gives an overview of the most important developments towards gender equality in the enlarged Union. It completes the follow-up made by the European Union in 2000 on the 12 critical areas of concern of the Platform for Action and the outcome documents of the regional conference of the United Nations Economic Commission for Europe (UNECE) on 14 and 15 December 2004.

Since 1995, there have been several new developments, especially in the mechanisms and institutions for the advancement of women. These include: refinement of the strategy; development of institutions and extension and consolidation of the legal instruments; introduction of new policy tools, such as the Open Method of policy Co-ordination, gender impact assessment and gender budgeting and examination of the objective of gender equality by a range of benchmarks and indicators.

The EU is playing a leading role in the development of indicators to monitor the specific objectives concerning gender equality. Indicators are needed to enable the assessment of progress and usually require a set of quantitative data, comparable over time and between countries.

The EU has clarified the gender equality strategy, by making explicit that it requires both specific gender equality actions and the mainstreaming of gender equality as a perspective in all policy areas. The dual aspects of the strategy complement each other in crucial ways, ensuring focused resources and expertise as well as reaching out into new policy domains.

The EU has developed the strongest legal framework to support gender equality in the developed world. This framework rests on both Treaties and Directives, and is a key part of the *acquis communautaire*.

All Member States have developed some national machinery to implement gender equality policies consistent with the UN Platform for Action. All Member States have incorporated the *acquis communautaire*, which includes gender equality laws, into their domestic legislation. Additional mechanisms and tools, such as gender impact

assessment, gender budgeting, the establishment of independent bodies (research centres, observatories), and personnel with investigation powers into gender equality matters have been introduced by some Member States.

In general there are three key ongoing challenges. The first is to clarify the misunderstanding that gender mainstreaming can replace other gender equality strategies, such as those based on specific actions concerning women. The challenge is to ensure appropriate action to create space for both strategies. Second, the engagement with diverse inequalities, including those of ethnicity/race, religion/faith, disability, age and sexual orientation, is a challenge to be addressed in all aspects of gender equality policy, so as to redress gender bias in strategies that address diverse inequalities and ethnocentric bias, while protecting resources to deal with gender inequality. Third, the development of effective gender equality policies poses the challenge to combine both new forms of technical expertise and new forms of democratic representation.

The report is divided into 5 sections. After the introduction (part I), a description of the developments of gender mechanisms and gender instruments at institutional level of the European Union is given (part II). The report then describes the progress made in the field of institutional mechanisms for the advancement of women at the level of the Member States of the enlarged European Union as well as the development of indicators in the critical areas of concern.

Furthermore, the development of national machineries and other governmental bodies and the efforts on integrating and consolidating the gender perspective in legislation, public policies, programmes and projects is highlighted. An overview on the progress made so far thanks to institutional mechanisms (part IV) is given.

The report concludes with the achievements at European Union level and on further needed strategies to implement the Platform for Action (part V).

This report, realised under the supervision of the Luxembourg Ministry for Equal Opportunities, was drawn up by an international team of experts. Parts II and III of the report were written by Ms. Anne Marie Theisen, political scientist and Senior Researcher and by Ms. Nadine Spoden, economist and Senior Researcher of the private social research institute ACORD International, Luxembourg. Parts IV and V have been realised by Ms. Mieke Verloo, doctor in political sciences and lecturer at the Radboud University Nijmegen - Department of Political Science & Centre for Women's Studies and by Ms. Sylvia Walby, Professor of Sociology, School of Sociology and Social Policy at the University of Leeds.

Member States made their contributions for Part III on institutional mechanisms.

The report will serve as an information support to the conference "Institutional mechanisms – methods and tools" on the review of the Beijing Platform for Action organized on 2 and 3 February 2005 by the Luxembourg Presidency.

## II DEVELOPMENTS AT INSTITUTIONAL LEVEL OF THE EUROPEAN UNION

### 2.1. PROGRESS OF GENDER EQUALITY MECHANISMS

#### 2.1.1. General context

Following numerous resolutions since the first World Conference on Women in 1975, the role and structure of national machineries for supporting the advancement of women was increasingly recognized as important by the International Community. <sup>1 2</sup>

At the Fourth World Conference on Women in September 1995, the Platform for Action defined the main task of the national machinery as being “to support government-wide mainstreaming of a gender equality perspective in all (policies’) areas” (par. 201). Institutional mechanisms for the advancement of women were identified as one of the twelve critical areas of concern of the Platform for Action. The PFA proposed strategic objectives with concrete actions to strengthen national machineries. According to the PFA, national mechanisms have to be more than just agencies for the implementation of specific policies for the advancement of women; the necessary conditions for their effective functioning include their positioning at the highest possible level of government under the responsibility of a Cabinet minister, decentralized planning, implementation and monitoring, involving non-governmental and community organizations, adequate human and financial resources, the possibility of influencing development of all government policies. (cfr par. 201)

In the framework of the Beijing +5 review, the outcome of the twenty-third special session of the General Assembly in June 2000 (“Women 2000: gender equality, development and peace for the twenty first century”) pointed out that in many countries “national machineries have been instituted or strengthened and recognized as the institutional base acting as catalysts for promoting gender equality, gender mainstreaming and monitoring of the implementation of the Platform for Action ...” (par. 24). While it was pointed out that “progress has been achieved in terms of the visibility, status, outreach and coordination of activities of these machineries” (par. 24), obstacles to the effectiveness of the national machineries were also revealed in many countries. These included inadequate financial and human resources, lack of political will and commitment at the highest level, insufficient understanding of gender equality and mainstreaming among government structures, unclear mandates, and structural and communication problems within and among government agencies (par. 25).

The European Union regards equality between women and men as a fundamental principle which has now become a value of the new treaty. The rights of women and girls are an inalienable, integral and indivisible part of universal human rights. Policies and programmes must focus on measures leading to recognition of the fundamental role played by women in social, economic and political processes, the participation of women in the administration of power and their access to economic independence.

Besides, specific measures must be adopted to ensure that the question of gender equality is incorporated into all Union policies.

In 1995, the European Community identified the following strategic objectives:<sup>3</sup>

- to actively promote participation in society for all individuals without discrimination, particularly by supporting the ratification and enforcement of the Convention on the Elimination of all forms of Discrimination against Women;

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<sup>1</sup> Cfr also Expert Group Meeting : « The role of national mechanisms in promoting gender equality and the empowerment of women : achievements, gaps and challenges » - Aide mémoire, DAW-UN

<sup>2</sup> Cfr also Regional Preparatory meeting on the 2000 Review of Implementation of the Beijing Platform for Action; Institutional mechanisms for the Advancement of Women: Some developments since the Beijing conference, ECE-UN

<sup>3</sup> Communication from the Commission to the Council of 1 June 1995: a new partnership between women and men, equal sharing and participation; the European Community's priorities for the Fourth UN World Conference on Women (Beijing, September 1995) [COM(1995)221 final- not published in the Official Journal

- to strengthen legislation on violence, sexual harassment and the sexual exploitation of women;
- to support measures strengthening the role of non-governmental organisations which give more responsibilities to women;
- to provide support measures to encourage and accelerate women's participation in decision-making in all public and political bodies;
- to ensure that women throughout the world have the right to decide freely and responsibly on the number, spacing and timing of their children and have the information and means to do so;
- to adopt measures to redress the horizontal and vertical segregation of the labour market;
- to encourage changes in the organisation of work to ensure an equitable distribution of work responsibilities and household duties, and to take measures that enable people to reconcile personal, social and professional responsibilities.
- to incorporate the question of equal opportunities into all policies and activities (mainstreaming).

The European Union took up the challenge after Beijing to consider its approach to the question of development and implementation at different levels: within the Community's own institutions, at Member State level, in relation to action by international institutions, and in relation to encouraging and supporting action in the field of development cooperation by partner governments and governments of countries whose economies are in transition. The European Union was involved in the formulation of the Beijing Declaration and the PFA in the preparatory process and the Commission was at the conference an important actor. The Community's work helped the Member States to agree on a common position for the European Union. The PFA and Declaration were adopted by consensus at the Conference. The PFA called upon governments, the international community and civil society to take strategic actions in 12 critical areas of concern. Three principles were addressed which are: the empowerment of women; the promotion and protection of human rights of women and the reaffirmation of women's rights as human rights; the promotion of equality through mainstreaming.<sup>4</sup>

### **2.1.2. Millenium development goals**

At the United Nations Millennium Declaration - September 2000, the following development goals were adopted:

1. Eradicate extreme poverty and hunger
2. Achieve universal primary education
3. Promote gender equality and empower women
4. Reduce child mortality
5. Improve maternal health
6. Combat HIV/AIDS, malaria, and other diseases
7. Ensure environmental sustainability
8. Develop a global partnership for development

With these Millennium Development Goals (MDG), the International Community committed to an expanded vision of development, one that vigorously promotes human development as the key to sustaining social and economic progress in all countries, and recognizes the importance of creating a global partnership for development. The goals have been commonly accepted as a framework for measuring development progress. The goals were meant as benchmarks for measuring results, not just for the developing countries but also for the rich ones that help to fund development programmes and for

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<sup>4</sup> Cfr also European Commission : « Implementation by the European Community of the Platform for Action adopted at the Fourth World Conference on Women in Beijing 1995; Working document from the Commission Services, May 2000 »

the multilateral institutions that help countries implement them. The first seven goals are mutually reinforcing and are directed at reducing poverty in all its forms. The last goal-global “partnership for development” is about the means to achieve the first seven. The commitment of the EU is to achieve the “0,7 GNP recommendation” for the financing of the goals. The EU has to discuss the feasibility of a tax on financial transactions to support their financing. In the context of gender equality, the EU aims to link the millennium development goals to the targets of the PFA, to develop relevant indicators for each area and to evaluate progress. A first comprehensive proposal of indicators in three critical areas was proposed by the European Union end of 2004.

### **2.1.3. EU political structures and advisory bodies**

The European Union is built on an institutional system where Member States delegate sovereignty for certain matters to independent institutions, representing the interests of the Union as a whole (Member States and citizens). Thus a series of actors collaborate to deliver the objective of gender equality:

- The European Parliament is directly elected by citizens across the Member States
- The Council within which each Member state government is represented
- The Commission which is the guardian of the Treaties and a de facto executive body where many policy initiatives originate
- The European Court of Justice which makes many important rulings on gender equality, insisting on the implementation of the Directives. (See also section 2.2.1. on the major legislative developments)

The European Union has developed several structures to ensure the advancement of gender equality.

At Commission level:

- As of December 2004 “The Fundamental Rights, Anti-Discrimination and Equal Opportunities Group Mandate” is established. Its mandate is to drive policy and ensure the coherence of Commission action in the areas of fundamental rights, anti-discrimination, equal opportunities and the social integration of minority groups and; ensure that account is taken of gender equality in Community policies and actions, in accordance with Article 3 par. 2 of the Treaty.
- The Inter-service group on Gender Equality was set up in 1995. It focuses on gender mainstreaming in the Commission services and serves as a forum for exchange of information and sharing of best practises in the field of gender equality.
- The Unit for Equality for women and men’s mission is to contribute to eliminate inequalities and to promote gender equality throughout the European Community. It is responsible for ensuring compliance with the European Union gender equality Directives. The unit contributes to gender equality by an integrated approach encompassing gender mainstreaming in all policy areas and positive actions. Under the coordination of this Commission Unit act the following bodies:
  - The Advisory Committee on Equal Opportunities for women and men was set up by the Commission by Decision 82/43/EEC of 9 December 1981 amended in 1995 (95/420/EC). It assists the European Commission to formulate and implement the activities of the European Union aimed at promoting gender equality, and fosters ongoing exchanges of relevant experience, policies and practices between the Member States and the various parties involved. It works through preparing and delivering opinions to the Commission on matters relevant to equal opportunities. The Advisory Committee is composed of representatives from Member States national gender equality bodies, social partners, the

- European Women's Lobby observers from representatives of international and professional organizations and other associations, including the EFTA countries.
- The High Level Group on gender mainstreaming, created by initiative of the Commission in 2001 and meeting at least twice a year. It consists of senior officials from the Member States with responsibility for gender equality policies. It is a forum for exchange of views on matters related to gender mainstreaming and gender equality. Focus has been set on the follow-up of the Beijing Platform for Action in the Council and gender mainstreaming in Council formations.
  - The Programme Committee for Gender Equality established on the basis of the Council decision of 20 December 2000 to implement the community framework strategy on gender equality (2001-2005). It is composed of high level members of the Commission and of the Member States, as well as of the candidate and EFTA countries who contribute and participate in the gender equality programme.

At European Parliament level:

- The Committee on Women's rights and gender equality is responsible for:
  - The definition, promotion and protection of women's rights in the Union and related Community measures:
    1. the promotion of women's rights in third countries;
    2. equal opportunities policy, including equality between men and women with regard to labour market opportunities and treatment at work;
    3. the removal of all forms of discrimination based on sex;
    4. the implementation and further development of gender mainstreaming in all policy sectors;
    5. the follow-up and implementation of international agreements and conventions involving the rights of women;
    6. information policy on women.
  - The European Parliament High Level Group on Gender Equality which was constituted on 21 April 2004.
  - The most important task of this Group is to ensure that the European Parliament takes into account the issues of gender mainstreaming and equality between women and men in all the policy areas which are debated in its committees.<sup>5</sup>

At European Council level:

- Member States ministers responsible for Gender Equality  
The Council as a whole has made some important decisions concerning gender equality and has since 2000 committed to integrate gender mainstreaming in its various formations (cfr. Annex 2).

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<sup>5</sup> The European Parliament adopted a resolution on gender mainstreaming in the European Parliament on 13 March 2003 (A5-0060/2003) on the basis of a comprehensive report by Lissy Gröner. Through this a High-Level Group on Gender Equality was called for to give visibility to the EU commitment to fundamental rights and equality.

Partnership with civil society:

- Non-governmental organisations (NGO) such as the European Women's Lobby and the social partners play an essential role in the promotion of gender equality by initiating debate and giving constructive advice and input to the Commission and other EU institutions.

## **2.2. ADVANCEMENT OF GENDER EQUALITY INSTRUMENTS**

### **2.2.1. Major legislative developments**

The "acquis communautaire" in the area of gender equality is primarily based on the EC Treaty, the Directives and the case-law of the European Court of Justice.

#### **1. Primary legislation – The EC Treaty**

"Legislation is the driving force of gender equality in Europe and has helped to anchor gender equality as a key element of policy making in the Member States."<sup>6</sup>

The EC Treaty (amended by the Treaty of Amsterdam in 1997 and by the Treaty of Nice in 2001) recognises equality of women and men as a fundamental principle and one of the objectives and tasks of the Community. Moreover, under Article 3(2) a specific mission is conferred to the Community i.e. to mainstream equality between men and women in all its activities.

The Amsterdam Treaty increased significantly the primary law and the European Union's ability to take action in the area of equal opportunities and equal treatment between women and men by giving to the Community legislator specific legal bases (articles 13, 137, 141). These Treaty developments constitute an embodiment of the European Court of Justice statement that the elimination of discrimination based on sex is considered a fundamental right.

The Charter of fundamental rights of the European Union, signed in Nice on 7th December 2000 also recognises, in Article 23, the principle of equality between men and women. Another important step in the recognition of equal rights for women and men in the European context is the European Constitution signed on 29 October 2004 in Rome by the Heads of State or Government of the EU-25 and the 3 candidate countries. Here again the engagement to the European value of equality between women and men is made visible and gender equality is stated clearly as one of Europe's objectives.

#### **2. Secondary legislation and the case-law of the European Court of Justice**

Significant progress has already been accomplished in terms of secondary legislation adopted under the EC Treaty. The Articles 141 and 137 of the Amsterdam Treaty serve as a legal basis for secondary legislation for gender equality in the employment field, whereas Article 13 is a basis for Directives against discrimination outside employment.

The existing Directives have laid the legal ground for radical changes in national legislation, attitudes and practices, while the Court by its case-law has helped to clarify the concept of equality. In addition, Recommendations, Resolutions, Communications and the Community programmes promote equality in broader areas of policy.

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<sup>6</sup> Cfr « Women and men in an enlarged Europe » ; background documents to Malta, 1-3 April 2004

So far, 9 basic and 2 amending Directives in the field of gender equality have been adopted.

- The first equal treatment Directive 75/117/EEC of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women<sup>7</sup> deals with equal pay for men and women and clarifies the scope of ex. Art. 119 (Art.141 EC).
- Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions<sup>8</sup>, followed in 1976. These two Directives and ex. Art. 119 EEC (Art.141 EC) form the fundamental *acquis* in the area of equal treatment of men and women.
- To progressively implement the principle of equal treatment for men and women in matters of statutory social security, Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security<sup>9</sup> was adopted.
- Seven years later, Directive 86/378/EEC of 24 July 1986 on the implementation of the principle of equal treatment for men and women in occupational social security schemes<sup>10</sup>, complemented the previous Directives. This Directive was amended in 1996 by Directive 96/97/EC of 20 December 1996 on the implementation of the principle of equal treatment for men and women in occupational social security schemes<sup>11</sup> providing for the necessary adaptations following the Court's important Barber Judgment.
- In 1986, Directive 86/613/EEC of 11 December 1986 on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood<sup>12</sup> followed.
- In 1992, Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding was adopted<sup>13</sup>. While it addresses primarily the working conditions for pregnant or breast-feeding workers, it also includes a statutory right to paid maternity leave of at least 14 weeks.
- In 1996, the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC was adopted as Directive 96/34/EC<sup>14</sup>. The text includes primarily a non-transferable leave for parents of at least 3 months, but payment for leave is left to the discretion of national governments.
- In 1997, Directive 97/80/EC of 15 December 1997 on the burden of proof in cases of discrimination based on sex was adopted<sup>15</sup>. This Directive has laid down the ECJ jurisprudence as a formal act of law. It makes clear that in cases of discrimination on grounds of sex, the complainant only has to establish before a court or other competent authority, facts from which it may be presumed that there has been discrimination; it is then for the respondent to prove that there is no breach of the principle of equal treatment.
- In 2002, the equal treatment in employment Directive 76/207/EEC was substantially amended by Directive 2002/73/EC of 23 September 2002<sup>16</sup>. As the main new elements, the Directive contains new definitions of indirect discrimination, harassment and sexual harassment as forms of discrimination. Protection against

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<sup>7</sup> OJ L 45, 19.2.1975

<sup>8</sup> OJ L 39, 14.2.1976

<sup>9</sup> OJ L 6, 10.1.1979

<sup>10</sup> OJ L 225, 12.8.1986

<sup>11</sup> OJ L 46 17.2.1997

<sup>12</sup> OJ L 359, 19.12.1986

<sup>13</sup> OJ L 348, 28.11.1992

<sup>14</sup> OJ L 145, 19.6.1996

<sup>15</sup> OJ L, 14, 20.1.1998

<sup>16</sup> OJ L 269, 5.10.2002

victimisation and the right for associations to engage on behalf or in support of complainants in a judicial procedure are addressed. Bodies for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on grounds of sex (equality bodies) and their tasks are defined and an obligation for Member States to promote social dialogue with a view to fostering equal treatment has been established. Clear provisions on legal remedy and sanctions without prior upper limit are provided. The Directive will have to be transposed by 5 October 2005.

- On December 13, 2004, Directive 2004/113/EC on equal treatment between men and women in the access to goods and services was adopted. It is based on Art. 13 EC and bans, for the first time, sex-based discrimination outside of the labour market.<sup>17</sup>

The acquis on gender equality has also been shaped and clarified considerably by a great number of judgments of the European Court of Justice, whose task it is to ensure, that in the interpretation and application of the Treaty the law is observed (Art. 220 EC). The Court is one of the motors of integration besides the Commission, dynamically interpreting the legal concepts of the relatively young body of Community Law and thus creating a coherent system of law. The case-law has been an essential complement to the EC legislation on equal treatment, providing Member States with interpretation of EC law, thus leading to legislative changes in the Member States.

Amongst others, the Court has stressed that Article 141 forms part of the social objectives of the Community, which is not merely an Economic Union but is at the same time intended, by common action, to ensure social progress and seek constant improvement of living and working conditions. The Court has concluded that the economic aim pursued by Article 141 of the Treaty is secondary to the social aim pursued by the same provision, which constitutes the expression of a fundamental right.

### 3. New legislative projects

- European Community Law is not static. For the sake of clarity and legal certainty, the Court's fundamental judgments need to be incorporated, new developments in society have to be taken into account. In April 2004, the Commission proposed a recast directive, with the aim of amalgamating, simplifying and modernising six of the present directives on equal treatment. The new Directive will contribute to legal certainty and clarity by providing a coherent, easily accessible and more easily readable and well structured legal text. The proposal is currently under discussion in the Council and in the European Parliament.

#### **2.2.2. A central role for Gender Mainstreaming**

Over the years the equality principle has been reinforced with legislation and in the nineties, the policy of gender mainstreaming was introduced, in line with the conclusions of the United Nations Fourth World conference in Beijing in 1995. Since then all EU policies have to take into account the different situations of both women and men.

Gender equality requires a dual approach. On the one hand gender mainstreaming as the systematic integration of the gender equality principle in all policies and activities at all stages, on the other the promoting specific actions in the field of gender equality.

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<sup>17</sup> OJ L 373, 21.12.2004

"The promotion of equality must not be confused with the simple objective of balancing the statistics: it is a question of promoting long-lasting changes in parental roles, family structures, institutional practices, the organisation of work and time, personal development and independence, but it also concerns men and the whole of society, in which it can encourage progress and be a token of democracy and pluralism."

"The systematic consideration of the differences between the conditions, situations and needs of women and men in all Community policies and actions: this is the basic feature of the principle of 'mainstreaming', which the Commission has adopted. This does not mean simply making Community programmes or resources more accessible to women, but rather the simultaneous mobilisation of legal instruments, financial resources and the Community's analytical and organisational capacities in order to introduce in all areas the desire to build balanced relationships between women and men. In this respect it is necessary and important to base the policy of equality between women and men on a sound statistical analysis of the situation of women and men in the various areas of life and the changes taking place in societies." <sup>18</sup>

## 1. The open method of coordination

The new working method, introduced by the European Employment Strategy, is called the open method of coordination<sup>19</sup>. It is based on five key principles: subsidiarity, convergence, management by objectives, country surveillance and an integrated approach. It is an operational instrument which is currently applied in the framework of both the employment and the social inclusion process. In this context it is also to be considered as an important benchmarking tool for the implementation of the overall principle of gender equality and gender mainstreaming.

- **Subsidiarity:** This method establishes an equilibrium between European Union level co-ordination in the definition of common objectives and outcomes, and Member States' responsibilities in deciding the detailed content of action. The definition of the means and conditions, under which programmes and policies are implemented, is left to a large extent to individual Member States, who are responsible for their employment policy under the EU Treaty.

- **Convergence:** The strategy strives to achieve commonly agreed employment outcomes through concerted action, where each Member State contributes towards raising the European average performance. This principle has been made more concrete by the Lisbon European Council and following Councils where full employment was confirmed as an overarching goal of the Union and tangible targets were set for the Union as a whole.

- **Management by objectives:** The success of the strategy relies on the use of quantified measurements, targets and benchmarks, to allow for a proper monitoring and evaluation of progress. These objectives are based on shared values among the Member States and cover issues which are felt to be of common concern. Progress towards these objectives are defined either in terms of quantitative or qualitative indicators. Through the use of targets and indicators, the results of policies are made transparent and therefore open to public scrutiny.

- **Country surveillance:** The annual reporting leads to the evaluation and comparison of progress made and to the identification of possible best practice among Member States. This creates peer pressure to improve the quality and effectiveness of policy. Exchange of experiences and peer pressure are meant to steer policy debate and enhance the effectiveness of policies.

- **Integrated approach:** The Employment Guidelines are by no means restricted to active labour market policies but extend to social, educational, tax, enterprise and regional policies. Structural reforms cannot be obtained through isolated and dispersed

<sup>18</sup> from Communication: "Incorporating equal opportunities for women and men into all Community policies and activities" (COM(96)67final)

<sup>19</sup> [www.europa.eu.int/comm/employment\\_social/employment\\_strategy/index\\_en.htm](http://www.europa.eu.int/comm/employment_social/employment_strategy/index_en.htm)

actions or measures, but require consistent and concerted action over a wide range of policies and measures. These measures need to be tailor made to address diverse needs and conditions. This means that the 'Luxembourg process' is not 'owned' by the Ministries of Labour and Employment, but calls for comprehensive employment policies committing Governments as a whole, as well as a wide range of stakeholders.

The principles of subsidiarity and shared European objectives will be reinforced through the European Constitution, adopted in June and signed in October 2004.

The European Employment Strategy has contributed to bringing gender equality to the policy agenda and provided a tool for tackling the gender gaps in the labour market.

## 2. Gender mainstreaming in the European Employment Strategy

The promotion of equality for women and men is an integral part of the European employment strategy adopted at the **Luxembourg Jobs Summit** in November 1997. In the framework of the proposed 1999 Employment Guidelines, the Commission has emphasised the need to pursue the integration of gender equality into all aspects of employment policies, notably by guaranteeing active employment market policies for the vocational integration of women proportionate to their rate of unemployment, and by promoting women in the context of entrepreneurship.

At the **Lisbon European Council** (March 2000), the European Union set itself a new strategic goal for the next decade: to become the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion. The strategy was designed to enable the Union to regain the conditions for full employment and to strengthen cohesion by 2010. The Council also considered that the overall aim of these measures should be to raise the overall EU employment rate to 70% and to increase the number of women in employment from an average to more than 60% by 2010.

The **Stockholm European Council** (March 2001) added two intermediate and one additional target: the employment rate should be raised to 67% overall by 2005, 57% for women by 2005 and 50% for older workers by 2010.

The **Barcelona Council** (March 2002) confirmed that full employment was the overarching goal of the EU and called for a reinforced Employment Strategy to underpin the Lisbon strategy in an enlarged EU.

The gender dimension of the targets to close the gender gaps in employment (older workers, pay gap) were stressed and more ambitious childcare targets were fixed (provide by 2010 childcare for at least 90% of children between 3 years and school age and for at least 33% of children under 3 years).

On 4 March 1998, the Commission presented a first progress report on the follow-up to the Communication on integrating equal opportunities for women and men in all Community policies and actions. The report underscored the major achievements since 1996 in this area. However, the work must be continued at this stage, with a view to: better sensitisation to problems of gender equality, notably at higher management level; development of skills; regular assessment of the impact of the policies on equality between the sexes; systematic verification of the equal opportunities dimension in all Community documents. Despite the relatively modest progress made in 1997, the Commission stressed above all the potential of future actions in this area.

The Vienna European Council (11-12 December 1998) recalled the importance of promoting equal opportunities and the need to review the National Action Plans in this perspective.

In 2002, the Commission carried out an evaluation of the European Employment Strategy which revealed that more emphasis is being put on the gender equality issue,

even in the Member States that were "lagging behind", and the gap between the sexes has narrowed in terms of employment and unemployment rates. Nevertheless these inequalities are still too marked and a lot remains to be done in order to overcome them. Furthermore, substantial progress still has to be made in the development of child-care facilities. The new Employment Guidelines require reinforced efforts by the Member States. Women's employment rates, female unemployment, a persisting gender pay gap, sex segregation in the labour market and balance in decision making still remain challenging domains for the improvement of the situation of women in the European Union.

### 3. Gender mainstreaming in the Social Inclusion Process

The European Social Inclusion Process has been developed to support Member States in their fight against poverty and social exclusion.

The European Councils in **Lisbon and Feira** made the promotion of social cohesion an essential element in the global strategy of the Union to achieve its strategic objective for the next decade of becoming the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion. It also set a goal for full employment in an emerging new society which is more adapted to the personal choices of women and men. Poverty and social exclusion take complex and multi-dimensional forms which require the mobilisation of a wide range of policies under that overall strategy. It is necessary therefore to mainstream the objective of fighting poverty and social exclusion as well as gender inequalities at all levels of policies and activities.

The Member States draw up National Action Plans on the basis of the common objectives set out by the Council of Ministers in the fields of employment and social inclusion. They have also been asked to include gender mainstreaming in all their strategies for combating poverty, social exclusion and closing the employment gender gaps.

The gender dimension did not feature strongly in the first National Action Plans on social inclusion submitted in 2001, but in July 2002 the Ministers agreed to enhance this aspect of the plans which added great impetus to successful gender mainstreaming. In the next round, covering 2003-2005, the National Action Plans on social inclusion were expected to put more emphasis on specific actions on gender and demonstrate gender mainstreaming throughout and to link their strategies to the employment objectives. Yet reinforced efforts continue to be needed by the Member States to translate the objective of gender equality in goals and concrete actions.

### 4. Council resolutions and recommendations on gender mainstreaming

The Employment and Social Affairs Council has decided to conduct an annual review of the implementation of the actions proposed at Beijing. In this connection, in 1998 the Presidency of the Council started work on developing the joint presentation within the EU of the follow-up reports of the UN Fourth World Conference on Women.

Since Autumn 2000, under the lead of the French Presidency, the intention was declared to enhance the visibility of gender mainstreaming in the Council of the European Union and to start with the implementation of the political commitment to integrate gender equality in all policy areas (enshrined in the Amsterdam Treaty, Art. 2 and 3).

Since then each subsequent presidency took the initiative of proposing relevant actions in order to include the gender perspective at Council level.<sup>20</sup>

Additionally, since 1999 the Council has adopted conclusions on indicators and benchmarks, thus making the annual monitoring process more focused and structured. Sets of quantitative and qualitative indicators have been developed by the succeeding presidencies in the following areas, relating to the 12 critical areas of concern of the Beijing Platform for Action:

- 1999 - Women in political decision-making, (FI)
- 2000 - Women in the economy (on equal pay), (BE)
- 2001 – Women in the economy (reconciliation of work and family life), (FR)
- 2002 - Violence against women, (DK)
- 2003 - Women and men in economic decision-making. (IT)
- 2004 - Sexual harassment in the workplace, (NL)

## 5. Gender mainstreaming in the Structural Funds

In this area gender equality policy is also based on the dual approach of specific measures along with gender mainstreaming across all Structural Fund operations. This dual approach is most advanced in the European Social Fund (ESF), the EU main financial support tool for the European Employment Strategy. Most of the initiatives aimed at reducing gender inequalities focus on employment and are funded by the ESF. Gender mainstreaming has proved more difficult in other Structural Fund areas such as transport, the environment and rural development.

As regards improving the promotion of gender equality through the Structural Funds, only a few programmes using the funds in the Member States have adopted a global gender mainstreaming strategy. Moreover, the majority of these programmes lack clear targets and monitoring in terms of gender equality.

In the discussion on the future of social and economic cohesion policies after 2006, major efforts are required to exploit the full potential of the Structural Funds as a catalyst for Community and national policies on gender equality in an enlarged Europe in the new programming period.

## 6. The Framework Strategy on Gender Equality

The EU has a structural approach to achieving gender equality within a five-year the plan – the Community Framework Strategy on Gender Equality (actually the 5<sup>th</sup> framework programme going from 2001-2005).

In June 2000<sup>21</sup>, inside order to support the Lisbon process, the European Commission adopted the first comprehensive framework strategy on gender equality covering all aspects of the question: equality in economic, social, and civil life, equality in decision-making, and gender roles and stereotypes. It combines measures designed specifically to foster equality with the mainstreaming of gender issues in all Community policies. In line with the integrated approach, the strategy makes use of all existing tools and structures, while supporting the development of new ones: monitoring, indicators and benchmarking. The strategy is accompanied by a programme, which provides 50 million EUR for the period 2001 to 2005 for promoting gender equality. The programme is

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<sup>20</sup> Cfr also working papers of the High Level Group on gender mainstreaming

<sup>21</sup> Commission of the European Communities : Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of Regions – Towards a Community Framework Strategy on Gender Equality (2001-2005) ; 7.6.2000

aimed at awareness-raising measures, policy analysis and the forging of networks for equality between EU institutions, national authorities, social partners and NGOs.

The commitment of mobilising all its measures and policies specifically for the purpose of gender equality had also been the guiding principle of the former Medium-Term Community Action Programme on equal opportunities adopted in December 1995.<sup>22</sup>

The programme is extended to 2007. The Commission has adopted a proposal for a European Parliament and Council Decision on a Framework Programme, called PROGRESS, on the financing of actions in the employment and social field, which will cover the same period as the new financial perspectives, i.e. 2007-2013<sup>23</sup>. PROGRESS will include a strand for gender equality and will also cover the support to EU umbrella networks active in the field of equality between men and women.

### **2.3. MAJOR ACHIEVEMENTS AND PERSPECTIVES**

In the political declaration, adopted as a resolution by the General Assembly at the twenty-third special session<sup>24</sup> in November 2000, the governments of the international community reaffirmed their commitment to the goals and objectives contained in the Beijing Declaration and the PFA and reaffirmed their promise to implement the twelve critical areas of concern. Furthermore they recognized their primary responsibility in the advancement of women and agreed to accelerate the achievement of universal ratification of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW). The role and contribution of the civil society was recognized, as was accentuated the necessity of involvement of men to take shared responsibility with women for promoting gender equality. Finally, the countries community underlined the importance of mainstreaming a gender process in all outcomes related to the UN development. The governments pledged “to undertake further action to ensure their full and accelerated implementation, inter alia, through the promotion and protection of all human rights and fundamental freedoms, mainstreaming a gender perspective into all policies and programmes and promoting full participation and empowerment of women and enhanced international cooperation for the full implementation of the Beijing Platform for Action.” (par. 8)

The European Commission has monitored, since 1996, the European-wide progress in the field of equal opportunities through the publication of Annual Reports on Equality for women and men in the European Union. Included in this has been the progress on the follow-up to the Beijing Platform for Action. From 2004, a Commission report on equality between women and men to the European Spring Council presents the main developments in the promotion of equality between women and men. The European Commission prepared a working document to the Economic Commission for Europe (ECE) Regional Meeting, held in Geneva in January 2000, on the Beijing +5 review. The EU Member States participated in December 2004 in the ECE preparatory meetings in Geneva for the Beijing +10 review and made common statements to strongly re-affirm the PFA.

At the end of the first decade of implementing the decisions of the Beijing Platform for Action, three pioneering steps in the area of promoting the development of equality for women and men should be stressed at the level of the European Commission and the Member States:

- the adoption of the Amsterdam Treaty, which introduces new powers in this connection,

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<sup>22</sup> Council Decision 95/593/EC, OJ L 335, 30.12.1995

<sup>23</sup> COM (2004) 488 final

<sup>24</sup> A/RES/S-23-2 : Resolution adopted by the General Assembly – S-23/2. Political declaration, 16/11/00

- the putting in place of an employment strategy in which equal opportunities are a key priority,
- and gender mainstreaming (for example in the social dialogue, in the context of the structural funds and training and education policies, etc.). Mechanisms to support the gender equality strategy include annual work programmes which set out targeted activities for the promotion of gender equality in all areas. Progress is benchmarked through the Scoreboard and regularly reported in the Annual Report.<sup>25</sup>

In its “Report on equality between women and men”, published in February 2004, the Commission noted, that in the past decade developments towards equality between women and men are evident in the EU. Some convergence is also noticeable in the acceding countries. Economic growth and general progress in society have made these developments possible. Changes have not happened automatically, but as a result of strategic policy initiatives to promote equality between women and men at EU and national level. However, success in promoting equality and narrowing gender gaps in policy fields, such as employment, social inclusion, education, research and external relations, differs over time and between Member States and significant gender gaps still exist in most policy fields.

- The Community acquis in equal treatment has been continuously developed through the amended treaties as well as subsequent Directives. This legislation and judgements of the Court of Justice in the field of equal treatment have grown to form a substantial and important pillar within the framework of Citizens' individual rights in the European Union. Equal treatment legislation has played, and continues to play, a crucial role in the socio-economic context, by creating a floor of equal rights granted to all, irrespective of gender. It is a prerequisite for the EU to succeed in reaching the objectives for sustainable economic development and growth as formulated at Lisbon and Gothenburg.
- In the last few decades, there have been major changes in education enrolment in Europe. Women now outnumber men in upper secondary and tertiary education in most Member States and the acceding countries and they represent the majority of graduates in the European Union (55%).
- The European Employment Strategy has contributed to bringing gender equality to the policy agenda and provided a tool for tackling the gender gaps in the labour market. The new Employment Guidelines require reinforced efforts by Member States. The use of Structural Funds, and in particular the European Social Fund, has had a catalysing effect for national policies on gender equality, by providing financial support for the implementation of the European Employment Strategy and the Social inclusion process.
- Women's employment rates have increased more than men's, standing now at 55.6%, compared to less than 50% in the first half of the nineties but the gap between women and men in employment remains very high (17.2 percentage points).
- The gender pay gap is still 16% on average in the EU and has hardly changed in recent years. The pay gap is significantly higher in the private sector than in the public sector. Differences in labour market participation, sex segregation, career and wage structures and the relative under-evaluation of female-dominated employment account for a large part of the gap. In recent years, the gender pay gap has taken on a higher profile within the Member States. Some Member States have taken significant steps forward in recognising the link between labour-market segregation and the gender pay gap, and have started to implement policies in this regard.
- As a result of women's increased qualifications there were more women entering high-level professional and managerial jobs during the nineties in 10 out of the 15 Member States<sup>26</sup>. However, men are still about twice as likely as women to be in

<sup>25</sup> cfr also : Equal opportunities for women and men in the European Union – Overview ; EC-DG Employment and Social Affairs – Gender equality unit, February 2003

<sup>26</sup> Eurostat, LFS

managerial positions and over three times as likely to be senior managers<sup>27</sup>. Women are also still under-represented in the European scientific workforce (30% of researchers are women in the public sector and 15% in industrial research)<sup>28</sup>

- Slow progress is under way in political decision-making and 10 Member States now have legal provisions in their Constitutions or in Gender Equality Acts on a balanced participation of women and men.
- By identifying a target for childcare services, the Barcelona European Council reinforced the high attention already paid to the reconciliation policy in the European Employment Strategy. The Member States have accordingly devoted quite a lot of policy efforts to improving the availability of childcare provisions. However, hardly any concrete measures have been taken to improve care for other dependants.
- There has been an increased focus on reconciliation as part of employment policy and improved parental leave arrangements. A few Member States are implementing policies to encourage fathers to take parental leave, for example through the right to take leave on a part-time or split basis or through a specific right to paternity leave. These efforts have so far met with little success. The traditional division of care and paid work between women and men persists.
- Domestic violence is an assault on the victim's right to life, safety, freedom and dignity and an expression of an imbalance of power between women and men. It has been identified as a risk for women of social exclusion in the National Action Plans on Social Inclusion. In the year 2000, the DAPHNE Programme 2000-2003<sup>29</sup> was introduced, representing a symbolically important programming tool against violence. Major steps forward were achieved in 2002, when the Member States agreed on a set of indicators on domestic violence against women, developed within the framework of the follow-up of the Beijing Platform for Action.

It was stated in the conclusions of the report by the Commission, that the European Council should urge Member States to enhance their efforts to promote equality between women and men in all spheres of society. Following the European Commission, some of the areas where special attention should be paid, include: <sup>30</sup>

- “to ensuring the rapid implementation in the Member States of the recently adopted legislation and the correct implementation of the Community acquis on equal treatment in the acceding States;
- to taking specific measures to reduce the gender pay gap in co-operation with the social partners;
- to strengthening the integration of gender equality in all policy fields, including employment and social policies, education, justice and home affairs, external relations, development co-operation, budget and financial policies;
- to working towards reaching the targets set in Barcelona on the provision of childcare;
- to ensuring that an emphasis is given to gender equality, including women's access to employment in the Structural Funds and that appropriate funding is allocated;
- to further implementing gender mainstreaming in the European Research Area through active support to the network of high level national officials (the “Helsinki Group” on women and science);
- to combating violence against women and using the set of indicators on domestic violence for following-up of progress.”

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<sup>27</sup> Eurostat, LFS 2000

<sup>28</sup> She figures, EC, 2003

<sup>29</sup> Decision No.293/2000/EC of the European Parliament and of the Council of 24 January 2000 adopting a programme of Community action (the Daphne Programme) (2000 to 2003) on preventive measures to fight violence against children, young persons and women, OJ L34 of 9.2.2000, p. 1.

<sup>30</sup> Report from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of Regions: Report on equality between women and men, 2004, CE

### **III DEVELOPMENTS OF INSTITUTIONAL MECHANISMS AND OTHER AREAS OF CONCERN IN THE MEMBER STATES**

#### **3.1. IMPLEMENTATION OF INSTITUTIONAL MECHANISMS AT THE LEVEL OF THE EU MEMBER STATES**

##### **3.1.1. General definition**

Institutional mechanisms for the advancement of women were defined as the critical area of concern “H” by the Beijing Platform for Action in 1995. Hence institutional mechanisms include the following three strategic objectives,

- H1 – to create or strengthen national machineries and other governmental bodies
- H2 – to Integrate gender perspectives in legislation, public policies, programmes and projects
- H3 – to generate and to disseminate gender-disaggregated data and information for planning and evaluation

These objectives are strongly linked to the millennium development goal MDG 3 asking to promote equality and to empower women.

The implementation and role of the gender mechanisms as well as the developments in the Member States of the European Union in 2004 are described below.

##### **3.1.2. Progress of institutional mechanisms in the Member States <sup>31</sup>**

###### **1. Austria**

With the amendment to the Federal Ministries Act of 2003, the Federal Ministry of Health and Women’s Issues was established, which is responsible for the coordination of matters relating to women’s policy and equal opportunities of women and men in the labour market. Furthermore, projects of NGOs and intervention centres for the protection against domestic violence to women are financed. These intervention centres have been established since 1999, their budget is determined annually and has been increased every year to date.

Beforehand, with the Amendment to The Act on Equal Treatment in Federal Service (effective as of 1 January 2000), some important modifications were introduced.

Based on the Act on Equal Treatment in Federal Service (1993), all Federal Ministries and other institutions included in this act have to issue women promotion plans. On the basis of province legislation on equal treatment, the Austrian provinces and municipalities have also established their own women promotion plans for their respective public service.

In 2004, there has been a major amendment to Equal Treatment legislation. The former Equal Treatment Act has been renamed as the Federal Act Governing the Equal Treatment Commission and the Ombuds Office for Equal Treatment<sup>32</sup> and contains provisions for the institutions and the procedures.

Furthermore, a Federal Act on Equal Treatment<sup>33</sup> has been enacted. Harassment (mobbing) is deemed a discrimination and the burden of proof is eased in cases asserting discrimination. The amendment became effective 1 July 2004.

<sup>31</sup> The chapter is based on the analysis of the responses by the EU Member States to the UN questionnaire (2004) and on descriptions received from the Member States.

<sup>32</sup> Federal Law Gazette. I, No. 66/2004 (GBK/GAW Act)

<sup>33</sup> Federal Law Gazette. I, No. 66/2004, GIBG

With the new legislation, the Equal Treatment Commission is restructured: It consists of three senates, with Senate One being responsible for ensuring equal treatment of women and men in the world of work<sup>34</sup>. With this project, the powers of the Equal Treatment Commission, which were hitherto restricted to assuring equal treatment of women and men in working life, will be extended to include many more domains.

The corresponding law governing the provisions on institutions and procedures of the Federal Equal Treatment Commission is the Federal Act on Equal Treatment in Federal Services<sup>35</sup>.

The Ombuds Office for Equal Treatment, for the private sector, consists of a central office and four regional offices and offers counselling and support in reasonable distance to persons who feel discriminated as defined by the Federal Act on Equal Treatment (GIBG). It employs 19 persons. The Austrian Federal Constitutional Act says that any form of discrimination on the ground of sex is inadmissible.

In July 2000, an Inter-ministerial Coordinating Committee on Gender Mainstreaming (IMAG GM) was installed for supporting and accompanying the gender processes in all ministries and on all political levels. A gender mainstreaming programme provides concrete measures for all ministries with focus on implementing and evaluating. A website intends to promote networking between all persons involved in the implementation of gender mainstreaming strategies ([www.imag-gendermainstreaming.at](http://www.imag-gendermainstreaming.at)).

A third gender mainstreaming resolution was adopted by the Council of Ministers as of 9 March 2004 and provides for a purposive implementation of gender mainstreaming at the federal level. By this resolution, all ministries agree in implementing proper gender mainstreaming working-groups within their units in order to be able to plan activities and to observe progress made.

In 2004, an inter-ministerial working-group for gender-budgeting was founded. National budgets will get an own chapter on gender budgeting.

Also, under the new Development Cooperation Act of 2002<sup>36</sup> equality of women and men became one of the principles of Austrian development cooperation policy.

At the Women and Equality Division are working 35 persons including the chair of the Equal Treatment Commission for the Federal Service (Senate One). In 2004, the annual budget of this division is amounting to 5.55 million EUR (material expenses only).<sup>37</sup>

Gender issues within other ministries and at regional level:

- Department for Industrial Relations and Equality Affairs within the Ministry of Economic Affairs and Labour, including promoting equality issues at national and international level within social policy, labour law and labour relations.
- Working Parties on questions of equal treatment: Established in 1993, they exist in every Ministry for questions of equal treatment and the promotion of women. They gather in the IMAG.
- Institutional framework for the promotion of women in the sciences:
  - Unit for ESF projects related to Women and Science and programmes for the promotion of women at Universities (Ministry of Education, Science and Culture)

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<sup>34</sup> Senate Two is monitoring equal treatment in the world of work, irrespective of race, ethnic origin, religious faith, ideology, age, or sexual orientation, and Senate Three being responsible for assuring equal treatment irrespective of race and ethnic origin in other spheres

<sup>35</sup> Federal Law Gazette. I, No. 65/2004

<sup>36</sup> Federal Law Gazette I No. 49/2002

<sup>37</sup> Apart from that, the budget of the Ombuds Office for Equal Treatment is budgeted in common with other expenses of the ministry and cannot be shown separately. The budget of the Equal Treatment Commission for the private sector also cannot be shown separately.

- Working group for Equal Opportunity at Universities
- Coordination services for Women's Studies and Gender Research at Universities
- Vice Rectors for affirmative action for women and Vice Rectors for staff development and affirmative action for women
- o Department for gender specific issues in education and gender mainstreaming (Ministry of Education, Science and Culture) to eliminate discrimination in the school education system according to the UN Convention and to take measures to promote equal rights.
- o Department for gender mainstreaming at international and internal level, human rights and health promotion (Ministry for Social Security, Generations and Consumer Protection)<sup>38</sup>.
- o Department for Men's Affairs, acts within the Federal Ministry for Social Security, Generations and Consumer Protection. As of 2001, it is responsible for research in this field, for supervising the implementation of legislation from a specific male viewpoint, for the promotion and for supporting initiatives for men.
- o ESF-Coordination Unit (GEM): founded in 2000 by the Ministry of Economy and Labour:<sup>39</sup>
- o Consultants for Women's Affairs at provincial level: all the "Länder" have special working units for women's affairs and the promotion of gender mainstreaming at local and regional level.

## 2. Belgium

Belgium, as federal state, is governed through its communities and regions which have different powers and separate governments and parliaments (except for the Flemish Community and the Flemish Region).

### **The federal level:**

As of 1992, there is a Federal Minister for Equality between Men and Women.

Since 1999, increased efforts of coordination of equality mechanisms have been made : Inter-ministerial conferences, national action plan to combat violence against women, equality plan with gender mainstreaming and gender budgeting were endorsed.

An independent Institute for Equality between Women and Men exists since 2003 in order to coordinate and implement the gender equality strategy. The institute has its roots in a the former Department for Equality between Men and Women, that was created in 1992 under the Ministry for Employment and Labour. The reformed institute has a mandate to act in justice in case of justified discriminations on the ground of sex. It employs in 2004, 25 people and disposes of a budget of 4.33 million EUR.

At the level of the federal parliament, two advisory commissions have been installed. Furthermore, the Council for Equal Opportunities between Women and Men was created in 1993 as a federal consultative body under the Minister for Employment and Labour. It replaced and reformed a Commission on Female Labour, dating from 1975 under the competency of the Minister for Employment and Labour as well as an Emancipation Council, created in 1986 under the responsibility of the State Secretary for Social Emancipation. The reformed Council is in charge of the whole framework of equal opportunities. On request of the minister in charge of equal opportunities, of another minister, of organisations, of individuals or on its own initiative, the Council may formulate reports, organise studies, propose measures and give information on equal opportunities policies.

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<sup>38</sup> Gender Mainstreaming activities at international level, further training for civil servants, promotion of internal gender activities (productive health, mentoring etc.)

<sup>39</sup> promoting all activities concerning gender mainstreaming within the European Social Fund-projects.

Additionally, In cooperation and development, there exist civil organisations as the Women and Development Commission (“Commission Femmes et développement”) and the Platform Population and Development (“Plate-forme population et développement”).

**The level of the communities :**

- The first Flemish Minister for Equal Opportunities was nominated in 1995. In the Flemish community a network of civil servants in charge of emancipation has been launched. Three structures are installed to guide gender equality – the cell Equal Opportunities in Flanders with 7 people, the service Affairs in relation with emancipation and the cell installed at the unit Europe-Employment. A Flemish Research Centre on Equality Policies has been created in 2001 as well as a velvet triangle which is a circle of people promoting intense relations between politicians, researchers and women organizations.
- At the French Community, the President-minister of the French Community is charged with the gender equality agenda. There is a Unit for Equal Opportunities between Women and Men with the mandate to impulse gender mainstreaming in the fields of competence of the French Community. It also aims to be a creative point in contact with the NGOs, initiating in parallel research and exchanges. The unit disposes of an annual budget of 700 000-800 000 EUR since 1999. A resolution has been taken by the French Community which recommends the use of gender disaggregated indicators by the Government of the French Community.

**The level of the regions :**

- Since 2003, the Council for Equality between Women and Men of Wallonia formulates opinions and recommendations in the fields of gender equality aspects.
- The region of Brussels-City (“Région de Bruxelles-Capitale”) has designated since 2000 a Minister for Equal Opportunities (in the large sense). A cell Equal Opportunities in collaboration with the federal direction is acting under the Minister-President of the Region of Brussels-City and is charged to introduce gender mainstreaming in the administration. An anti-discrimination point has been installed at the level of the regional employment service ORBEM. In 2001, a Consultative Committee for Equal Opportunities between Women and Men was created at the Regional Council of Brussels and the Common Community Commission.

### 3. Cyprus

The Ministry of Justice and Public Order is the department charged with the overall promotion of gender equality and the protection of women's rights in all walks of life.

The National Machinery for Women's Rights (NMWR) was set up in 1994 by the Council of Ministers under this ministry, with a coordinating role on gender equality issues. There are five fields of tasks defined for the NMWR: 1) acting as a channel of communication between the governmental sector and the civil society, 2) promoting inter-ministerial collaboration especially through the Gender Focal Points, 3) facilitating the integration of gender issues into government policies, 4) encouraging and supporting the setting up and collaboration with other bodies/structures which promote gender equality, 5) developing close links with all International Organizations working in this field. According to its Plan of Action, the NMWR deals with all matters concerning gender equality, including law reform, violence against women, participation of women in public and political life, awareness raising, participation of women in the labour market, women and peace, gender mainstreaming, subsidization of NGOs. The budget of the NMWR covering the costs of its programmes and activities as well as the subsidies to NGOs has been increased from 44 000 EUR in 1995 to 366 000 EUR in 2003. The wages of the staff

and the operational expenses are covered by the general budget of the Ministry of Justice and Public Order. The General Secretariat of the NMWR consists of 3 professionals (1 senior officer and 2 administrative officers).

Other institutional mechanisms for implementing gender equality are:

- Commissioner for Administration (Ombudsman) – its competence was expanded in order to investigate complaints of sex discrimination
- National Institution for the Protection of Human Rights
- Advisory Committee on Violence in the Family - is monitoring since 2002 the implementation of the domestic violence (prevention and protection of victims)<sup>40</sup>
- Gender Equality Committee in Employment and Vocational Training - is monitoring since 2002 the implementation of equal treatment of men and women in employment and vocational training<sup>41</sup>
- Investigation and Assessment of Work Committee – is dealing since 2002 with disputes under the equal pay between men and women for the same work or for work of equal value<sup>42</sup>

In addition to the above, other institutional structures have been set up in the private sector, including the Mediterranean Gender Institute and the Cyprus Gender Equality Observatory.

The accession process of Cyprus to the EU, since 1988 moving at a very intensive pace, necessitated the harmonization in the *acquis communautaire* and resulted in the enactment, within specified time limits, of very important legislation affecting women's lives in the area of equal treatment and conditions at work, and, parallel to this, the creation of the necessary administrative infrastructure for the implementation of the relevant legislation and policies.

The National Machinery for Women's Rights (NMWR) identifies three categories of main problems to implement the Beijing Platform for Action. They are political, because of a lack of gender balance in almost all walks of life, socio-economic, like dual burden and feminisation of unemployment and ideological and psychological, because of traditional roles and absence of gender-sensitive environment ...

#### 4. The Czech Republic

A Unit of Equality of Men and Women (5 employees) was established at the Ministry of Labour and Social Affairs on February 1, 1998. It prepares proposals on the national action plan. It evaluates adopted measures and monitors the effectiveness of provisions and also cooperates with governmental institutions, social partners, non-governmental organizations and others.

All ministries had to set up from January 2002 own ministerial gender equality action plans and professional gender focal points. For example, the Ministry of Finance has to work out a methodology for gender budgeting at national, regional and local levels of the Czech administration.

The Government Council for Equal Opportunities for Women and Men is a permanent advisory body of the government in the area of creating equal opportunities for men and women (established by a governmental resolution in October 2001). The Council (23 members) draws up proposals aiming at the promotion and achievement of a) implementing basic policies, b) coordinating main directions of ministerial policies, c) setting up the range of priorities for ministerial projects, d) identifying current problems and e) evaluating the efficiency of the

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<sup>40</sup> Law, 2002 (L. 119(I)/2000)

<sup>41</sup> Law, 2002 (L. 205(I)/2002)

<sup>42</sup> Law, 2002 (L.117(I)/2002)

implementation of the principle of equality. Membership in the council is made up of high level decision makers (deputy ministers), social partners and NGOs plus experts. There were also major discussions in the areas of state grant policy, methodology of gender budgeting, reform of the election system, gender statistics and domestic violence. The outputs of the discussions are the recommendations towards the government.

The permanent Commission for Family and Equal Opportunities was established in July 2002 at the Chamber of Deputies of the Czech Republic. It comprises 10 members and deputies representing all political parties.

The following major gender issues were debated in the Czech society:

- Promotion of the principle of equality between men and women as part of the government policy.
- Raising legal awareness and support for equality between men and women.
- Promoting equal opportunities for men and women in access to economic activities.
- Balancing the social position of men and women who care for children and /or family members in need.
- Suppression of violence directed at women.
- Preparation of an anti discriminatory law.

The social partners (trade-unionists and employers' representatives) on their sides have working groups, commissions and committees acting at the workplace for promoting gender equality.

## 5. Denmark

According to the gender equality law all ministries are responsible for gender equality in their area of responsibility (gender mainstreaming). Institutional mechanisms in Denmark concerned directly with gender equality are the Minister for Gender Equality, the Department of Gender Equality, the Gender Equality Board, the ministry of labour as well as other institutions and players and several non-governmental organisations (NGOs).

The Danish Government define the protection of equal rights and opportunities for women and men as a basic principle of its policies. Gender equality work in Denmark is described as a dual approach, the implementation of the gender mainstreaming strategy as well as specific initiatives. The minister responsible in this field is the Minister for Gender Equality. The first Minister for Gender Equality in Denmark was appointed in July 1999. The minister's responsibility includes the coordination of the central Government's gender equality work across the portfolios of the other ministries.

To implement and protect gender equality in Denmark is the Department of Gender Equality. It operates as the Minister's secretariat and handles the tasks vested in the Minister by the Act on Gender Equality. In addition the Department of Gender Equality follows international gender equality work at official government level in the Nordic countries, the EU, the Council of Europe and the UN. In 2004, 20 persons are working in the department, the budget is 14.7 million DKK. Additional funding for specific projects like violence against women and trafficking in persons have a separate budget line.

The Minister for Gender Equality appoints members to the Gender Equality Board, which consists of a chairperson, who is a judge, and two other members which are attorneys with expertise in gender equality and labour market relations. The Board

was set up in 2000 and made permanent in 2003. The Board handles current complaints about discriminatory treatment of women and men.

Other institutions to focus professionally on gender equality are

- the International Gender Equality Board which was set up in 1987 by the Prime Minister as an advisory forum. Its members come from the political parties (5 representatives), relevant ministries (Ministry of Employment, of Foreign affairs, department of Gender Equality), as well as from women's and men's organizations
- Universities: Research on women and gender – the University of Copenhagen hosts the coordination for gender studies in Denmark and the Danish Research Centre on Gender Equality at Roskilde University (set up in 2002)
- The Danish Centre for Information on Women and Gender (KVINFO) is an independent institution under the Ministry of Cultural Affairs. It comprises a national information, documentation and cultural centre to communicate the results of women and gender research to a broad public.
- NGOs and in particular the Danish Women's Council which is an umbrella organization of 52 women's associations subsidized through an annual grant of 1.1 million DKK by the Minister for Gender Equality.
- There are 19 consultants on gender equality in the Danish employment service and consultants connected to each of the 275 municipalities in Denmark.

Reporting:

Every year the minister for gender equality reports to the Parliament on achievements and strategies for the past and coming year. The report is followed by a debate in the Parliament.

Every second year all ministries and municipalities are obliged to report to the minister for gender equality on their recent achievements and their institutional mechanisms concerning gender equality. The reports are evaluated and published on an official website. This allows citizens to compare their municipality with other municipalities.

## 6. Estonia

According to the Statute of the Ministry of Social Affairs, the area of government of the ministry shall include the drafting and implementation of plans to resolve state social issues, the management of public health protection and medical care, employment, labour market and working environment, social security, social insurance and social welfare, promotion of equality of men and women and co-ordination of activities in this field, as well as the preparation of corresponding draft legislation (Art 5. Area of government of the Ministry of Social Affairs).

The Art 13. of the same decree concerns the Gender Equality Department and its main functions. It stipulates among others:

- A department of a ministry is a structural unit of the ministry which has no authority of executive power with respect to persons outside the ministry, unless otherwise provided by law.
- The main function of the Gender Equality Department shall be to plan gender equality policies and measures to reduce inequalities and ensure equal treatment, and co-ordinate the implementation of these measures and gender mainstreaming strategy.

According to the Gender Equality Act (in force since 1 May, 2004), two new bodies are established.

- The Gender Equality Commissioner which is an independent and impartial expert who acts independently, monitors compliance with the requirements of the Gender Equality Act and performs other functions imposed by law.
- The Gender Equality Council which is an advisory body within the Ministry of Social Affairs, which approves the general objectives of gender equality policy and advises the Government of the Republic of Estonia in matters relating to the promotion of gender equality.

The Estonian Statistical Office produces gender-segregated data for the formulation of gender equality policies and the implementation of programmes and projects targeted to elimination of inequality between women and men.

From NGOs side, there are active research centres and women's organisations - Estonian Women's Network and Association of Women's Organisation Round Tables.

## 7. Finland

The institutions responsible for gender equality are the Gender Equality Unit, the Ombudsman for Equality, the Equality Board and the Council for Gender Equality.

An administrative reform of the national mechanisms supporting gender equality took place in 2001. This reform included the creation of a new entity, the Gender Equality Unit. The Gender Equality Unit employs a staff of 10 members and has a budget of 82 000 EUR.<sup>43</sup> The gender equality work of the Finnish Government is divided in three parts as described below. The tasks of the Gender Equality Unit include drafting and developing the Finnish Government's gender equality policy in collaboration with other ministries. The unit coordinates gender mainstreaming in the state administration. The unit prepares national legislation as well as it takes part in the EU equality legislation and policy. The unit also takes care of tasks related to international affairs.

Since 1995, after the fourth World Conference on Women, there have been active efforts to mainstream gender into the state administration. In the Government's Action Plan for Gender Equality 2004-2007, there is a detailed plan for gender mainstreaming all state administrations.

The Ombudsman for Equality plays the role of an independent supervisory authority in connection with the Ministry of Social Affairs and Health. The tasks of the ombudsman include supervision of the Act on Equality and especially the prohibition of discrimination in the act as well as the promotion of the act. The ombudsman's team communicates, initiates action and gives advice, instructions and prepares statements for cases in contravention of the equality act. Advice and statements are free of charge. The ombudsman monitors the implications of equality in different areas of society. Here 9 staff members are employed and the budget is 98 000 EUR, without consideration of personnel costs.

In addition to the Ombudsman for Equality, the equality is monitored by the Equality Board, which has no full-time staff, but a budget of 5 000 EUR.

The Council for Gender Equality, established in 1972, is a parliamentary advisory body within the state administration. It consists of representatives of parliamentary political parties as well as of the National Council of Women and of NYTKIS, the coalition of women's organizations. The council for equality prepares initiatives for reforms to further gender equality. It initiates equality discussions with authorities,

<sup>43</sup> the operational budget in 2004 does not include salaries of personnel

public and municipal institutions, labour market organizations and other partners. It employs 2 persons and has an annual budget in 2004 of 80 000 EUR, exception made of the personnel costs.

Gender specific statistics have been produced by the "Statistics Finland" since the early 1970s. Statistics Finland works in close co-operation with the governmental gender equality unit. This co-operation produces Gender Equality Barometer (published three times since, in 1998, 2001 and 2004). The gender barometer seeks to analyse, by means of women's and men's estimates, attitudes and personal experiences, the division of labour and power of the genders, and how acceptable this division is in the social circumstances of a given time. The comparison of the results obtained at different times produces data on continuity or change in the mutual relationships between men and women.

Statistics Finland has a special Gender Statistics Unit, but gender has really been mainstreamed in all statistics. All societal trends are looked at from a gender perspective.

## 8. France

In France, in March 2004 the Ministry for Parity and Vocational Equality ("Ministère de la Parité et de l'Égalité professionnelle") has become an independent ministry. Its activities had beforehand been attached to the Ministry of Employment and Solidarity (with a Deputy Minister for Parity and Vocational Equality) and been formerly a State Secretariat for the Rights of Women and Vocational Training.

The Service of Women's Rights and Equality ("Service des droits des femmes et de l'égalité") is attached to the ministry with an annual budget amounting in 2003 to 18 million EUR. 220 agents, whereof 50 in the central administration and 170 in the regions and departments, are occupied under this service.

Several advisory bodies are placed under the responsibility of the Minister for Parity and Vocational Equality, for instance:

- The Superior Council on sexual information, birth control and family education ("Conseil supérieur de l'information sexuelle, de la régulation des naissances et de l'éducation familiale - CSIS") composed of associations, administrative departments and experts. The corresponding council makes proposals to the public authorities.
- The Superior Council on Vocational Equality between women and men ("Conseil supérieur de l'égalité professionnelle entre les femmes et les hommes") is made up of trade-unionists' and employer's representatives, as well as of public sector representatives and experts. It realises studies and formulates proposals in order to make the equality issue progress.
- The National and departmental action commissions against violence on women ("Commission nationale et commissions départementales d'action contre les violences faites aux femmes") is a platform for public actors in order to reflect on actions to be taken in this domain and to harmonize national and local policies.
- The Observatory on Parity between women and men studies the situation of women on the national and international grounds. It formulates measures in the framework of gender parity.
- Two delegations at the level of parliament have been created at the National Congress ("Assemblée nationale") and in the Senate with the objectives to monitor the application of the gender equality legislation, to formulate recommendations and to inform the elected representatives.

The Ministry for Parity and Vocational Equality is subsidizing NGOs in its sphere of activity whereof a national network of 115 information centres on women's rights

("Centre national d'information et de documentation des femmes et des familles" - CNIDFF).

The ministry pursues an integrated approach of gender mainstreaming based on specific and horizontal measures. The CEDAW convention is applicable in France since 1984 and guides the public authorities.

Social dialogue and a territorial approach are directing principles for the French Minister of Parity and Vocational Equality.

About 30 partnership agreements have been signed with the ministry and the other administrations and organisations. The yellow budget on women's rights and equality ("jaune budgétaire des droits des femmes et de l'égalité") has been introduced. It presents the financial effort of the French Government and the analysis of the actions of the different public actors in the field of equality.

The Ministry for Parity and Vocational Equality intensifies its efforts to collect and disseminate data disaggregated by sex

## 9. Germany

The legal basis to implement an effective equal opportunities policy derives from Article 3, par. 2 of the Basic Law of the Federal Republic of Germany. "Men and women have equal rights. The State promotes a real enforcement of equal rights for women and men and works towards the elimination of existing disadvantages." The current Federal Government acknowledged the equality of men and women as an ongoing guiding principle of its policies and actions within the meaning of "gender mainstreaming". The gender mainstreaming principle is also embedded in section 2 of the Federal Equal Opportunities Act ("Bundesgleichstellungsgesetz"), which entered into force in December 2001.

The following public institutions ensure and implement equal opportunities for men and women in Germany:

- Committee on Family Affairs, Senior Citizens, Women and Youth of the German "Bundestag" (Parliament)
- Committee on Women and Youth of the "Bundesrat"<sup>44</sup>
- Federal Ministry for Family Affairs, Senior Citizens, Women and Youth. In 1998, there was a paradigm shift from women's policy to equal opportunities for women and men. The Gender Equality Department at the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth currently consists of seven sections with a staff of about 50 people in Berlin and Bonn. The missions of the Gender Equality Department are multilateral and consist among others in implementing gender mainstreaming into the federal administration, in preparing legislation, in developing programmes and research in the fields of gender, in giving support to women's organizations respectively to their projects, in chairing steering and working groups, in closely cooperating with the "Länder", as well as in conducting information and awareness raising among the general public. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth's budget grew between 1985 to 2003 from 3.2 million DM to 11.25 million EUR for legal and social equal opportunities measures. The other ministries, according to the gender mainstreaming strategy, also deal with gender issues, and in a number of ministries there are also sections for gender equality in their purview, which closely cooperate with the Gender Equality Department of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth.

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<sup>44</sup> The "Bundesrat" represents the interests of the federal states

The Federal Government reports on several institutional working groups and other mechanisms to implement gender equality. These are

- Implementing of gender mainstreaming by an inter-ministerial working group (“Interministerielle Arbeitsgruppe“) with an equal opportunities chairperson since 1999 <sup>45</sup>
- Gender Competence Centre (“Gender Kompetenz Zentrum“)
- Federal Act on Appointment to Bodies (“Bundesgremienbesetzungsgesetz“)
- Cooperation with NGOs/women’s associations. The German Women’s Council annually receives an amount of approx. 520 000 EUR as institutional support from the federal budget. For the promotion of seminars and other meetings of women’s organizations on federal level, the federal government annually grants approx. 1.3 million EUR.
- Establishing a nationwide women’s portal on job and career (start on 8 March 2005)
- Institutionalised exchange of views with all actors in the federal system and civil society in the field of combating violence against women via two federal working groups: one on trafficking in human beings, one on domestic violence
- Dissemination of UN equal opportunities policies.

Below the federal level, the “Länder“ and the local authorities are responsible for realizing gender equality at regional level.

- The “Länder“ have all their own equal opportunities acts and their equal opportunities offices, which however are differently incorporated in the administration. The Conference of Ministers for Equal Opportunities for Women (GFMK) met for the first time in Potsdam in 1991. The GFMK is considered as an important tool for accompanying the federal government’s policies, especially in the fields of labour market, family law, old-age security and promotion of science policy.
- The local authorities feature now<sup>46</sup> more than 1900 municipal equal opportunities offices or women’s representatives with a coordinating body located in Berlin.

## 10. Greece

The ministry responsible in Greece for the implementation of gender equality is the Ministry of the Interior, Public Administration and Decentralization with its General Secretariat for Equality. The General Secretariat for Equality employed in 2004, 54 employees and managed a budget of 2.01 million EUR.

Four kinds of institutions are to be mentioned to describe the Greek situation. These are several Regional Committees for Equality, an Inter-ministerial Committee for Gender Equality, whose tasks are the promotion of the national policy for gender equality and the co-ordination of ministries and institutions of public sector, a Permanent Parliamentary Committee for Equality and Human Rights as well as the Research Centre on Gender Issues.

The legislative framework for gender equality was established in Greece with the Constitution of 1975, which stated that Greek men and women are equal before the law and have equal rights and obligations. Important laws concerning family, education, equality in work relations and social security have been passed on the basis of this Constitution.

Law 2839/2000 established thirteen Regional Committees for Equality operating in the capital cities of the regions of the country. The Regional Committees for Equality are constituted by decision of the Secretary General of the Region and consist of:

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<sup>45</sup> results of the implementation process are presented on the website [www.gender-mainstreaming.net](http://www.gender-mainstreaming.net).

<sup>46</sup>In 1982, the first equal opportunities office was established in Cologne.

- The Secretary General of the Region as President
- Two representatives of the General Secretariat for Gender Equality of the Ministry of the Interior, Public Administration and Decentralization
- One representative of the Association of the Prefectures Local Authorities of Greece
- One representative of the Central Association of Municipalities and Communities of Greece

By Prime-Minister's decision, an Inter-ministerial Committee for Gender Equality was established in 2000. The tasks of this Committee are the decision-making for the promotion of the national policy for gender equality and the coordination of ministers and institutions in the public sector for the process of policies and actions for women at central, regional and local levels.

The Research Centre for Gender Equality (KETHI), was founded in 1994. KETHI, has a legal entity under private law and is supervised and funded by the General Secretariat for Equality of the Ministry of the Interior, Public Administration and Decentralisation. KETHI activities have a dual focus: to conduct social research on gender equality issues and to improve women's status and enable their advancement in all areas of political, economic and social life, within the framework of the policies defined by the General Secretariat for Equality. The research centre had in 2003 a budget of 1.18 million EUR.

In November 2004, the Governmental Committee approved the National Action Plan titled "National Policy Priorities and Axes of Action on Gender Equality (2004-2008)" which provides for the **establishment** of a new national mechanism, the Committee for Equality between Men and Women, as a permanent tool for dialogue between Government and representative organizations and non-governmental organizations, in order to form and monitor relevant policies. The Committee is expected to be of biennial service and enlarged composition. The Minister of the Interior, Public Administration and Decentralization will be the President, substituted at his/her absence by the Secretary General for Gender Equality, who will participate as a regular member, the General Secretaries of competent Ministries (Economy, Development, Education and Religious Affairs, Agricultural Development, Employment and Social Protection, Health and Social Welfare), representatives of local authorities and the regions, social partners, tertiary organizations of civil servants and farmers and of the Economic and Social Committee, as well as important non-governmental organizations. The aim of the Committee will be the planning of suitable policies on gender equality, including legislation, the submission of proposals and measures for their realization, the monitoring of their implementation and the evaluation of their results at national and regional levels.

## 11. Hungary

In 1995, the "Hungarian national mechanism ensuring equal status for women" was established by a government resolution<sup>47</sup>. Based on this, the Secretariat for Women's Policy started within the framework of the Ministry of Labour, as the only governmental organisation responsible for improving the situation of women. There were no other organisations or institutions at regional or local level. Since 1996, the Secretariat for Women's Policy became the Secretariat for Equal Opportunities, and then in 1998, the Secretariat for Women's Representation as part of the Department of Social Relations of the Ministry of Social and Family Affairs. The Directorate General for Equal Opportunities was established in 2002 within the Ministry of Employment Policy and Labour, and its mandate was clearly establishing and developing the national mechanisms for applying the equal opportunity principles in specialist policies (gender mainstreaming). In May 2003, the director of the

<sup>47</sup> Res. no. 2268/1995 (IX.8.) on the distribution of labour in connection with the policy on women

Directorate General for Equal Opportunities was appointed Minister without portfolio in charge of equal opportunities. The minister's main tasks are to present and enforce criteria of equal opportunities in government's activities.<sup>48</sup> The Government Office for Equal Opportunities was set up as of 1 January 2004. The Office is a public administration body with nation-wide powers reporting to the Government. The Office's duty is to promote the application of equal rights, equal opportunities and equality of women and men.

Late summer 2004, the Ministry of Youth, Family, Social Affairs and Equal Opportunities was created by combining a number of ministries. The promoting of the enforcement of equal social opportunities for men and women is one of the minister's basic tasks.<sup>49</sup> Within this role, the minister shall perform the tasks connected to the co-ordination and control of the implementation of the CEDAW Agreement and shall prepare the reports on the enforcement.

In order to accelerate the related legislation and action programmes and to involve civil associations representing women's in tests, the Government established the Women's Representation Council<sup>50</sup>. The Council is a consultation body that offers comments and proposals for preparing the Government's decisions and co-ordinates the implementation and control of action programmes promoting equal opportunities for women. The Council has the right to comment the course of preparing legislation and measures affecting equal opportunities for women. Its members consist of representatives of civil associations that work to improve the equality of opportunities for women and nation-wide civil associations representing women's interests, as well as persons who pursue outstanding scientific and practical activities in the field. The creation of the Council contributed to providing greater publicity for the issues and debates on the situation of men and women for the first time.

Following the 4<sup>th</sup> World Conference of Women held in Beijing, the Hungarian Government set up an Inter-ministerial committee for implementing the action programme, the task for this was to co-ordinate the Government's work aimed at ensuring equal opportunities for women.<sup>51</sup> The Government specified tasks concerning the enforcement of women's human rights, ensuring equal opportunities for women in the labour market and in social affairs, teaching about gender equality and preventing violence within the family in the Government resolution. The decision also included the introduction of support services to strengthen civil associations and the development of an information system containing appropriate segregated data. No new national action programmes have been produced since the deadline set for implementing the Government resolution has expired.

The political role assumed by women in the parliament has not shown an improving trend in terms of the number of female MP's in Hungary since the political regime changed. Barely, ten per cent of MP's are women. The number of female ministers increased right after the parliamentary elections of 2002, since when the number has been fluctuating constantly. Yet, certain high political functions are filled with women, that is how it is possible that the chair person of the parliament, the chair person of an opposition party and the head of the parliamentary fraction of the governing party are all women. Women's aspects are not always applied in matters of public policy, gender mainstreaming has not permeated this sector.

Within the parliament committees, a Sub-committee for Women's rights was set up in 1998, in the framework of the Committee for Human Rights, Minority and Religious Affairs. In June 2003, the Sub-committee for Equal Opportunities was established.

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<sup>48</sup> Government Decree no. 107/2003. (VII.18.) on the roles and responsibilities of the Minister without Portfolio in charge of equal opportunities

<sup>49</sup> Government Decree no. 289/2004. (X. 28.) on the roles and responsibilities of the minister

<sup>50</sup> Government resolution no. 1059/1999 (V. 28.)

<sup>51</sup> Government resolution no. 2174/1997 (VI. 26.)

This Committee deals with the situation of disadvantaged groups of society in general and is not only focusing on women's affairs. The issue of equal opportunities for genders arises however as a criterion for the work of several parliamentary committees (Employment Policy Committee, Social Committee, Committee for Demography Policy).

Improving the situation of women and the cause of equal opportunities for genders are becoming more and more an important aspect in the politics of the Hungarian Socialist Party. The Women's Section actively participates in influencing decisions and applying women's perspectives.

## 12. Ireland

In Ireland, the Department for Justice, Equality and Law Reform has the support of a Minister of State. The Gender Equality Section of the Department for Justice, Equality and Law Reform is responsible for implementing the Irish Government commitments on gender equality, including policy development on gender issues, monitoring gender equality and reporting on gender equality issues for other Government Departments and State Agencies. 10 persons of the Equality Section work on policy matters. An NPD Gender Equality Unit is financed by the Structural Funds and employs 5 people.

The Childcare Directorate with a staff of 21 persons is charged to administer a budget of 449 million EUR to increase the supply and quality of childcare throughout Ireland as part of the National Development Plan 2000 - 2006.

The National Steering Committee on Violence Against Women is aimed at bringing together State organizations and voluntary bodies working with women who are the victims of violence.

Regional Committees have also been established in each of the eight health boards to co-ordinate the relevant services at local level.

The Equality Authority (previously the Employment Equality Agency) was created under the Employment Equality Act and operates under the aegis of the Minister for Justice, Equality and Law Reform. It has statutory responsibility to work towards the elimination of discrimination and the promotion of equal opportunities on all nine grounds of the equality. The Authority has a staff of 45 and its budget for 2003 was 4.85 million EUR.<sup>52</sup> The Authority also provides information on legislation governing maternity, adoptive and parental leave.

The Office of Director of Equality Investigations (ODEI - the Equality Tribunal), under the aegis of the Minister for Justice, Equality and Law Reform: provides the main locus of redress of first instance for equality cases arising under both employment equality and equal status legislation. The Equality Tribunal has a staff of 31 including its Director, and its budget for 2003 was 1.85 million EUR.

More specifically, the following equality structures should be mentioned too:

- the Gender Equality Unit of the Department of Education and Science: co-financed by the Structural Funds
- the Equality Unit of the Department of Finance: to support the development of equality initiatives in the civil service including gender equality.
- the Women's Health Council with a staff of 7 and a budget of just over 0.5 million EUR
- the Crisis Pregnancy Agency with the task to draw up a national strategy to address crisis pregnancy
- the Focal points to assist with reporting on gender equality exists at each Government Department
- the Centre for Social Partnership: to support change and innovation in the

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<sup>52</sup> Because the Authority operates an integrated equality agenda across the 9 grounds of the equality legislation, it is difficult to itemise the staff working on gender except on casework where in 2003, 19% of the caseload was on gender.

- workplace including in relation to work-life balance policies
- the National Framework Committee for work-life balance policies
- the National Framework Committee for Equal Opportunities at the Level of the Enterprise
- the National Women's Council of Ireland affiliating 156 member organisations. The annual funding by the Department for Justice, Equality and Law Reform was in 2003, 0.56 million EUR
- the Irish Observatory on Violence against Women
- The Joint Oireachtas Committee on Justice, Equality, Defence and Women's Rights: reports on the impact of national equality policy and legislation on women. The Joint Committee has established a Sub-committee on Women's Rights.

### 13. Italy

The Minister responsible for implementing gender equality is the Minister for Equal Opportunities. The Minister for Equal Opportunities has got its tasks broadened since February 2002. The Minister for Equal Opportunities was appointed for the first time in 1996 and provided with a wide range of tools and powers related to mainstreaming functions. The Minister for Equal Opportunities is playing a co-ordinating role in national policy within particularly sensitive areas (e.g. childhood, immigration, adoption of foreign children), which are characterised by hardship and discrimination. The Minister is supported by the Equal Opportunities Department and the National Commission for Equality and Equal Opportunities.

The Equal Opportunities Department, which was set up by a Prime Minister's Decree in 1997, is the administrative body supporting the Minister for Equal Opportunities. The Department is in charge with coordinating and monitoring relevant measures which were adopted under the National Plan of Action on Equal Opportunities (March 1997). The work of this Department is supported by the National Commission for Equality and Equal Opportunities. In 2004, an Office for Promoting Equal Treatment and acting against Discriminations has been established at its level.

Other relevant institutional structures are 1) the National Committee for the implementation of the Principles of Equal Opportunities between women and men created in 1991 and placed under the Ministry for Labour and Social Affairs, it has a consultative function and was reformed in 2003, 2) the Observatory for women's entrepreneurship (1997) placed under the Ministry for Industry, Trade and Craft, 3) the Equal Opportunities Councillors, present in the national, regional and local levels, 4) an Equal Opportunities Commissions and Committees established in all public administrations and in the main enterprises..

In 2001, the new Italian Government established institutional reforms, which aim to increase the percentage of women in decision-making positions, to give women full access to employment, to social services and to economic resources. As main guideline for further carrying out, the Italian Government mentions a National Action Plan according with the EU directives under the responsible Ministry for Equal Opportunities. Both the Italian Plan of Action and the Ministry for Equal Opportunities emphasize the importance of the relation between gender mainstreaming in government policies and the process of women's empowerment at all levels.

In the last few years the Italian Government focused on the principle of mainstreaming and on adopting a gender perspective in all choices, policies and actions promoted by the State.

### 14. Latvia

Since 1999, the Ministry of Welfare is the designated institution responsible for the development of the gender equality policy. In February 2003, the Department of

European and Legal Affairs was set up as the governmental body responsible for gender equality issues and has generated a Gender equality unit which employs 3 people in 2004. The budget of the unit is not stated separately.

Important institutional mechanisms responsible for gender equality are:

- The Gender Equality Council which was established in 2002 to ensure the implementation of gender equality at the highest level. The council is established and approved by the Cabinet of Ministers and contains 12 representatives of the top level of public administration, non-governmental and research institutions. The members of the council are elected for three years. The Minister of Welfare chairs the Council. The Gender Equality Council has an advisory function for the implementation of gender equality at all levels of public institutions.
- An Inter-ministerial working group with representatives from line ministries, NGOs, Latvian Free Trade Union and Latvian Employers Confederation, with the task to coordinate the incorporation of gender equality principles in programmes and legislative acts. The inter-ministerial working-group was set up in December 2001.
- The National Human Rights Office, with the task to monitor the compliance with norms in respect of gender equality.
- The State Labour Inspectorate, which enforces application and supervision of the labour and health legislation.
- Line ministries / Secretariats of Ministers for Special Assignments, with the task to coordinate and incorporate gender equality principles into current and future policies.
- The Women's Inter-parliamentary Cooperation Group, which was set up in 2003. All women parliamentarians are involved in this group, with the task to highlight gender equality issues in different areas and to discuss conclusions for the society as a whole.
- A Gender Equality Subcommittee, with the task to promote gender equality and gender mainstreaming on the legislative level by preparing proposals for legislative changes, raise discussions about gender equality, exchange with other countries, etc.
- The Central Statistical Bureau of Latvia, with the task to analyse gender related problem fields.
- The Latvian School of Public Administration, involving local and foreign experts for developing gender-trainings.

The first strategic document in the field of gender equality policy was the Concept Paper on Gender Equality Implementation. The Concept Paper was developed in close cooperation between governmental institutions, non-governmental organizations, researchers and branch experts and was accepted by the Cabinet of Ministers in October 2001.

The Programme for the Implementation of Gender Equality for 2005.-2006 was accepted in the Cabinet of Ministers in September 2004. The overall aim of the programme is to promote an efficient, integrated and coordinated implementation of gender equality issues and to develop sustainable institutional mechanism. Four main directions of action have been identified: education at all levels and awareness raising in the society about gender equality issues; reconciliation of work and family life; improvement of the administrative capacity to work with gender equality issues and improvement of the gender equality policy mechanism; prevention of violence.

The most important laws containing new norms promoting gender equality came into force during 2002: Labour Law and Law on Labour Protection. The standards of equal treatment for men and women are incorporated in these laws – equal pay, equal access to employment, vocational training and promotion, and working conditions, parental leave, burden of proof in cases of discrimination based on sex and protection of pregnant workers. One of the recent changes to promote reconciliation of work and family life is the paid fatherhood benefit since 2004.

Development of gender mainstreaming is very important for the development of gender equality. Possible new forms of co-operation, capacity building and development of methodologies and instruments are of very high importance. A non-stop education and information about gender mainstreaming of all involved partners has become a regular measure.

## 15. Lithuania

From 2000 to 2004, a major development in the reform of the Lithuanian legal system was accomplished. The Law on Equal Opportunities for Women and Men contains a gender mainstreaming provision establishing duties of all public institutions to implement equal rights for women and men within the limits of their competence.<sup>53</sup> Newest amendments (2002) cover equal opportunities in access to and supply of goods and services. The new legislation is an important step for Lithuania to bring its system in line with international standards on human rights and principles of gender equality. Lithuania has ratified the Optional Protocol to CEDAW in June, 2004.<sup>54</sup>

Mechanisms for gender equality and advancement of women face interrelated levels.

At parliamentary level

- The Human Rights Committee and Family and Child's Affairs Commission, which initiates and considers laws on gender equality, anti-discrimination and fulfills parliamentary control of human rights bodies (large definition).
- The Women's Parliamentarian's Group established in 1997: the Group serves as a meeting point for exchange of opinions. (15 members)

At governmental level<sup>55</sup>

- The Prime Minister's Advisor appointed in 2002: Assists and advises the Prime Minister to formulate gender equality political provisions and priorities, to take and implement the decisions on family, children, youth, gender equality issues and relevant NGOs. (1 person)
- The Ministry of Social Security and Labour, its task is the coordination of the integration of equal opportunities of women and men in all spheres and the implementation of equality for women and men in the field of social security and labour. (1 employee)
- The Inter-ministerial Commission of Equal Opportunities for women and men, formed by the Government in 2000; comprises representatives of all ministries, of the statistical department and works closely with other structures, as well as with the Equal Opportunities Ombudsman's office and Women's NGO's. (18 people) It has several tasks in the process of realising gender equality and especially the coordination of The National Programme on Equal Opportunities for Women and Men 2003-2004 which contains the activities of the several levels.<sup>56</sup> The Commission is accountable (prepares annually reports) to the Government.
- The Statistics department at the Government of Lithuania collects statistics by gender and since 1997 publishes it in "Women and men in Lithuania".

<sup>53</sup> 1) ensure that equal rights for women and men be guaranteed in all the legal acts drafted and enacted by them; 2) draw up and implement programmes and measures aimed to establishment of equal opportunities for women and men 3) in the manner prescribed by the law, provide assistance to the programmes of public organisations, public institutions, societies and charitable foundations which assist in the implementation of equal opportunities for women and men.

<sup>54</sup> The Lithuanian programme contains a priority provision on policy to ensure equal opportunities for women and men in seeking education, in upgrading their qualifications, in employment, promotion, setting the salaries; to enable women to participate on equal conditions in all areas of political and public life and high-prestige activities, to occupy leading positions in public administration institutions.

<sup>55</sup> No independent budget is available

<sup>56</sup> it covers both women's human rights, including combating of violence against women, trafficking in women, health protection issues and equal opportunities in the areas of employment, education and science, policy and decision making. Separate part of the Programme covers development of tools and methods, development of institutional mechanisms and improvement of statistics.

#### Independent bodies

- The Independent Equal Opportunities Ombudsmen (established in 1999) supervises the law on equal opportunities for women and men, investigates complaints relating to both direct and indirect discrimination on the grounds of sex, sexual harassment and imposes administrative sanctions, submits recommendations to State government and administration institutions on the revision of legal acts and priorities on the implementation of equal rights. The Ombudsperson reports annually on the state of the Law to the Parliament. It has 9 people with the ombudsperson and has a budget in 2004 of 550 000 LITAS.
- Gender studies and research centres: 3 centres provide gender competence, gender research, expertise, advocacy, mediation, consultations. They are funded through projects

Local level. In 2001 Vilnius municipality appointed a person responsible for equal opportunities.

Gender mainstreaming issues are integrated into several programmes. The Lithuanian Government states that public policy contains a gender equality dimension.

#### 16. Luxembourg

Gender equality mechanisms are implemented in Luxembourg at governmental, at parliamentary and at municipal level.

- In 1995, an independent Ministry for the Advancement of Women (“Ministère de la Promotion Féminine”) was created at governmental level. In 2004, the appellation of the ministry is changed to Ministry for Equal Opportunities<sup>57</sup> (“Ministère de l’Egalité des chances”) but the agenda remains similar with gender equality and gender mainstreaming. The new label should accentuate more the fact that the ministry is focusing its activities explicitly on both women and men. The Ministry for Equal Opportunities is one of the 19 ministries of the new government established since 31 July 2004. The ministry can rely since its establishment in 1995 on yearly increasing funds. In 1995, it hold a budget of 3.42 million EUR, which represented 0.10% of the state budget, and increased in 2004 to 7.87 million EUR, or a share of 0.14% of the global state budget. The ministry employs full-time 11.5 persons. The coordinating of the policy in favour of the advancement of women as well as the communication with all regional and national counselling bodies fall under its activities. Furthermore, the Ministry for Equal Opportunities chairs the inter-ministerial policies related to gender equality, promotes gender impact studies and positive actions in the economy (private sector). It is also in charge of international relations in the field of gender equality and supervises the execution of measures for the protection of women, girls and children, victims of violence.
- In 1996, the Inter-ministerial Committee for Equality between women and men (“Comité interministériel pour l’égalité entre les femmes et les hommes”) was installed as an advisory body with the specific mission to support the transmission of the gender equality principle at all political levels (gender mainstreaming).
- The Female Labour Committee (“Comité du Travail Féminin”), created in 1984, was put in 1995 under the coordination of the actual Ministry for Equal Opportunities. It is a counselling body in the fields of labour, education and training of women.

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<sup>57</sup> The denomination implies equal opportunities for women and men (restricted definition).

- In 1999, the Committee for Positive Actions (“Comité des Actions Positives”) was launched in order to supervise the allocation of grants to companies with a special gender policy. It brings together Members of the government and of the social partners.
- At the level of the Parliament, a specific and permanent Commission for equal opportunities between women and men and the advancement of women (“Commission pour l'égalité des chances des femmes et des hommes et de la promotion féminine”), was instituted in 1996. In 2004, the specific commission was integrated in a broader committee, i.e. the Commission for family, equal opportunities and youth (“Commission de la famille, de l'égalité des chances et de la jeunesse”). The scope of this commission is to analyse legal proposals regarding equality between women and men. The integration of the gender principle into the other parliamentary commissions still remains a challenge according to the Luxembourg Government. A yearly hearing on the advancement of gender equality policies is organised in March in Parliament.
- At the level of the municipalities, advisory bodies (“commissions consultatives”) are institutionalised in the field of implementation of gender equality in 59% of the communes (2004).

In 2001, a new National action plan for equality between men and women (2001-2005) was launched in order to complete the commitments taken in 2000. The new government implemented since August 2004, has declared its intention to introduce gender focal points at the level of each ministry and to make a gender impact assessment of all political measures.

In Luxembourg, some important laws about gender equality have been endorsed in the last six years notably in the fields of labour and employment with the introduction of an equality delegate in the groups of personnel representatives in companies of the private sector. Other laws concern the transposition of European directives (parental leave, discrimination based on sex, ..) or precede announced directives as for instance the law of 26 May 2000 regarding the protection against sexual harassment at the workplace. Finally, with the law of 15 May 2003, Luxembourg has approved the voluntary protocol of the CEDAW convention adopted by the UN in October 1999.

The implication of NGO's in gender equality and in particular that of Luxembourg's National Women's Council, an umbrella organization of 13 women's associations, subsidized through an annual grant of about 0.2 million EUR by the Minister for Equal Opportunities has to be mentioned too.

## 17. Malta

Following the Beijing Platform in 1995, the Maltese Government implemented gender mainstreaming as the main strategic objective to achieve gender equality.

Successive governments have been committed to the promotion of gender equality, both at law and in practice. Earlier on they began to implement an integrated approach towards women's equality and advancement in the legal, civil, political, economic and social spheres of the Maltese society. National machinery for women's equality and advancement was foremost among social measures adopted by the Government in 1989. However, it is very relevant to note that the first female candidate was elected to Parliament in the early '50s and became Minister in 1955.

In 1999, the Maltese Government reiterated its commitment to gender equality and integrated a gender perspective at all levels and in all Government departments. Since 2003, the Act to Promote Equality for Men and Women provides the legal mechanism to ensure full gender equality in all spheres.

The present government is focusing on de facto equality measures, namely, gender mainstreaming, the elimination of violence against women, women in decision making, the reconciliation of work and family responsibilities, and the conditions of work.

In Malta the Ministry responsible for implementing gender equality is the Ministry for the Family and Social Solidarity. However all ministries are responsible for the implementation of the government's policy on gender equality. The responsible mechanism for establishing gender equality is the National Commission for the Promotion of Equality for Men and Women (NCPE), which has been set up in January 2004. Its remit includes, among others:

- to identify, establish and update all policies directly or indirectly related to issues of equality for men and women;
- to identify the needs of persons who are disadvantaged by reasons of their sex and to take such steps within its power and to propose appropriate measures in order to cater for such needs in the widest manner possible;
- to monitor the implementation of national policies with respect to the promotion of equality for men and women;
- to liaise between, and ensure the necessary co-ordination between, government departments and other agencies in the implementation of measures, services or initiatives proposed by Government or the Commission from time to time.

The NCPE has prepared a document titled Strategies and Priorities 2004 -2006. The following is the expressed strategy:

- Promote and disseminate the values and practices underlying gender equality
- Improve the understanding of issues related to gender equality, including direct and indirect gender discrimination and multiple discrimination due to gender, by evaluating the effectiveness of policies and practice through prior analysis, monitoring their implementation and assessing their effects;
- Develop the capacity of players to promote gender equality effectively, in particular through the support for the exchange of information and good practice and networking on a national level.

## 18. The Netherlands

Political responsibility for co-ordinating emancipation policies resides either with a Co-ordinating Minister or a Co-ordinating State Secretary for emancipation policy. Under the present administration, the Minister of Social Affairs and Employment performs this role. In the interests of gender mainstreaming, the other ministers and state secretaries are also expressly responsible for emancipation policy in their own areas of competence.

The Department for the Coordination of Emancipation Policy, which has been part of the Ministry of Social Affairs and Employment since 1981, is responsible for the development of a cohesive emancipation policy and has also been given the task of putting emancipation issues on the political agenda as well as supporting and monitoring.

Interdepartmental coordination is among others facilitated by the Interdepartmental Committee for Emancipation Policy, which is chaired by the director or deputy-director of the Department for the Co-ordination of Emancipation Policy and brings together representatives from all the ministries. A number of ministries have an internal coordinating body. These advise their own ministers on emancipation issues relating to their ministries' area of competence. This is usually an emancipation committee. The authority and practical influence of these bodies differs from ministry to ministry.

General emancipation policy is discussed by the permanent parliamentary committee for Social Affairs and Employment, whereas other topics, such as domestic violence, education and health are discussed by other relevant permanent parliamentary committees.

In 2000, after the Special Session of the General Assembly of the UN, the Medium Term Emancipation Policy Document was further developed into a Multi-Year Plan on Emancipation Policy. In this document the following subjects were given a central place: Work; care and income; daily routine; power and decision-making; human rights of women and the knowledge society. The goals stretch to the year 2010. In 2005 the Multi-Year Plan on Emancipation Policy will be evaluated.

In 2001 the government adopted the policy document Gender Mainstreaming. A Strategy for quality improvement for the period 2001-2006. The policy document is a further development of the two-tracked policy and of the Plan of Action on Gender Mainstreaming 1998 – 2002<sup>58</sup>. The ultimate goal of the initiative is to integrate gender mainstreaming within the departments and the interdepartmental organisation and policy by the end of 2006.

In November 2000, the first Emancipation Monitor appeared, made by the Social and Cultural Plan Bureau (SCP) and the Central Bureau for Statistics (CBS) under authorization of the Department for the Co-ordination of Emancipation Policy from the Ministry of Social Affairs and Employment. The first Emancipation Monitor comprised information concerning the position of men and women in four areas: work, care and income; education; political and social decision making; violence against women. Where possible, information was classified according to background features such as age, ethnical background, education or the household composition. Two areas were added to the Emancipation Monitor 2002; daily routine and the information society. In the monitor, the most important developments are continually compared to the objectives in the government's policy. This constitutes a limited form of policy evaluation. The third Emancipation monitor was presented in November 2004.

In 2001 and 2002, a number of evaluations were conducted on (sections of) the emancipation subsidy scheme, both under the auspices of the subsidy provider and under those of the subsidy receivers. Partially based on the findings and recommendations of these investigations, the subsidy scheme has been replaced on 1 January 2004. Subsidy is exclusively granted to projects and it comprises 3 themes: (i) rights and security, (ii) labour force participation and economic independence, and (iii) decision-making and management. The target group of the projects are women in a vulnerable position.

Institutes are also granted subsidy, in order that the infrastructure in the field of emancipation remains guaranteed. Two institutions receive these subsidies: E-Quality, the IIAV (International Information Centre and Archives for the Women's Movement). The Dutch Women Alliance received subsidy until 2005.

The Equal Treatment Commission will be given the opportunity to investigate an individual company or organisation if these are structurally imposing unequal treatment. This is stated in the Bill on the Evaluation Act on the Equal Treatment Act which has been approved by the Council of Ministers on the suggestion of Minister of Interior and Kingdom Relations.

Subsidy schemes and emancipation support: A variety of subsidies were granted in the period 1998-2003 to non-governmental organisations for activities that supported and stimulated the emancipation process in society and the exchange of knowledge and skills between organisations promoting emancipation. To get track of the

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<sup>58</sup> Interdepartmental Plan of Action on Gender Mainstreaming 1998 – 2002 (House of Representatives Documents, 1998-1999, 26206, no 11).

effectiveness of the emancipation policy, the Co-ordinating Minister for Emancipation Policy has initiated in 2004 an independent external auditing committee which will test in the coming years the quality and the results of concrete actions and judge whether the embedding of the emancipation issues into regular government policy is making sufficient progress.

## 19. Poland

The Government Plenipotentiary for Equal Status of Women and Men was established after the elections in 2001. It has the following tasks:

- Analysing and evaluating the situation as far as equal status of women and men is concerned,
- drafting action programmes and legal regulations concerning gender equality,
- supporting activities of NGOs aiming at gender equality,
- submitting suggestions to relevant government institutions to elaborate or change legal acts concerning issues of gender equality.

The Plenipotentiary also fulfils its task by spreading knowledge about gender equality issues, especially in the field of the labour market and the education of younger generations and taking measures for solving problems arising from the violation of the equal rights of women and men. It is also tasked with combating of stereotyped perception of the roles of women and men. The Plenipotentiary established the Programming and Consulting Council consisting of scientists and representatives of NGOs. The Secretary of the Government Plenipotentiary employs 20 persons and has a budget of approximately 460 000 EUR.

For the first time in Poland an institutional network for gender equality promotion was created, the National Machinery Network. In December 2004, it consisted of 15 Voivodship Plenipotentiaries from among 16 Voivodship's Offices (the Government administration on the regional level) and several counties (self-government administration units on the local level), as well as of 11 persons in the central administration (ministries).

NGOs: there are about 350 women's organizations in Poland, but for most with insufficient financial resources.

There is no special committee in the Polish Parliament dealing with the issues of equal status of women and men. The Parliamentary Group of Women, founded in 1991, is meant to be the first step to build an institutionalised women's lobby functioning across the division of political nature. The Group gathers over 70 representatives from both Parliament's chambers: the Sejm and the Senate.

In the last decade there have been a number of changes in the political, economic and social field in Poland. The realisation of gender equality was affected by these changes. The National Action Plan for Women for the years 1997-2000 was prepared by the Government Plenipotentiary for the Family and Women together with experts and NGOs, but after the parliamentary elections in 1997, the implementation of the National Action Plan was suspended. Gender equality issues and actions related to women's promotion were reduced to the minimum necessary for compliance with the EU requirements. In 1998, a draft law on equal status brought to the Government by the Parliamentary Group of Women was refused. However, after the parliamentary elections in 2001, it returned to the Parliament and is currently being discussed.

After the parliamentary elections in September 2001, the gender equality issues became more important in Polish policy. The Government Plenipotentiary for Equal Status of Women and Men coordinated work on the National Action Plan for Women 2003-2005 – the 2<sup>nd</sup> stage of implementation. The Plan was adopted by the Council

of Ministers on August 19, 2003. In December 2003, a permanent team of experts monitoring the National Action Plan was set up within the Secretariat of the Plenipotentiary. The team is consisting of 48 persons, representatives of the public administration, Government Centre for Strategic Studies and Central Statistical Office and NGOs representatives.

## 20. Portugal

From 1996 to October 1999, Portugal had a High Commissioner for Equality and the Family (Presidency of the Council of Ministers). From October 1999 to October 2000, Portugal had a Minister for Equality under the Presidency of the Council of Ministers. From July 2001 to March 2002, Portugal had a State Secretary for Equality responsible for the promotion of gender equality. The Parliamentary Committee on Parity, Equal Opportunities and the Family, existed from 1995 to March 2002. It existed before, for several years, either as an autonomous body or as part of the Parliamentary Committee on Rights, Liberties and Guarantees, which is the situation at this moment. Nowadays, the central government has two institutional mechanisms for gender equality: the Commission for Equality and Women's Rights (CEWR), created in 1991 replacing the previous Commission on the Status of Women created in 1977, both under the Prime Minister's Office; and the Commission for Equality in Labour and Employment, set up in 1979 under the Minister of Employment, is now regulated by the Law no. 35/2004.

The Commission for Equality and Women's Rights (CEWR) has a staff of 64 civil servants working in Lisbon and in its North delegation in Porto. It operates in the same way as a Ministerial Directorate General, in all fields relevant to gender equality and depends from the Minister of the Presidency of the Council of Ministers. Its strategy follows a dual and integrated approach of mainstreaming and specific actions including positive actions, as well as the reinforcement of equality networks in all ministries and partnership with NGOs, the social partners, the scientific community and the local authorities. It has, since its creation in 1977, a Consultative Council with two sections: a Joint Ministerial Section made up of representatives of governmental administrative departments relevant to the work of the Commission operating as Counsellors for Equality, and a Non-Governmental Organisations' Section, comprising NGOs that have similar objectives to the Commission or endeavour to improve women's living conditions and status or to promote equality. The tasks of the CEWR are: Promoting equal opportunities, rights and dignity for women and men, promoting effective co-responsibility of women and men in all aspects of family, professional, social, cultural, economic and political life; encouraging society to regard maternity and paternity as social functions and to accept the responsibilities resulting from there. The Commission is responsible for the implementation of the II National Plan for Equality and the II National Plan against Domestic Violence.

The Commission for Equality in Labour and Employment (CITE) is a tripartite body embracing representatives of Government, employer's confederations and trade unions, which receives and handles complaints, issues opinions on concrete cases when requested by individuals, companies, public services and courts, issues the opinion which employers must apply for prior to dismissing any worker who is pregnant or who is a recent mother; issues the opinion which employers must apply for if they do not agree that male or female workers with children under the age of 12 work part-time or with a flexible timetable; develops awareness-enhancing and training actions, promotes studies, works with public and private bodies, and proposes measures and recommendations to the Minister for Labour and the Minister for Public Administration. The Commission has a staff composed by 25 workers.

The two Autonomous Regions have both a mechanism for equality: Regional Consultative Commission for the Defence of Women's Rights (Azores, since 1997)

and the Office for Matters of Equality, Community Labour Issues and Documentation (Madeira, since 1997).

In Portugal, the most significant changes of legislation in the field of gender equality occurred after 1974, with the change to a democratic regime. Since the Beijing Platform for Action was applied, further improvements have been made and continue to be applied.

## 21. Slovakia

In 1999, the Slovak Republic terminated its 8 years long membership in the United Nations Commission on the Status of Women. At the present time, the following institutions are mandated with gender equality:

- The Department for Equal Opportunities and Anti-discrimination within the Ministry of Labour, Social Affairs and Family,
- the Commission for Equal Opportunities and the Status of Women in the Society with the National Council (=Parliament) Committee for Human Rights, National Minorities, and the Status of Women,
- the Commission for Equal Opportunities (former Commission for Women) at the level of the Confederation of Trade Unions.

Between 1997 and 2000, the National Centre for Equality between Women and Men was an information, documentation, and coordination centre. The Coordination Committee on Women's Issues (CCWI) was established as advisory, coordination and initiative body of the Government for the issues relating to the status and interests of women in all areas of life. The committee members included Government officials, representatives of the parliament, non-governmental women's organisations, trade unions, municipal authorities, selected central bodies of state administration, research institutions, religious representatives and experts. In 1998, the Committee was transformed into inter-ministerial expert body of the Minister of Labour, Social affairs and Family. The CCWI was concerned with gendered inequality between women and men in different areas of life, but had limited or minimal decision-making powers and did not have special budget for its activities.

The CCWI agenda was taken over by the Department for Equal Opportunities set up in February 1999 within the structure of the Ministry of Labour, Social Affairs and Family. This department was discharging the tasks in the area of equal opportunities for women and men and in the prevention of violence against women and domestic violence. In 2003, the competencies of the Department for Equal Opportunities were extended within the structure of the Ministry of Labour, Social Affairs and Family to include also the area of anti-discrimination. The department's tasks are financed within the budget of the sector and are determined by a budgetary allocation, but the budget does not cover all needed additional activities. The budget for its own activities amounted to 94 000 SKK (approx. 2 356 EUR) in 2002, 213 000.- SKK in 2003 (approx. 5 338 EUR) and 548 000 SKK (approx. 13 734 EUR) in 2004. The current Department for Equal Opportunities and Anti-discrimination has a staff of 9 people, 4 of them active on the special gender equality agenda.

In 2002, the first body for the status of women was created at parliamentary level, the Commission for Equal Opportunities and the Status of Women. The Parliamentary Committee cooperates with the Department for Equal Opportunities and Anti-discrimination, mainly through the Commission. The National Action Plan for Women (NAP) and the Concept of Equal Opportunities between Women and Men have become the Government's basic documents. Both programme documents are currently updated and monitored. The documents of the UN Millennium Declaration

and the Millennium Development Goals have been integrated into relevant sectional programme documents.

Slovakia has special anti-discrimination law, but no separate law on gender equality or on equal opportunities. In 2004, the National Strategy on Prevention and Elimination of Violence against Women and in Families was approved by the Slovak Government: The strategy will flow in 2005 into the preparation of the National Action Plan on Prevention and Elimination of Violence against Women.

## 22. Slovenia

The **government** body, which was introduced for the first time in 1992 and was since then operating under the name Women's Policy Office, was renamed in 2001 and now operates as the government Office for Equal Opportunities. The Office for Equal opportunities took over all the tasks of the previous office and in addition undertook some new tasks, which were added to its mandate on the basis of the government decision under which its working areas and its mandate are defined. Its role has been further strengthened by the entering into force of the two equality acts, the Act on Equal Opportunities for Women and Men (2002) and the Act implementing the principle of equal treatment (2004). The most important tasks of the Office are:

- Monitoring and promoting the application of the two acts governing equal opportunities of women and men and the principle of equal treatment;
- Co-ordination of actions to promote equal opportunities for women and men and implementation of the equal treatment principle in general;
- Formulation and coordination of gender equality policy at State level;
- Interventions in those areas of concern, which need to be addressed by different sectors and approached through different methods and strategies and are therefore not under portfolios of one specific ministry;
- Representation of the Government in gender equality activities of international and regional organisations;
- Initiation and promotion of gender-based research;
- Communication activities (reporting and dissemination of information);
- Co-operation with NGOs and provision of partial funding for their projects and activities.

In 2004, the Office received founding from the state budget amounting to 293 000 EUR and its staff has increased to occupy 7 posts on permanent basis and three posts of trainees.

At the level of government administration, in each ministry a co-ordinator for equal opportunities for women and men was appointed in 2002. Their main role is to provide information flow between the ministry and the Office for Equal Opportunities in ensuring that gender equality is becoming a part of the formulation of the policies of individual ministries (gender mainstreaming).

Five **local government** communities have also appointed a special coordinator for equal opportunities for women and men and other local governments are considering following these practice.

The Advocate for Equal Opportunities for Women and Men carries out law-enforcing function. This institute was introduced under the Act on Equal Opportunities for Women and Men. The Advocate investigates complaints from the public about alleged breaches of the equal opportunities legislation, issues a written opinion and in cases when the behaviour of an employer or a service provider is unlawful it recommends how this should be rectified. The advocate operates under the structures of the Office for Equal Opportunities.

Policy-advisory function shall be carried out also by the Council of the Government for the implementation of the principle of equal treatment. The Act Implementing the Principle of Equal Treatment (adopted on 6 May 2004) lays down the basis for its establishment. The composition of the Council is based on a participatory principle, thus ensuring representation of social partners and relevant non-governmental organisations. Procedure for its first meeting is well advanced.

### 23. Spain

Equality policies in Spain are mainly promoted, since 1988, through Plans on Equal Opportunities between Women and Men. These plans were approved by the Council of Ministers. The fourth Plan (2003 – 2006) is currently being implemented. The aim of this plan is to strengthen gender mainstreaming, maintaining specific equal opportunity policies, i.e. positive actions in any necessary areas.

The Institute for Women, set up by Law of 22nd October 1983, works with a staff of 140 people and a budget of 24.33 million EUR for 2004. The Institute is an autonomous national body under the General Secretary of Equality Policies which is attached to the Ministry of Labour and Social Affairs responsible for social equality between the sexes and the participation of women in the political, cultural, economic and social life. The Institute for Women also has a governing council that coordinates equality policies with different ministerial departments. The council includes representatives from NGOs as well as from the major trade unions.

The Observatory on Gender Violence was set up in 2002 by an agreement between the General Council of the Judiciary, the Ministry of Justice, the Ministry of Labour and Social Affairs, the Directorate of Public Prosecutions and the Autonomous Communities that have competences in justice. Its principal objectives are to give more effectiveness to the actions that these bodies are implementing themselves to eradicate the gender violence.

The Institute for Women's Observatory on Sexist Advertising was set up in 1994. It plays an increasingly important role as an instrument to analyse and to channel complaints derived from sexist advertisements in order to avoid a stereotyped, sexist image of women in the media and advertising.

The Observatory for Equal Opportunities was established in 2002 to promote values and disseminate practices regarding the equality of women and men.

In 2003, the Institute for Women has elaborated its eighth study "Women in figures", that aims to offer data about the evolution of the situation of women in Spain during the last 20 years.

#### **Regional level**

The Autonomous Communities have mechanisms in place to ensure equal opportunities for women and men and they also have their own Plans on Equal Opportunities between women and men. The Sectorial Conferences, formed by the Ministry of Labour and Social Affairs and his counterparts in the Autonomous Communities, have as objectives the collaboration, cooperation, coordination and encouragement of the equality policies. There are also collaboration agreements between the Institute for Women and the Autonomous Communities and between the Institute and the Local Corporations.

Spain has a legislative framework that ensures the same formal rights for women and men.

## 24. Sweden

The overall objective of Sweden's gender equality policy is to have the same opportunities, rights and responsibilities in all areas of life for women and men. This implies things like: equal distribution of power and influence between women and men, the same opportunities for women and men to achieve economic independence, equal conditions and opportunities in respect of entrepreneurship, jobs, terms of work, employment and advancement prospects at work, equal access to education and training and equal opportunities for developing personal ambitions, interests and talents, shared responsibility for children and the home and freedom from sexual (gender-related) violence.

For many years, gender equality work largely involved specific individual measures such as, information campaigns and efforts to influence attitudes. The lessons learned from this led to the conclusion that a different approach was needed and that gender equality policy initiatives must focus on the imbalance of power between women and men. In 1994, the Swedish Government therefore adopted the strategy of gender mainstreaming. The decision to apply new working methods and to clearly base gender equality efforts on a specific approach signalled the start of a wide-ranging, long-term process of change. Gender mainstreaming is now the principle model for gender equality work in Sweden, which means that all policy processes are to be integrated from a gender perspective. To proceed from rhetoric to practice the Government, in April 2004, adopted a gender mainstreaming action plan for the Government Offices. The action plan will apply for 6 years and should provide a common framework for the gender equality efforts within all of the ministries. This means that the strategy of gender mainstreaming is to be implemented in practice by all ministries in all parts of their work. As a consequence of this greater priority has been given to the task of coordinating and giving support to gender equality work within the ministries.

The Swedish Government comprises a number of ministers, each responsible for specific policy issues. Ever since Sweden adopted the strategy of gender mainstreaming, each minister has been responsible for gender equality in his or her policy area. The Minister for Gender Equality holds the overall responsibility for coordinating the Government's policy for gender equality. A state secretary, political advisers and The Division for Gender Equality support the Minister for Gender Equality. The Division is responsible among other things for coordinating and following up the Government's gender equality policies. It still, however, performs the important task of scrutinising the data supplied to the Government as a basis for policy decisions, but nowadays confines itself to studying a few selected reports of strategic importance for gender equality. The Division for Gender Equality also scrutinises appointments to government committees, agency boards and the like, with a view to maintaining an equal sex distribution. It works with a staff of 23 people and a budget of 2.2 million EUR.

Each ministry has its own organisational structure and its own internal work plan for the promotion of gender mainstreaming. In addition, each ministry has one or two gender equality coordinators whose task is to coordinate and carry forward gender mainstreaming efforts and to assist the ministry in its work with gender equality analyses, defining goals and indicators.

Access to basic data about the respective situations of women and men is essential if policy decisions are to be properly analysed from a gender perspective. Sweden therefore has an ordinance requiring all official statistics related to individuals should be disaggregated by sex.

A new ordinance is currently being prepared that will require from all government agencies to apply the strategy for the integration of gender equality into all spheres of activity.

In 2002, a special project was launched to help the Government Offices mainstream gender into the national budget process. The project focused on method development, identifying training requirements and collecting information about what is needed to ensure that gender is successfully mainstreamed into budget work.

The Equal Opportunities Ombudsman supervises the Equal Opportunities Act and the Equal Treatment of Students at Universities Act. The Ombudsman, occupying 28 people and handling a budget of 2.26 million EUR, also deals with complaints concerning discrimination based on sex including wage discrimination and sexual harassment.

In Sweden, there are 21 regional authorities – county administrative boards – that serve as an extension of central government authority. Each county administrative board has a gender equality expert to assist senior staff in their efforts to mainstream gender equality into their activities. This means 21 regional gender equality experts with a budget of 2.2 million EUR.

## 25. United Kingdom

The Women and Equality Unit (WEU), formed after the general election of 1997, has lead responsibility in the government for policy on women, gender equality and sexual orientation. There are two ministers for women in the UK government, one at Cabinet level and a Deputy Minister for Women. The Ministers for Women, supported by the WEU, are responsible for promoting and realising the benefits of diversity in the economy and more widely. This includes taking forward proposals on civil partnerships and the future of UK equality bodies. The Ministers develop policies relating to gender equality and ensure that work on equality across Government as a whole is co-ordinated. The WEU currently employs 63 staff, with a budget of £2.5m for 2004/2005.

**Northern Ireland** – the Office of the First Minister and Deputy First Minister (OFMDFM) is subject to the Programme for Government in Northern Ireland, which commits them to bring forward and implement cross-departmental gender and race strategies. The Gender Equality Strategy, as part of the Programme for Government, seeks to promote equality of opportunity and tackle inequalities between men and women, and boys and girls where that inequality relates to their gender, marital or relationship status, and whether or not they have dependants or caring responsibilities. The Gender Equality Unit (GEU) is responsible for developing and implementing this strategy. The GEU currently employs 5 members of staff and has a budget of £146 000 per annum.

**Wales** – the Equality Policy Unit (EPU) provides advice and guidance on equality matters to the Welsh Assembly and takes forward statutory obligations on equality. It also supports the work of the Committee on Equality who audits the Assembly's promotion of equal opportunities and avoidance of discrimination. EPU currently employs 9 permanent members of staff, with a Promoting Equality Fund Budget (PEF) for the financial year 2004-05 of £655 000.

**Scotland** – The Scottish Parliament, established following devolution in 1999, does not have competence to legislate about equal opportunities (this power is reserved to the UK Parliament) but one of its four founding principles is the promotion of equal opportunities. Its all-party Equal Opportunities Committee considers and reports on equal opportunities issues in the Parliament and the Scottish Executive (the devolved government in Scotland). The Scottish Parliament's Standing Orders also require all proposed legislation to be accompanied by a statement of its impact on equal opportunities.

Within the Scottish Executive, the Equality Unit was set up in 1999 to provide advice and guidance on equality matters, including those of gender, throughout the Executive. The Unit works closely with equality groups throughout Scotland including, on the gender side, the Equal Opportunities Commission Scotland, Engender and the Scottish Women's Convention. There are currently 28 staff in the Unit, 4 of whom work on gender equality and 3 of whom work on violence against women with a combined budget of approximately £6 million.

Important other institutional mechanisms can be described as follows:

The Women's National Commission (WNC) is an advisory non-departmental public body aimed at promoting the rights of women and eradicating all forms of discrimination in society. It presents women's views, priorities and concerns to Government and has a membership of over 230 women's organizations and NGOs. The WNC is accountable to the Minister for Women. The WNC have 4 permanent members of staff and a budget of £300 000 per annum.

The Equal Opportunities Commission (EOC) is a non-departmental public body working to eliminate all gender discrimination, and to promote equal opportunities between women and men. The EOC monitors the application of gender legislation. It covers all of Great Britain, including Scotland and Wales. It undertakes formal investigations, assists complainants and is active in the field of research and information policy. The EOC currently employs 150 staff, with a total budget of £9.5m for 2004/2005.

The Equality Commission for Northern Ireland (ECNI) is a non-departmental public body working to eliminate unlawful discrimination, promote equal opportunity for all and encourage good practice. The Commission has a wide range of powers and responsibilities, including advising and assisting complainants, investigation and enforcement, awareness- raising and review of equality legislation. The ECNI employs 143 staff and has a budget of £6.7m.

The Commission For Equality & Human Rights (CEHR) plans to bring together the work of the existing UK equality commissions (EOC, Disability Rights Commission and Commission for Racial Equality) and take responsibility for new laws outlawing workplace discrimination on age, religion, belief and sexual orientation. This was announced in the Queens Speech in November 2004 and a Bill will be introduced into Parliament when time allows.

### **3.1.3. Overview on the progress made in institutional development**

The current 25 Member States of the European Union all committed to the Beijing Declaration in 1995 and developed their political institutions in order to facilitate the integration of the gender equality principle in all actions and processes at governmental and parliamentary level.

In 2004, gender equality policy is administered in complex ways in the EU: All Member States have mandated civil servants with gender equality responsibilities. Sometimes these gender equality units are built up with a limited number of personnel under the authority of a general ministry. More often, the gender equality units are embedded in a combined ministry either with a visible denomination of the gender equality aspect or without this visibility but with a dedicated Minister for Gender Equality or Parity. In few cases, the Member States have implemented independent ministries with the main gender equality objective. Equality laws and laws to insure Gender equality have been introduced or reformed in the last decade.

Gender disaggregated data are collected in the areas of concern under EU-competence, but the gender specific data collection often remains a challenge.

Gender visibility in actions and processes has become more evident with the highlighting of the gender equality resources both in terms of human and budget implicated in the institutional mechanisms. Where the gender equality ministries, departments or units have a specific independence and mandate, the budgets for operational activities are transparent, the budgets related to the statutory staff implicated with the gender equality are most often integrated in the general state budget and not specified. At the current stage a first assessment of the budget and staff resources has been operated on the background of the present review. These data can give a first benchmark but need to be monitored in time. Also, these data will get more relevance when they are put in relation with other state activities.

Up to now, accountability mechanisms, based on gender impact assessment, gender reporting, the implementation of independent bodies (research centres, observatories), gender personnel with investigation power have started to be introduced by some Member States even if they are still at a basic stage of development.

As of 2004, the overview of implementation of institutional mechanisms in the enlarged EU can be quantified as follows by the frequency (%) of the national machineries at EU-25 level :

<b>% MS</b>	<b>National machinery</b>
44%	Gender equality ministers or state secretaries or combined ministries including gender equality
44%	Gender equality divisions, units, departments, sometimes in a combined ministry or not
16%	Operational Gender focal points at all public administration level
12%	Independent gender equality ministries
32%	Independent gender equality centers
48%	multi-partite government commissions, committees or councils targeting gender equality
44%	Inter-ministerial consultation groups for gender equality

## **3.2. IMPLEMENTATION OF ACTIONS IN THE OTHER AREAS OF CONCERN AT THE LEVEL OF THE EU MEMBER STATES**

### **3.2.1. Definition of indicators**

In December 1995, the European Council in Madrid acknowledged the commitments of Beijing. In the conclusions of the Summit, the European Council expressed that it “wishes to continue action in favour of women with at view to achieving fully equal treatment” and for this purpose “The European Union will also monitor annually the action platform which emerged from the Beijing Conference”.

Since then, the Council for Employment, Social Affairs, Health and Consumers Affairs has conducted the annual implementation reviews.

- In December 1999, the Finnish Presidency proposed 9 indicators on Women in Power and Decision-making, introducing a new methodology in the evaluation process.
- In 2000, the French Presidency presented a report and a series of indicators relating to the reconciliation of family life and working life.
- In 2001, the Belgian Presidency proposed indicators relating to the unequal pay between women and men (gender pay gap). Furthermore, the Council invited in 2001 the forthcoming Spanish and Danish Presidencies to consider the theme 'violence against women'.
- The Spanish Presidency prepared a study, which analysed the replies of a questionnaire, sent out to Member States on measures and data in the field of violence against women. On the basis of the study and a ministerial conference on violence against women, a report and a "Good practice guide" was presented to the Council in June 2002. At the spring European Council meeting in March in Barcelona 2002, the European Council stressed the importance of the declaration from the Social Council on violence against women. Consequently, when choosing its proposed indicators, the Danish Presidency proposed indicators that should facilitate achieving the common goal of eliminating violence against women and supporting victims of violence, in particular domestic violence. The definition of violence against women in the Beijing Platform for Action covers different forms of violence. The study and the indicators prepared during the Spanish and Danish Presidency mainly consider domestic violence. The Danish Presidency proposed that when revisiting the theme, the Council could consider taking up a broader definition, hence dealing with other perspectives and target groups.
- In 2003, the Greek Presidency prepared a comprehensive study, which analysed the replies of a questionnaire, sent out to Member States on measures and data in the field of economic decision-making. Based on the preparatory work of the Greek Presidency, the Italian Presidency subsequently formulated nine indicators on women and men in economic decision-making.
- In 2004, the Irish Presidency took the initiative to add to this information and carried out a comprehensive study, which analysed the replies of a questionnaire, sent out to Member States on measures and data on sexual harassment in the workplace. Based on this study, the Dutch Presidency formulated a limited amount of indicators that can facilitate the common goal of eliminating this particular form of violence against women.

Thus, on the background of the gender mainstreaming follow-up of the Beijing process, the European Union has by the end of 2004, adopted indicators in three critical areas of concern of the action platform , i.e.

- Critical area of concern F: Women and the Economy, 5 indicators
- Critical area of concern G: Women in Power and Decision-making, 3 indicators
- Critical area of concern D: Violence against Women and more precisely domestic violence, 1 indicator, and for sexual harassment in the workplace, 3 indicators were adopted by the December Council.

In particular, these agreed indicators are by majority based on comparable quantitative data.

Furthermore the European Union has adopted indicators in two other critical areas of concern of the PFA concerning Women and Poverty on the one hand and Women and Education on the other: The corresponding indicators have been adopted in the inclusion respectively in the employment process.

Thus, at the end of 2004, five of the twelve critical areas of concern defined by the UN can be monitored by indicators, whereas in the other critical areas of concern of the PFA, the European Union shall in case have to agree upon relevant indicators for measuring the impact of these areas on women. The areas of concern that are actually covered by EU indicators are under activity fields for which there exists a EU-wide competence.

The following sections shall present and analyse the developments of the EU Member States area by area on the basis of the measurement of the indicators.

### **3.2.2. Analysis of indicators and developments**

#### **1. Women and Poverty**

Poverty of women as critical area A of the Beijing Platform for Action is oriented through four strategic objectives, defined as follows:

- A.1. - Review, adopt and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty.
- A.2. - Revise laws and administrative practices to ensure women's equal rights and access to economic resources.
- A.3. - Provide women with access to savings and credit mechanisms and institutions.
- A.4. - Develop gender-based methodologies and conduct research to address the feminisation of poverty.

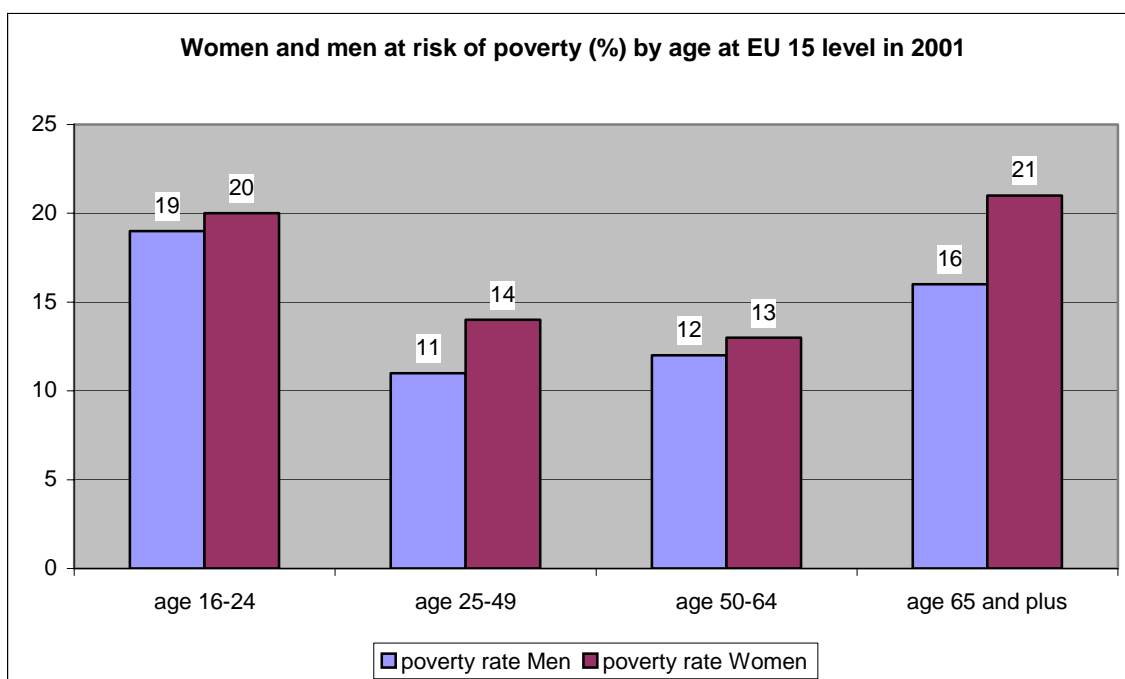
Women and poverty is strongly linked to MDG1 "Eradicate extreme poverty and hunger", MDG2 "Achieve universal primary education" as well as MDG8 "Develop a global partnership for development" of the Millennium Declaration.

The European Union is strongly committed to combating the feminisation of poverty since the Lisbon strategy.

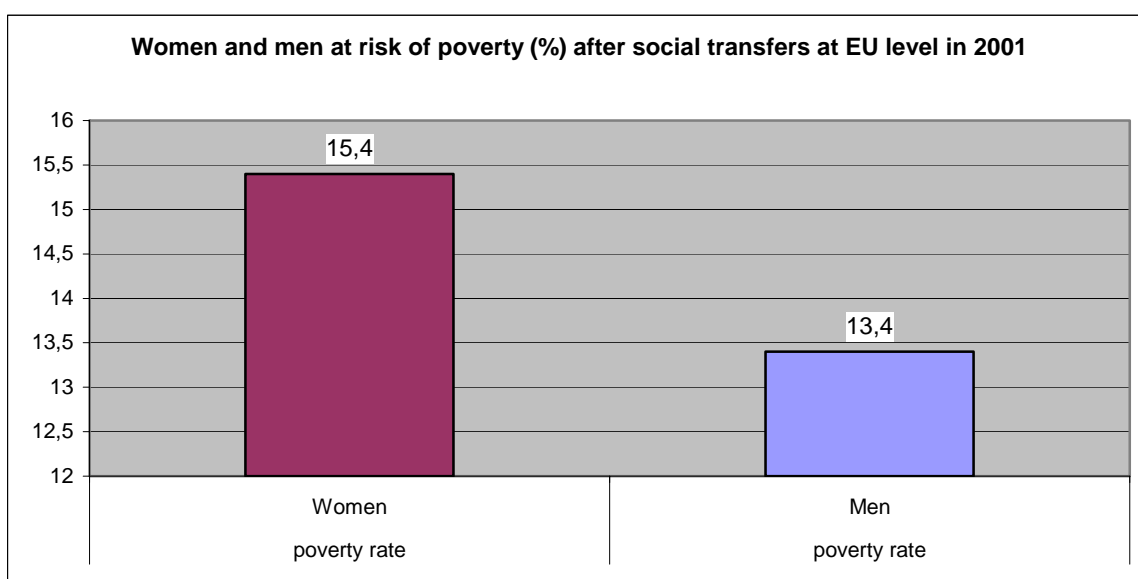
Availability and relevance of EU-wide indicators:

The High Level Group on gender mainstreaming proposed hereto an indicator agreed in the social inclusion process for measuring the situation of poverty and women, notably "Women and men at risk of poverty by age", as well as another possible indicator, the categories "Women and men at risk of poverty after social transfers". Both indicators can be followed up on the basis of statistical data series collected in the framework of the European household panel. Available data cover essentially the former EU Member States. The poverty rates for the ten new Member States are yet in the process of collection which will be an important part to further analysis of female poverty development in the EU.

Trends emerging of the European wide data:



Source : Eurostat ECHP



Source : Eurostat ECHP UDB, version 2003<sup>59</sup>

- As the data show, the at-risk-of-poverty rate in the EU-15 is almost identical for women and men in the age groups 16-24 and 50-64, but increases in two critical age groups, namely 25-49 (where the poverty risk is 3 percentage points higher for women) and increases even to 5 percentage points in the age category of women of more than 65 years.
- The at-risk-of-poverty rate after social transfers at EU level for the actual 25 Member States shows in 2001 a higher poverty rate of 2 percentage points for women. The at-poverty-risk rate after social transfers seems to be only lower for women in The Netherlands, in Poland and Latvia, whereas it is higher or equivalent for women in all the other Member States. The highest at-risk-of

<sup>59</sup> *Definition* : The at-risk-of-poverty rate after social transfers concerns the share of persons with an equivalised disposable income below the risk-of-poverty threshold, which is the national median equivalised disposable income (after social transfers). Gender breakdown is based on assumption of equal sharing of resources within household.

The absolute gap concerns the difference in rates between men and women for a reference year.

poverty rate for women after social transfers is given in 2001 for Slovakia and lowest in Ireland and Portugal. (See also more MS details in the annexed statistical table under 6.3.1.)

Trends emphasized by the reporting of the Member States to the UN<sup>60</sup>:

In their reports, the different Member States state that women continue to be more affected by poverty than men. According to the national analysis, this observation is motivated by different reasons: lower salaries, lower or no pensions, care for children ... The target groups mostly touched by poverty consist of elder, rural or migrant women. But according to the examination of the Member States, the most deprived women are the single mothers.

The majority of the Member States have currently introduced a social minimum revenue, adapted to the living costs in their contexts. They underline the fact that in the framework of the social inclusion process, they adopted a national strategy in order to combat poverty and exclusion which should specifically benefit to women.

Some Member States put their emphasis on the introduction of special and flexible financial measures for combating poverty affecting women by the way of parental insurance, child allowance, housing allowance and maintenance allowance.

Considering the rural women, some actions in the perspective of micro-credits are taken especially at the level of the new European Member States. Another vulnerable group in this area are the migrant women. Some governments highlight the deprivation of these groups of women, but only few measures are so far taken for these targets of women.

## 2. Education and Training of Women

The education and training of women was the second critical area of concern targeted by the international community in Beijing in 1995 and specified with the following six strategic objectives:

- B.1. - Ensure equal access to education.
- B.2. - Eradicate illiteracy among women.
- B.3. - Improve women's access to vocational training, science and technology, and continuing education.
- B.4. - Develop non-discriminatory education and training.
- B.5. - Allocate sufficient resources for and monitor the implementation of educational reforms.
- B.6. - Promote lifelong education and training for girls and women.

These aims are again reinforced in 2000 with the millennium development goals and particularly MDG2 "Achieve universal primary education" as well as MDG3 "Promote gender equality and empower women".

Availability and relevance of EU-wide indicators:

As far as the definition of relevant indicators and its monitoring is apprehended in this field by the European Union, the High Level Group on gender mainstreaming proposes so far two indicators agreed by the Employment Committee (EMCO)<sup>61</sup> to

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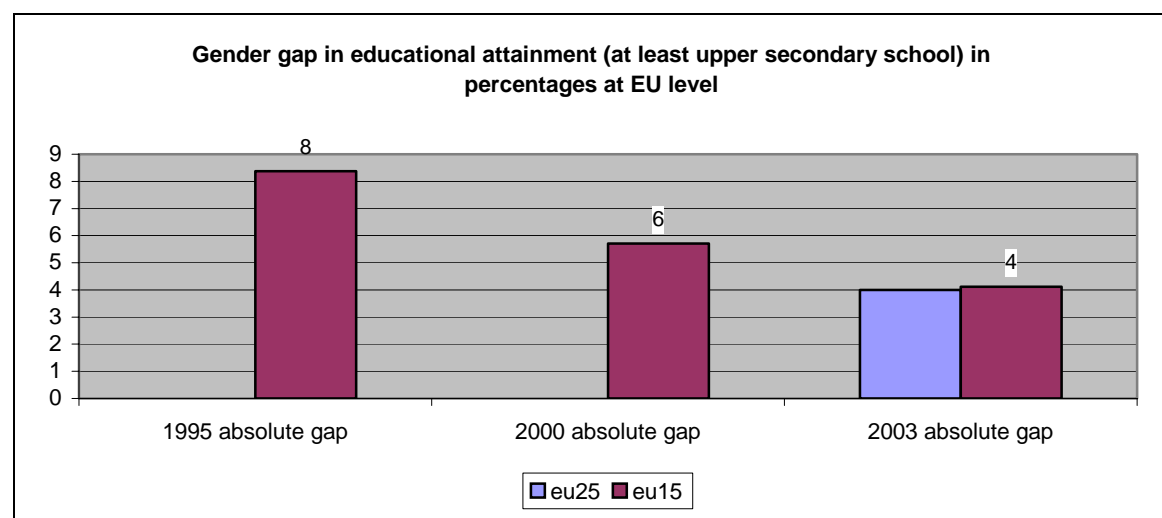
<sup>60</sup> Member States Responses to the Questionnaire on Implementation of the Beijing Platform for Action (1995) and the Outcome of the Twenty-Third Special Session of the General Assembly (2000); 2004

<sup>61</sup> There is another relevant structural indicator which is reported annually to the Spring Council: "Science and Technology graduates" not proposed by the HLG on gender mainstreaming.

measure educational and training developments for women. More specifically, the “Educational attainment (upper secondary school and third level) of women and men” as well as “Lifelong learning” are based on European-wide survey data which are collected by the European Commission over a long period of time.

- The indicator on educational attainment provides consistent information, which could become more targeted with linking it to the educational sector in which the grade was obtained.
- The indicator on lifelong learning, defined as the adult participation in education and training four weeks prior to the survey, is at the present stage not sufficiently solid to give an adequate view of the situation and its impact on both women and men (for more details, see also annexed table under 6.3.2.). As it is actually defined, the indicator on lifelong learning would need to be refined and adequately collected in order to insure a more firm monitoring.

Trends emerging of the European wide data:



Source : Eurostat, European Labour Force Survey

- The level of educational attainment, defined as the percentage of persons of the age group 15-64 that have reached at least the upper secondary school, shows a generally decreasing gender gap among men and women between 1995 and 2000 at European level. The absolute difference of the rate of educational attainment between men and women continued to decrease till 2003, where it is still 4 percentage points, equally in the EU 15 and EU 25 average.
- At the individual Member State level, the same highest and lowest trend as regards the educational gap between men and women is given in 1995 and 2003: during this period, the lowest educational gap between women and men is existing in Ireland and the highest in Austria, though the gap could be considerably reduced there over that period.
- More specifically, the level of educational attainment was higher for women than for men in a growing number of Member States between 1995 and 2003, among them also the new Member States of the European Union.<sup>62</sup> (See also annexed table under 6.3.2. for the MS details)

Trends emphasized on basis of the reporting to the UN:

According to the observations mostly reported by the Member States, the horizontal and vertical segregation of the female education choices continue to be the main problem in this area: on the one hand, women are underrepresented in natural

<sup>62</sup> The educational attainment was higher for women than for men in the following countries:

- in 1995: IE, SE, FI, and was equivalent in PT.
- In 2000: IE, LV, SE, FI, EE, PT, BE and equivalent in LT
- In 2003: IE, LV, SE, FI, PT, LT, EE and equivalent in BE

sciences and technical orientations at school and in the professional careers. On the other hand, the percentage of women decreases at the highest levels in academic and economic spheres. To stop these tendencies, most European Member States investigated in gender research, but they aim also to increase the consciousness for gender equality approaches with awareness raising activities. Some are focusing especially on trainings to increase the gender knowledge of teachers.

Some Member States concentrate their activities on preventive education measures for girls and women:

- Equal access to education for girls and boys, women and men,
- measures to eradicate illiteracy among women,
- vocational training, science and technology and higher education,
- non-discriminatory school education and vocational training
- occupational training courses aimed at enhancing women's training and employability.

Some Member States build on bringing potentially excluded women nearer to the information technology society.

Another preoccupying problem related to education is the resisting illiteracy, which concerns women more often than men (specifically older women and women in rural areas). Several measures to combat against illiteracy, including special training courses for women are reported, without being sufficiently developed according to the statements of the Member States.

### 3. Women and Health

The third critical area of concern defined by the action platform refers to women and health. The subsequent five strategic objectives specify the concern:

- C.1. - Increase women's access throughout the life cycle to appropriate, affordable and quality health care, information and related services.
- C.2. - Strengthen preventive programmes that promote women's health.
- C.3. - Undertake gender-sensitive initiatives that address sexually transmitted diseases, HIV/AIDS, and sexual and reproductive health issues.
- C.4. - Promote research and disseminate information on women's health.
- C.5. - Increase resources and monitor follow-up for women's health.

The women and health subject is strengthened by three millennium development goals, in particular MDG4 "Reduce child mortality", MDG5 "Improve maternal health" and MDG6 "Combat HIV/AIDS, malaria and other diseases".

Availability and relevance of EU-wide indicators:

The health of women is an important issue for the European community and competence herewith lies essentially at the individual Member State's level. Though the EU represented through the High Level Group on gender mainstreaming went to propose possible indicators for the follow-up of the developments of women's health. The indicators under discussion at the European level concern the statistical measurement on "Healthy life years", which is an agreed data in the social inclusion process. In addition, the following indicators where there is already European wide data collection done are: "Age at first birth of child" and "Adult smokers".<sup>63</sup>

- The healthy life years of women and men at birth is defined as the number of years a person is expected to live in absence of limitations of functioning / disability. A closer data analysis of the indicator shows statistical restrictions (cfr

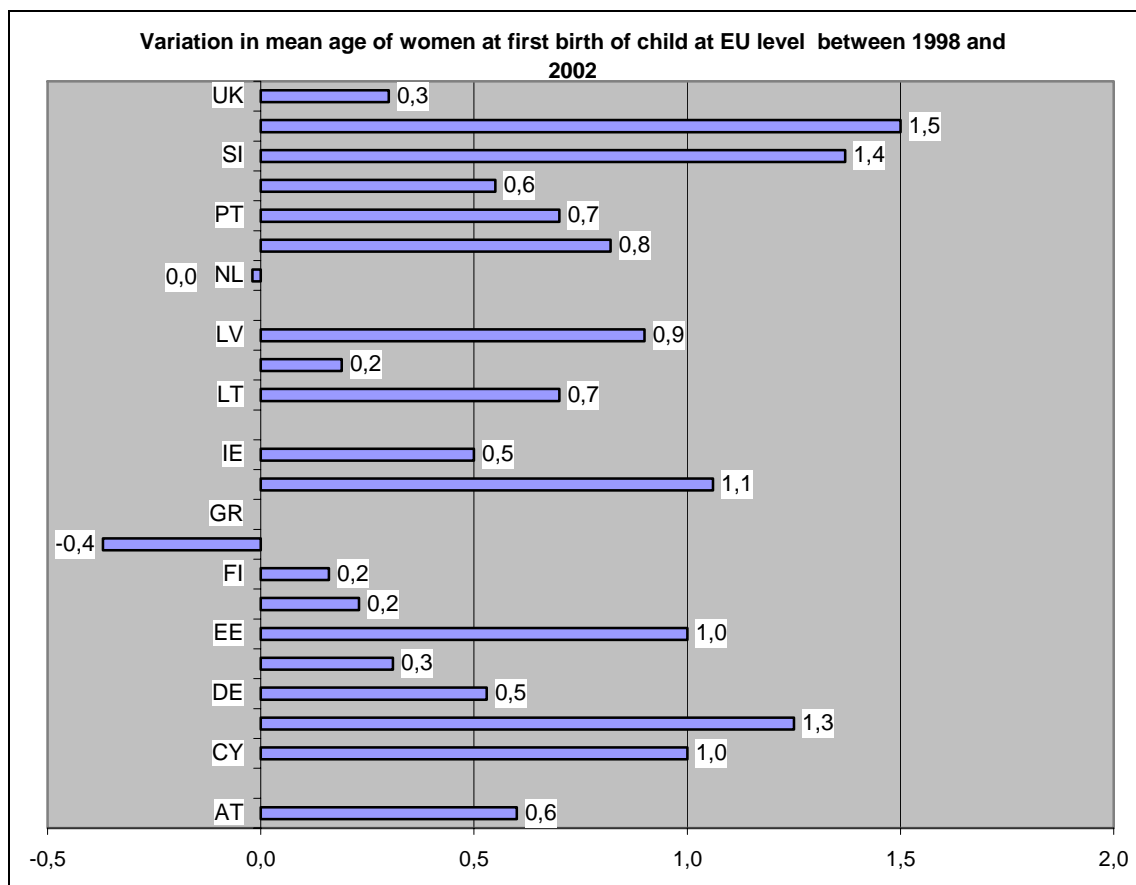
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<sup>63</sup> No EU agreement has been yet found on the corresponding indicators.

also statistical table under 6.3.3.) at EU level. Notably, it gives for 1998 and 2003 an important number of estimated and missing values in the sense that:

- 1998 – women: the data are available for 7 Member States, there are estimated values for 5 Member States and no data for 3 Member States
- 1998 – men: the data are available for 13 Member States, estimated ones for 1 country and missing data for 1 country
- 2003 – women / men: the data are available for 2 Member States, estimated values are given for 13 Member States, provisional data for 1 country and missing values for 9 Member States.

Trends emerging of the European wide data:



Source : Eurostat

- As regards the mean age of women at the birth of first child between 1998 and 2002, it appears that in most Member States, the age level has slightly increased and in particular between 0.2 to 1.5 years. The age period for the birth of the first child lies in 1998 in the EU between 23.2 to 28.9 years whereas it has increased in 2002 from 24.3 to 29.1 years.
- As to the evolution of smoking habits at EU level (EU15), the part of women increased less than that of men between 1995 and 1999 (from 25% to 28% for the women and from 33% to 40% for the men) all ages confounded. Yet the part of women in all age categories from 15 to 44 years grew during that period more for the women.  
(For more details, it can be referred to the statistical tables under 6.3.3.)

Trends emphasized on the basis of the reporting to the UN:

All the EU Member States report on similar medical diseases touching the women and it shows that the actions developed by the Member States in these areas very

much converge. According to the Member States, the most afflicted female target groups as regards the health question are elder women, young pregnant girls, HIV infected pregnant women, women suffering from breast cancer, For some Member States, it is most important to propose obligatory prevention measures in the schools although prevention in general is one of the priority actions of the Member States.

Some governments focus their support health and social integration programmes on the target group of ethnic minorities.

#### 4. Violence against Women

Following the Beijing Platform for Action, violence against women was defined as critical area D and associated with three strategic objectives, such as:

- D1 - Take integrated measures to prevent and eliminate violence against women.
- D2 - Study the causes and consequences of violence against women and the effectiveness of preventive measures.
- D3 - Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking.

The millennium development goals MDG3 concerning the promotion of gender equality and empowerment of women as well as with MDG6, regarding the combating of HIV/AIDS, malaria and other diseases are strongly connected with these objectives.

Violence against Women is an issue for the European Union, but most of the policy relevant actions are considered to be within the remit of Member States. There is no requirement under EU law for Member States to report on either the level of violence against women or their institutional developments to address it to the EU level. Hence the role of the EU has been primarily to encourage the development of improved institutional practices by Member States by processes of exchange of information about policy development. After prompting by the European Parliament, this included the DAPHNE Initiative and Programme (2000-2003).

Availability and relevance of EU-wide indicators:

End of 2004, under the lead of the High Level Group on gender mainstreaming the European Union has defined four indicators making a follow up of the violence exerted on women.

At a first step, the EU focused its attention on the domestic sphere, with the indicators:

1. The number of female victims of domestic violence (if possible, the broader concept "gender based violence"), with the types of victim support and the measures aimed at ending the circle of violence.

These categories were adopted in 2002 by the Council in Denmark and their collection is currently based on national data.

In a second time, under the Dutch Presidency in 2004, the European Union has in addition to the follow up of domestic violence on women adopted indicators on violence at the workplace, i.e.

2. The number of employees who report incidents of sexual harassment at the workplace, as a percentage of the total workforce.
3. The number of private and public enterprises which have a preventive policy regarding sexual harassment at the workplace, as a percentage of the total number of employers.

4. The number of private and public enterprises which have procedures for sanctions in place for perpetrators of sexual harassment at the workplace, as a percentage of the total number of employers.

The data will be based on national statistical sources.

Trends emerging of the European wide data on domestic violence:

So far, there are data available on victims of domestic violence that have been collected in 2004 by the High Level Group on gender mainstreaming. These data are in the current process not yet harmonized. Some Member States have no statistics at all, some have statistics on convicted offenders, others on police reports. Only a couple of Member States have conducted surveys on the whole population in order to estimate the number of victims etc. The existing data do not yet offer a comprehensive overview of the situation at EU level. Development of an adequate data collection/statistics remains a challenging issue for the EU in order to identify the extent of the problem, to follow the development and to measure to what extent the preventive actions are successful.

Trends emphasized on the basis of the reporting to the UN:

All EU Member States declare ten years after the adoption of the resolution of Beijing, that the problem of violence against women continues to be a daily issue they have to address. The main spheres of violence which they underline are domestic violence, female genital mutilation (FGM) and the trafficking for the purpose of sexual exploitation.

Concerning domestic violence, about 36% of the Member States<sup>64</sup> have introduced legal modifications or new laws aimed at the removal of the perpetrator of violence from the family house to allow the battered woman to stay in her residence.

The new Member States show particular concern in this field and put a lot of energy in dealing with the concern of violence against women.

The training of the actors dealing with violence is also retained as a priority in some Member States, but should as it is stressed by numerous Member States be developed more.

## 5. Women and Armed Conflict

Women and armed conflicts was defined in Beijing in 1995 the fifth critical area of concern. Six strategic objectives specify its framework:

- E.1. - Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation.
- E.2. - Reduce excessive military expenditures and control the availability of armaments.
- E.3. - Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations.
- E.4. - Promote women's contribution to fostering a culture of peace.
- E.5. - Provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women.

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<sup>64</sup> Belgium, Denmark, France, Germany, Luxembourg, the Netherlands, Italy, Lithuania, Republic of Slovakia

- E.6. - Provide assistance to the women of the colonies and non-self-governing territories.

Women and armed conflict gets strengthened by the millennium development goal MDG3 "Promote gender equality and empower women".

For post-conflict work, the UN and some Member States have been training troops, civilian police and peacekeeping personnel on the protection, rights and needs of women, as well as on HIV/AIDS awareness, while the UN Department of Peacekeeping Operations (DPKO), in particular, has been improving its guidance on gender issues in multi-dimensional operations.

Availability and relevance of EU-wide indicators:

No specific European indicators have been yet defined for this area.

Trends emphasized on the basis of the reporting to the UN:

In their national reports to the UN questionnaire 2004, the EU Member States declare a firm concern as to the negative effects of armed conflicts and post-conflicts on women. As international armed conflicts continue to progress all over the world, the Member States regret that women continue to be abused and subjugated either through their direct involvement in the conflict or through their exploitation by the warring parties. For most European Member States, the involvement in the conflicts is indirect either through peace missions or through the contact and welcome of female asylum seekers on their national territories. A general position appears shared by the Member States is to give women an active involvement in the peacemaking process, for some Member States this includes also the decisional level. Above this, two major approaches are supported by the EU Member States as regards the female involvement in armed conflicts.

The first one is that some Member States are focusing on supporting the women's participation in armed conflict management and in peace processes in after-war regions. This is based on the implementation of the Security Council Resolution 1325 of 31 October 2000 which underlines the important role of women in solving and preventing conflicts. Some focus their attention onto the integration of gender issues in the training of peacekeeping personnel and on ensuring that gender equality is practiced even in the Defense Forces.

The second tendency concerns the role of women in the army and building there on a gender specific recruitment process as well on increasing the number of women at decision-making levels in the military sphere.

The Member States express in this area their major concern with regard to offering hospitality and social support to asylum seekers. Some Member States develop specific measures especially for the female asylum seekers, including the possibility to consider gender-related persecution as a criterion for granting asylum. In general, special attention of the asylum policy is devoted to women, pregnant women, mothers and children. In general, this area is still considered to be a challenging topic for the next decade.

## 6. Women and the Economy

The theme of women and the economy was made critical area of concern G by the action platform. It was linked as follows to six strategic objectives:

- F1 – Promote women's economic rights and independence, including access to employment, appropriate working conditions and control over economic resources.
- F2 – Facilitate women's equal access to resources, employment, markets and trade.
- F3 – Provide business services, training and access to markets, information and technology, particularly to low-income women.
- F4 – Strengthen women's economic capacity and commercial networks.
- F5 – Eliminate occupational segregation and all forms of employment discrimination.
- F6 – Promote harmonization of work and family responsibilities for women and men.

The millennium development goal MDG3 concerning the promotion of gender equality and empowerment of women is supporting these objectives.

Women and the Economy is an issue at the level of the European Union, not only of the Member States, and indeed the EU has pre-eminent legal responsibility for employment issues. Much of the legal framework on gender equality in employment was developed in Directives from the mid-1970s to the mid-1990s, based on the principle of equal treatment (See Section 2.2.1 for a list of these Directives). The timing of these developments means that there are only a few new legal developments for the old EU Member States since 1995 (though including the new protections for part-time workers), but the new EU Member States have experienced a sudden and substantial change to their policies concerning gender equality as they must implement the acquired legal framework, the *acquis communautaire*, on accession.

Since 1997, the EU has been developing a new Open Method of policy Co-ordination (see Section 2.2.2), which has been especially important for new policy developments in the European Employment Strategy (EES), based on agreement of hard targets at meetings of the Spring European Council (see the list of common targets at Section 2.2.2), implemented by policies developed to suit national frameworks, though with exchange and learning between different Member States, and monitored through annual reports to Council, using agreed structural indicators, with data overseen by Eurostat.

Availability and relevance of EU-wide indicators:

Insofar as gender equality issues have been mainstreamed within the EES, then these receive the full attention of the Council and Commission combined with data support from Eurostat. This applies to the gender gaps in employment, unemployment and payment.

In this context, the EU has identified five indicators for measuring the integration of women in the economy, notably in a first set the following four:

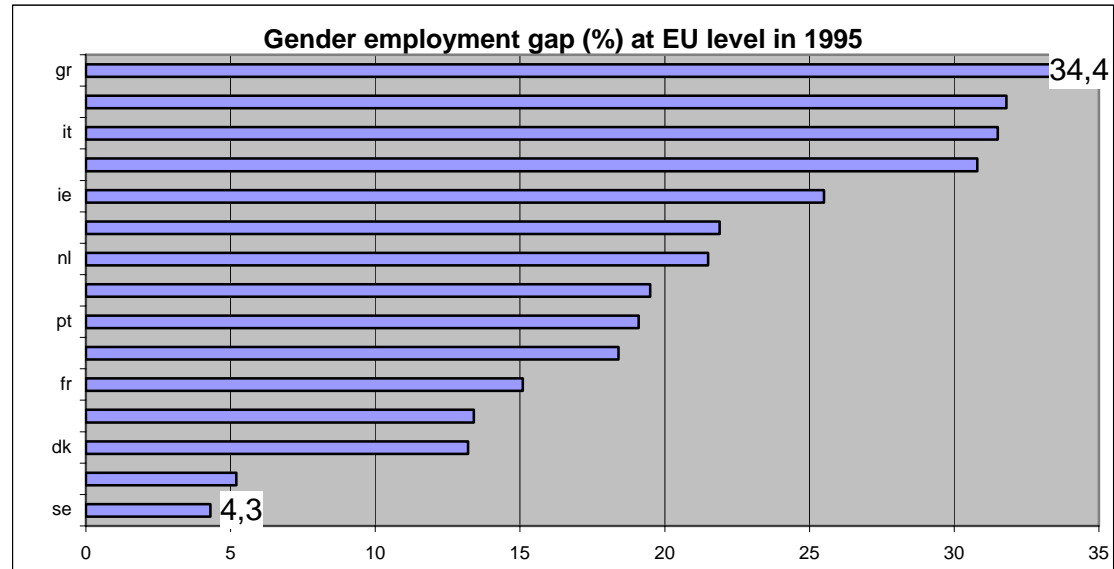
1. The gap between women's and men's gross hourly wages, breakdown in – private / public sector, in age 16-24, 25-54, 55-64, in educational level and monthly wage.
2. Women and men employment rate.
3. Women and men unemployment rate.
4. Children cared for (other than by the family) as a proportion of all children of the same age group.

These indicators were adopted by the EMCO and rely on European-wide harmonized statistics (2, 3) and on national administrative data (1, 4).

5. Employed men and women on parental leave (paid and unpaid) within the meaning of Directive 96/34/EC on the framework agreement between the social partners on parental leave, as a proportion of all employed parents.

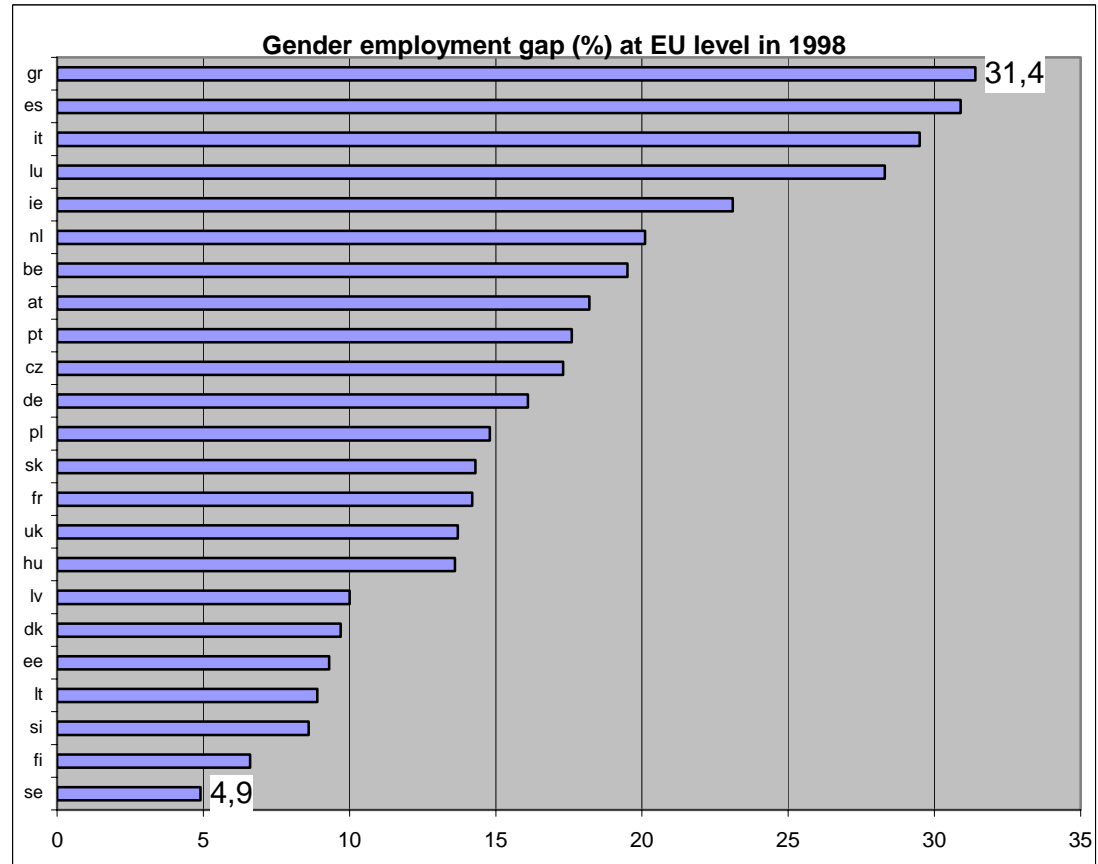
This indicator was adopted under the French Council in 2000 and is based in national administrative data.

Trends emerging of the European wide data:



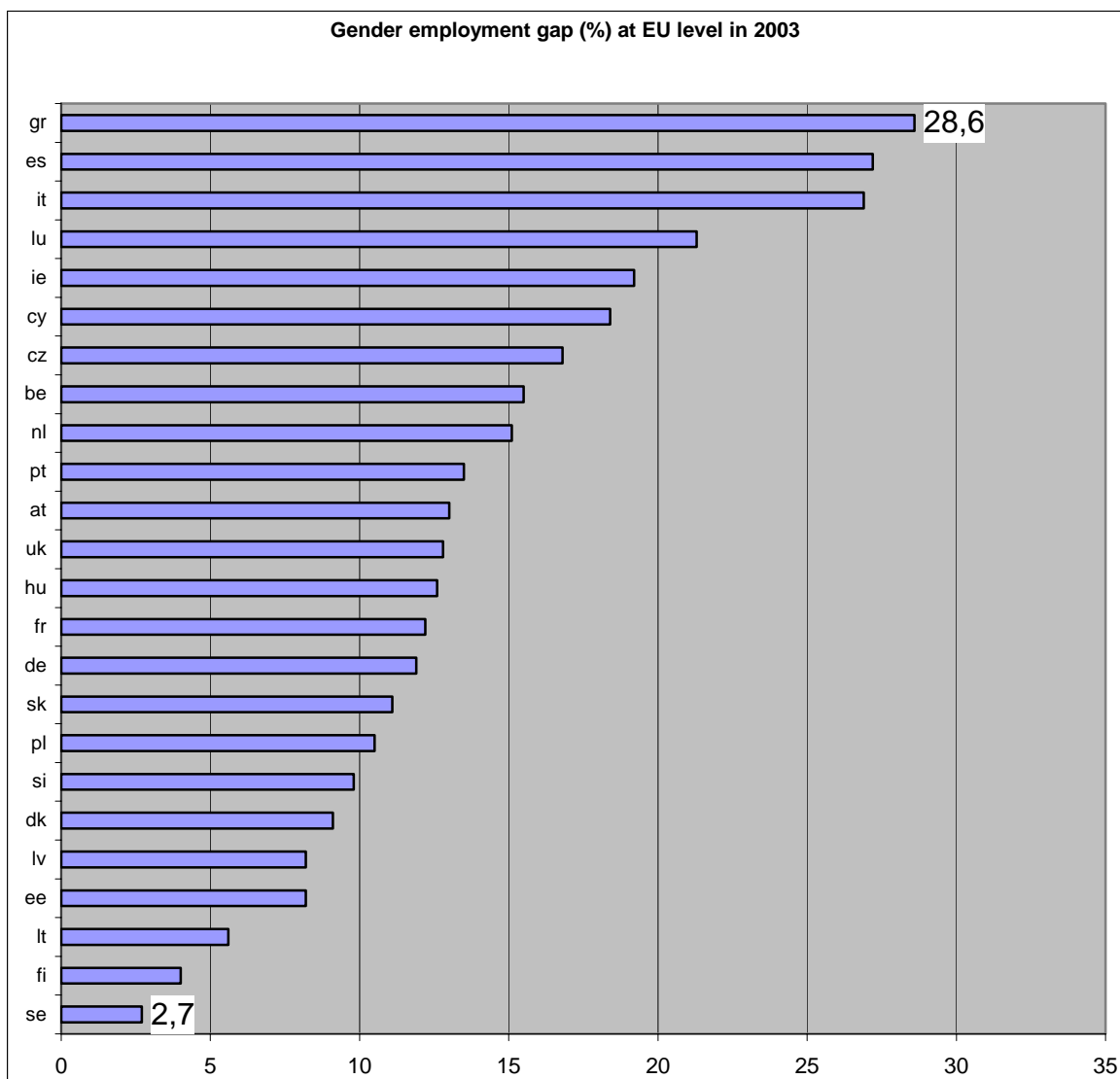
Source : Eurostat

In 1995, the absolute gap in **employment** between men and women varied in the EU between the extreme values of 4.3% for the most equivalent rate and 34.4% for the most diverging one.



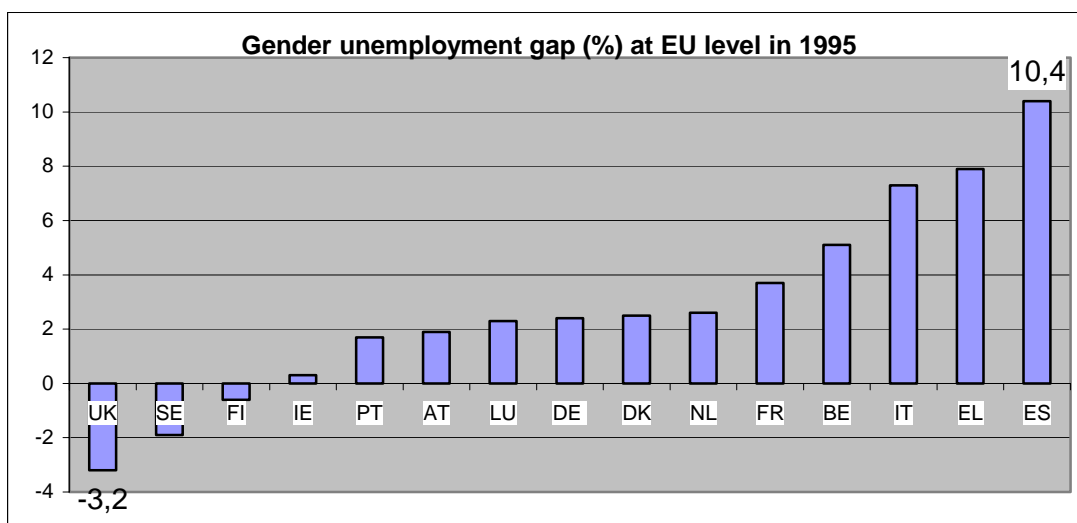
Source : Eurostat

In 1998, the gender gap in employment was still extremely different between the Member States, thus it was reduced for the country with the most important employment gap by 3 percentage points compared to 1995.



Source : Eurostat

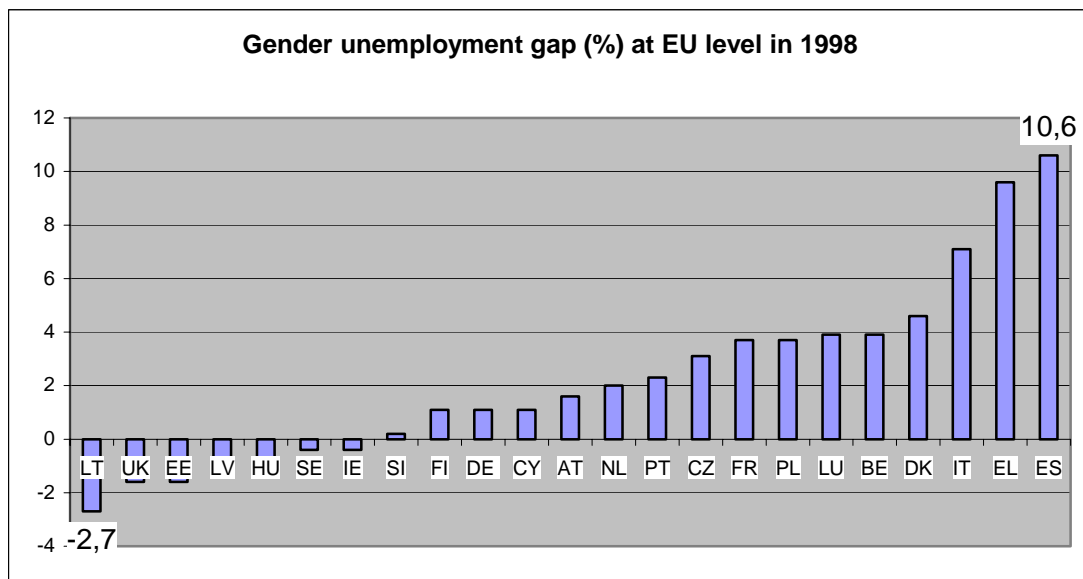
In 2003, the gender employment gap was considerably reduced at EU level in comparison to 1995, even if it still varied between 2.7% and 28.6%.



Source : Eurostat

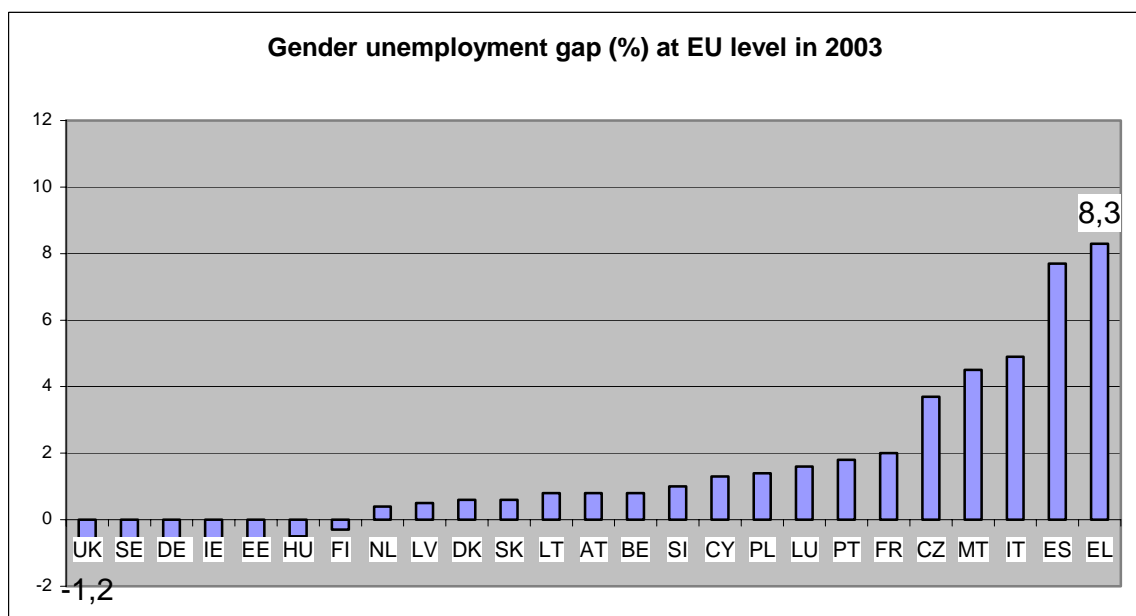
In 1995, the gender **unemployment** gap varied at EU level between -3,2% and 10,4%. In particular, in the three Member States (United Kingdom, Sweden, Finland),

the female unemployment rate was lower than that of men in 1995. In addition these Member States showed also the lowest gender employment gap.



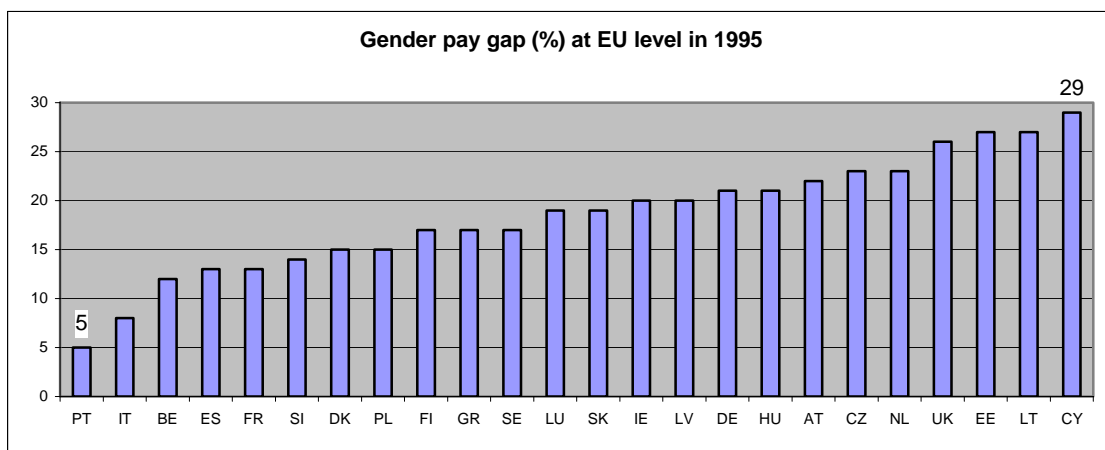
Source : Eurostat

In 1998, the gender unemployment gap varied at EU level between  $-2,7\%$  and  $10,6\%$ . The unemployment rate of women was lower than that of men in 7 Member States (Lithuania, United Kingdom, Estonia, Latvia, Hungary, Sweden and Ireland) while it was also in these Member States where the gender employment rate was less diverging (under 15%). Exceptions here were Ireland with a lower unemployment and employment rate for women than for men.



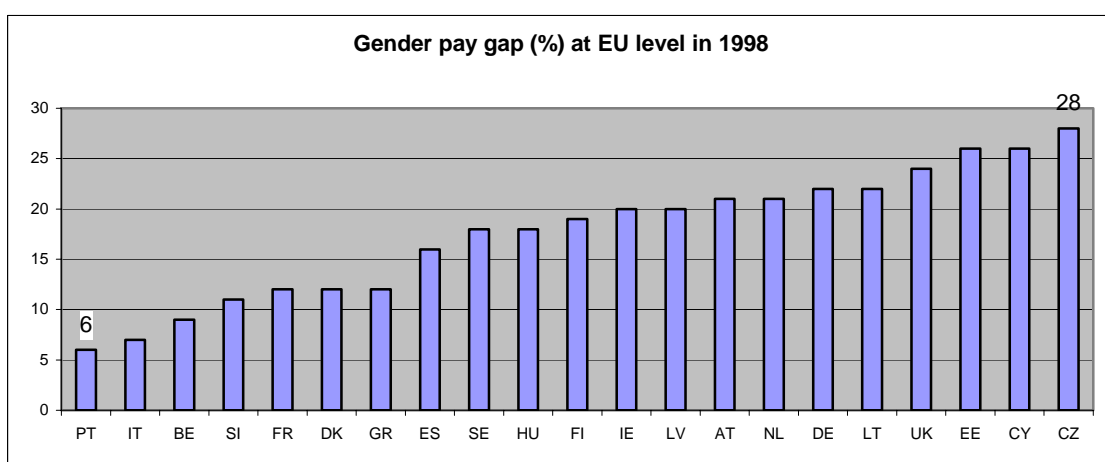
Source : Eurostat

In 2003, the gender unemployment gap varied at EU level between  $-1,2\%$  and  $8,3\%$  and had consequently been reduced by some 4% as of 1995. The unemployment rate of women was then lower for women than for men in following 7 Member States: United Kingdom, Sweden, Germany, Ireland, Estonia, Hungary and Finland. In addition it was with the exception of Ireland also in these Member States where the employment gap was most narrow (under 15%).



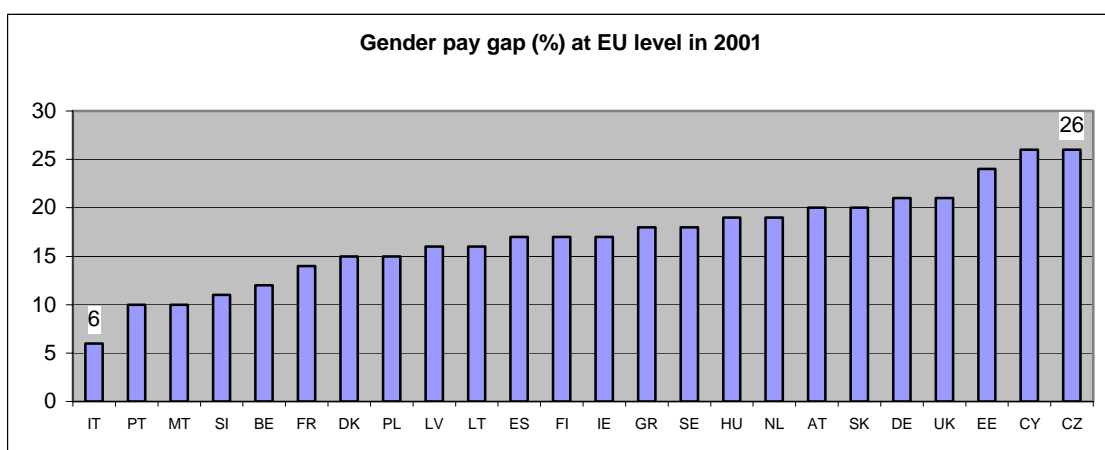
Source : Eurostat

In 1995, the gender **pay gap**<sup>65</sup> varied at EU level between 5% and 29%.



Source : Eurostat

In 1998, the gender pay gap varied at EU level between 6% and 28%.



Source : Eurostat

In 2001, the gender pay gap varied in the EU between 6% and 26%.

<sup>65</sup> EU-15: weighted average of national values estimated without missing countries.

As the new Member States and Candidate countries do not participate in ECHP, data from national sources were used. The indicators for these countries cannot be considered to be fully comparable between countries or with the rest, due to the differences of underlying data sources.

In summary, the EU Member States have successfully increased the extent to which women participate in paid employment, but have been less successful in reducing the inequality in pay that they experience there.

As regards the statistical data on childcare and on parental leave, an important target of the EU work-life balance policies, they are at present at a primary collection stage on the basis of national data sources. They have not yet reached a statistical harmonisation at EU level. So national data are available, but they are not yet comparable for a European overview and analysis which should be a future challenge.

Trends emphasized on the basis of the reporting to the UN:

As a major tendency it appears that the employment rate of women is increasing in the European Union but remains lower than the employment rate of men. There are some exceptions. In most Southern or new Member States the employment rates of women continue to be low, but in some, this tendency is contradicted. Many factors influence the active participation of women in the labour market.

According to the Member States, the important discriminations between women and men remain evident, especially in fields like equal pay, where there is still a pay gap between women and men in all the Member States and in others, like equal job opportunities for women and men, equal access to all professions as well as reconciling work and family life.

The main actions started in the last decade in the resisting critical subject by the European Member States consist in measures to facilitate the synchronization of work and family for both women and men. Examples cited are the improvement and increase of kindergartens and nurseries, facilitating the access to employment through new work models, promoting parental leave and shared educational responsibility. Also, provisions on parental and training leaves and provisions for supporting motherhood and fatherhood aiming to ameliorate the flexibility in working life, e.g. with reversible part-time, distant-working and work-from-home schemes, flexible work-start and finish times, flexible shifts, concentrated working hours are given.

Regarding the development of women's entrepreneurship, some Member States support women-owned companies with special grants

Some Member States put their focus on eliminating obstacles to equal job access for both sexes. For some, the use of friendly tax systems enables low income earners to take up jobs. The tax system also provides dedicated assistance to lone parents through the mechanism of the one-parent family credit. Some, point out the access to employment for women in rural areas (e.g. training programmes for internet using), as well as programmes for ethnic minorities.

## 7. Women in Power and Decision making

The critical area G was directed at the Beijing Platform for Action on women in power and decision making under the grouping of two strategic objectives defined as

- G1 – Take measures to ensure women's equal access to and full participation in power structures and decision-making.
- G2 – Increase women's capacity to participate in decision-making and leadership.

The MDG3 regarding the promotion of gender equality and empowerment of women is supporting these objectives.

#### Availability and relevance of EU-wide indicators:

Both in 1999 and 2003, the Council adopted conclusions on Women in decision making and defined and approved relevant indicators in the fields.

Three types of indicators for clustering the participation of women in the decision making process. The first ones were addressing women in the political decision taking, i.e.

1. The proportion of women in the single/lower houses of the national/federal Parliaments of the Member States and in the European Parliament.
2. The proportion of women of the members of the national/federal Governments and the proportion of women members of the European Commission.

9 indicators in this area were agreed by the Finnish Council in 1999 and are tabled in the European Commission Database Women and Men in decision-making. This database was launched in 2004 and provides information on gender balance in the political, juridical and economic field at the European level.

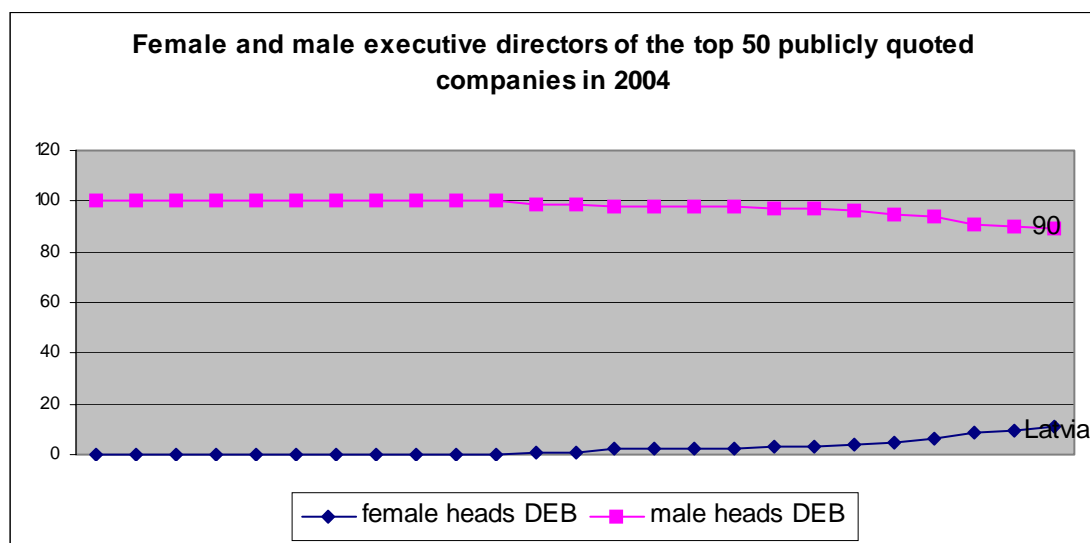
([http://europa.eu.int/comm/employment\\_social/women\\_men\\_stats/measures\\_in4\\_en.htm](http://europa.eu.int/comm/employment_social/women_men_stats/measures_in4_en.htm))

Secondly, economic decision making was on the agenda in 2003 when indicators were adopted under the Italian Council in 2003. Among indicators adopted were

3. The proportion and number of women and men among members of executive boards of the top 50 firms publicly quoted on the national stock exchange.

Data in this area can also be found in the Commission database.

#### Trends emerging of the European wide data:



Source: European Commission

Note: The figures from the Commission database 2004 include data on candidate and EFTA countries and not all EU Member States are included.

Globally, the female heads of the daily executive board (DEB) of the top 50 publicly quoted firms represent an average share of 2% in 2004. In particular, the female representation in executive boards of private companies varies between 10% and 0% in Europe. (See also annexed table under 6.3.5. for details on countries)

**Female and male Presidents of Parliament in 2004**

	House	Female presidents	Male presidents
Average (%)	Single/Lower House	15	85
Average (%)	Upper House	33	67

Source: European Commission

Here, women represent a share of 15% of the Presidents of Parliament in Single/Lower houses and 33% of Presidents of Parliament in Upper houses.

**Female and male Members of Parliament in 2004**

		1999 MP Women	1999 MP Men	2004 MP Women	2004 MP Men
EU-15					
Average (%)	Single/Lower House	25	75	23	77
Average (%)	Upper House	n.a	n.a.	21	79

Source: European Commission

Women represent a share of around a quarter of the Members of the Parliament in the EU Member States in 1999 and 2004.

**Female and male Presidents of Government in 2004**

EU-15	Female presidents	Male presidents
Average (%)	18	82

Source: European Commission

Furthermore, women represent a share of 18% of the Presidents of Government in 2004

**Female and male Prime Ministers in 2004**

EU	Female prime ministers	Male prime ministers
Average (%)	0	100

Source : European Commission

Women are not represented as Prime Minister at European level in 2004.

**Female and male Ministers in 2004**

Female and male ministers in 2004			
EU		Women	Men
Average (%)	Senior ministers	24	76
Average (%)	Junior ministers	18.1	81.9

Source : European Commission

Women represent 24% of the senior ministers in the EU Member States in 2004 and 18% of the junior ministers.

To summarize, the average representation of women in political decision taking is higher than the women's presence at the top level economic spheres of the private sector. Nevertheless, the division between female and male representation in the political decision making is still not equal.

Trends emphasized on the basis of the reporting to the UN:

The same trends are highlighted in the Member States reports to the UN. It is positively pointed out that the participation of women in the decision-making process is increasing among the European Member States. It is regretted that with very few exceptions, women still remain underrepresented at the top political levels as well as

they are not visible in the middle and top management positions of the private sector's companies in most European Member States.

According to the Member States' practice, one tool that had proved to be efficient to raise the female participation in political decision taking, has been the introduction of quota in political parties. Another strategy that continues to be important is the promoting of continuous awareness raising and training.

Some Member States are showing the way by insisting on the necessity and by taking positive actions in order to promote the access of women to the top and middle management jobs of the state administration.

In addition, the instrument of financial incentives, gender awards and promoting positive actions is used by some order to increase the female participation in decision taking in the companies of the private sector by making positive examples of gender respectful human resources policy more visible.

On the background of the progress made, the mainstreaming of comprehensive measures remains most challenging.

## 8. Human Rights of Women

Human rights of women was declared the critical area I of the action platform in Beijing and was circled with three strategic objectives, i.e.

- I.1. - Promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women.
- I.2. - Ensure equality and non-discrimination under the law and in practice.
- I.3. - Achieve legal literacy.

As a transversal area of concern, it is equally reinforced by all the millennium development goals.

Availability and relevance of EU-wide indicators:

At the current stage, the European Union has developed no agreed indicator in this field which is of transversal importance and goes beyond the individual level. The reporting to the UN in particular shows the concern of the individual Member States.

Trends emphasized on the basis of the reporting to the UN:

Human rights of women are often associated to women and domestic violence or to trafficking in human beings for the purpose of sexual exploitation by the Member States of the European Union.

Integrated legal approaches are adopted in some target Member States for trafficking in women. Strict penalties for perpetrators are applied. Special training for the police corps is pursued. Coordination and international cooperation measure are implemented.

Some Member States define the domestic violence as main problem in this sector. These governments implement action plans against domestic violence, which contains prevention instruments, awareness raising campaigns and training of justice, social workers, police officials as well as provisions for networks on information centres and shelters for victims.

For some, it is most important to give special emphasis to the rights of women, children, minorities, indigenous people and persons with disabilities and to have a

protective system that has efficient investigation power to cover the human rights as an issue which cuts across all fields of action.

Human rights of women require for some Member States to have effective measures for combating discrimination, especially racial discriminations.

The UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and the *acquis communautaire* are the accountability instruments cited by the Member States in this field.

## 9. Women and the Media

The critical area of concern J was reserved to women and the media at the Platform for action in 1995 and cleared out with two strategic objectives, i.e.

- J.1. Increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication.
- J.2. Promote a balanced and non-stereotyped portrayal of women in the media.

These objectives are particular relevant to MDG3 related to the promotion of gender equality and the empowerment of women.

Availability and relevance of EU-wide indicators:

Today, no specific indicators have been defined by the European Union in this domain, a field which has up to now not been specifically addressed by the EU.

Trends emphasized on the basis of the reporting to the UN:

Most European Member States report in their descriptions to the UN, that the often stereotyped portrayal of women in the media continues to be a problem. Practically all Member States refer to an independent media commission installed in order to control the diffusion of the image of women in the media.

Some have installed special mechanisms to control the portraying of the women's image in the media. These consist in impact evaluations on gender neutral portrayal of women in the media, in training for programme makers (interviewing techniques, script and scenario writing ...), in courses to raise awareness among the managers, programme buyers, commissioning editors, journalists etc.

Some Member States are building up legal mechanisms and include in media the prohibition of gender-based discrimination.

Some use the media directly by involving them in regular advertising campaigns on the importance of equality in different situations. Some try to give more visibility to women and introduce women's perspectives in the media by giving financial incentives or broadcasting awards.

Yet most activities at the level of the women's depiction in the media still remain isolated and are described as a challenging action for the future by the Member States.

## 10. Women and Environment

Women and the environment was the critical area of concern K of the action platform and associated with following three strategic objectives,

- K.1. - Involve women actively in environmental decision-making at all levels.

- K.2. - Integrate gender concerns and perspectives in policies and programmes for sustainable development.
- K.3. - Strengthen or establish mechanisms at the national, regional, and international levels to assess the impact of development and environmental policies on women.

It is to be linked to the millennium development goal MDG 7 addressing the environmental sustainability.

Availability and relevance of EU-wide indicators:

As of today, the European Union hasn't agreed on any specific indicator hereto. The Commission Directorate General Environment in 2004 made a study on Gender differentiated impact in the field of waste management in the European Union. This pilot study in the field of waste management was launched in order to analyse the effects in terms of gender impact of current waste planning policy at municipal level in the EU. Following conclusions can be drawn ; there are important gaps and deficiencies with regard to how national authorities consider gender differentiated impacts of waste management planning. Further, a limited number of examples of gender sensitivity in waste planning have been identified. In those cases, it is the involvement of the Gender Equality Units which has resulted in these initiatives. The study provides a "best-practice guide" with recommendations for improving gender mainstreaming. This pilot study should be considered as an integral step towards the mainstreaming of gender issues in waste policy in the EU, with a view to enhancing the effectiveness of policy-making and implementation.

Trends emphasized on the basis of the reporting to the UN:

Some progress have been made in order to integrate the gender perspective in the environmental policies in the EU Member States. Most Member States nevertheless are conscious of the necessity for stronger action to get a better integration of women at all levels of a sustainable development strategy.

National initiatives to involve women actively in environmental decision-making at all levels and to integrate a gender equality perspective into policies and programmes for sustainable development remain still isolated at EU level.

## 11. The Girl-Child

The area of concern L pointed out in Beijing in 1995 was attributed to the girl-child and targeted through nine strategic objectives, i.e.

- L.1. - Eliminate all forms of discrimination against the girl-child.
- L.2. - Eliminate negative cultural attitudes and practices against girls.
- L.3. - Promote and protect the rights of the girl-child and increase awareness of her needs and potential.
- L.4. - Eliminate discrimination against girls in education, skills development and training.
- L.5. - Eliminate discrimination against girls in health and nutrition. Actions to be taken.
- L.6. - Eliminate the economic exploitation of child labour and protect young girls at work.
- L.7. - Eradicate violence against the girl-child.
- L.8. - Promote the girl-child's awareness of and participation in social, economic and political life.
- L.9. - Strengthen the role of the family in improving the status of the girl-child.

Within a transversal approach, all millennium development goals strengthen these objectives, but in particular MDG2 "Achieve universal primary education".

#### Availability and relevance of EU-wide indicators:

Yet no indicators have been adopted by the European Union under this critical area of concern, but potential indicators that are proposed to the High Level Group on gender mainstreaming by the Commission concern in particular the “Declared abortions by age” and the “Fertility rate, live births, for girls 15 – 19” . For these indicators some data are made available by Eurostat demography. The current statistical details are annexed for information (see under 6.3.6.).

#### Trends emphasized on the basis of the reporting to the UN:

The Member States attach great importance to the protection against sexual exploitation of minors, to combating female genital mutilation and to procure health education. Policies focused on these issues have been developed in accordance to the occurrence of the problems.

Most of the Member States, inflict severe penal sanctions for child abuse of any kind. Information leaflets on preventive measures against child abuse or female sexual mutilation are currently used by some Member States to reinforce penal actions. Some focus on the fact of educating children for matrimony and parenthood, and are using “supra-subject” curricula in schools and teacher training.

Some Member States see the main problem for girls and young women in their occupational choices, because they are under-represented in natural sciences and technical jobs and they promote measures to enlarge the potential career fields for girls and young women.

To summarize, in their protection and promotion of the girl-child, the EU Member States point out the necessity for multilateral ways and targeted approaches respecting the regional and national needs. They define the interventions in favour of the girl-child as a subject which is strongly related to all the other critical areas of concern and which consequently needs protection and combined efforts to reach gender equality

## **IV CHALLENGES**

### **4.1. INTRODUCTION**

The institutional mechanisms for implementing the Platform for Action are associated with three strategic objectives: first, to create or strengthen national machineries and other governmental bodies; second, to integrate gender perspectives in legislation, public policies, programmes and projects; third, to generate and to disseminate gender-disaggregated data and information for planning and evaluation.

The European Union has held a pioneering role in the development of the institutional mechanisms needed to take forward gender equality policy, thus contributing to the implementation of the Platform for Action agreed at the UN conference on women in Beijing in 1995. Earlier sections of the report have identified the considerable progress, which has been made at EU and Member State levels.

The EU has developed a very strong legal framework on gender equality and further developed and consolidated adequate machineries, refined its strategy, developed new policy tools, including progress in the development of a suite of indicators and secured annual monitoring on Equal Opportunities. These progress which are considerable are necessarily uneven and, as a learning organisation, the EU has evaluated many diverse pilots and experimental and innovative practices. In this context, this chapter presents the challenges that remain and offers a perspective on constructive engagement with them. As one of the pioneers on gender equality policies, the EU is well situated to take the lead in the most urgent matter of continuing the implementation of the Platform for Action.

This section of the report shows that besides its progress there are major challenges ahead in realising the commitment of the Amsterdam Treaty to incorporate a gender dimension in all policies of the European Union and to fulfil the commitments it has made to the UN Platform for Action. It is similarly divided into three sections: first, an overview on progress realised at European Union level and within Member States, secondly challenges related to the development of new institutions and bodies; and thirdly, challenges related to the development of technical tools, such as indicators, gender-disaggregated data and statistics, gender impact assessment and gender budgeting.

### **4.2. OVERVIEW ON PROGRESS**

The European Union is a leader in the development of gender equality policies, contributing to the global community. The EU supports the UN Platform for Action and has created innovative mechanisms to take forward the challenges that this presents at both EU and Member State levels. Today, the European Union regards equality between women and men to be a fundamental principle and the rights of women and girls to be an inalienable, integral and indivisible part of universal human rights.

#### 4.2.1. Progress at the European Union level

The achievement of some aspects of gender equality has long been a goal of the European Union, even before the UN 1995 conference in Beijing. The principle of equal pay was encoded in the EC's founding Treaty of Rome in 1957 in Article 119. This Article provided the basis on which several legally binding Directives were developed from the 1970s onwards to provide for the equal treatment of men and women in employment, broadly defined, as well as a range of equal opportunity programmes and initiatives.

Since 1995, there have been several new developments, especially in the mechanisms and institutions to provide for the advancement of women. These include: refinement of the strategy; development of institutions and the extension and consolidation of the legal instruments; the introduction of new policy tools, such as the Open Method of policy Co-ordination, gender impact assessment and gender budgeting; and the operationalisation of the objective of gender equality in a range of benchmarks and indicators.

- **Strategy**

The EU has clarified the gender equality strategy, by making it explicit that it requires both specific gender equality actions and the mainstreaming of gender equality as a perspective in all policy areas. The dual aspects of the strategy complement each other in crucial ways, ensuring focused resources and expertise as well as reaching out into new policy domains.

- **Development of institutions, bodies and law**

Institutions and other bodies

The Unit for Equal Opportunities within the Commission has long provided focused expertise and resources to support the development of policy initiatives. This is linked in diverse ways to a wide number of related committees and other bodies, especially within the European Commission, the European Parliament and European civil society. The EU has developed a series of medium term programmes for equal opportunities between women and men, each covering several years. Further, the Commission funds Networks of Experts on gender equality issues so as to provide gender expertise (often from academics) from each Member State that contributes to European level policy making. In addition, the Commission funds the European Women's Lobby so as to provide an additional route by which diverse women's voices can contribute their experiences to the process of policy making. In this way considerable progress has been made in innovative development of gender equality bodies across the range of EU policy making institutions.

Legal framework

The EU has developed the strongest legal framework to support gender equality in the developed world. This framework rests on both Treaties and Directives, and is a key part of the *acquis communautaire*.

Treaties:

The European Community legal framework for gender equality was consolidated and extended in the Treaty of Amsterdam in 1997. This treats the equality of women and men as a fundamental principle, establishes it as one of the key objectives of the Community and specifies gender mainstreaming as a specific mission of the Community (Article 3(2)). The Treaty extends the legal bases for EU action on

gender equality, both within employment (Articles 137, 141) and beyond (Article 13). The legal and moral framework for gender equality was further deepened in the Charter of Fundamental Rights (Nice 2000), and in the European Constitution (Rome 2004).

#### Directives:

Since 1995 the range of issues on which there are legally binding Directives on gender equality has been broadened beyond the early concern for pay, employment conditions, social security and pregnant workers. There has been the extension of the right to equal treatment to those who engaged in the forms of atypical work that has sometimes led to worse conditions for women. There is a Directive (1996) that helps to provide a better balance between work and care, by providing a legal basis not only for maternity leave, but also for paternity and parental leave. In these two sets of Directives, for marginal workers and for parental leave, the EU offers new global standards for gender equality in the workplace.

The number of countries adopting the *acquis* as their legal framework for gender equality has grown as a result of the accession of 10 new Member States in 2004.

#### ○ **New Policy Tools**

##### Open Method of Policy Co-ordination and the European Employment Strategy

The achievement of gender equality is a key component of the European Employment Strategy EES (Luxembourg 1997, Lisbon 2000). The goal of EU economic policy is 'to become the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion' (Lisbon 2000). With this aim, the EU goes beyond the traditional narrow focus of economic policy on economic growth alone, instead combining it with a focus on quality as well as high levels of employment and also with social cohesion. This breadth of focus provides the opportunity to mainstream gender equality into the heart of economic policy. Gender equality is currently one of the ten guidelines on which Member State progress on economic policy is to be assessed at EU level.

The process of policy development, the Open Method of policy Co-ordination, is new. It provides an innovative way of mainstreaming EU gender equality goals into nationally specific policy regimes. This process entails the setting of targets for Member States in order to achieve the agreed strategy and the annual monitoring of movement towards these targets, agreed at meetings of the Spring European Council often using Structural Indicators, overseen by Eurostat. The EU-wide strategy is implemented by policies developed to suit national frameworks, though with exchange and learning between different countries, and monitored through annual reports to Council, the National Action Plans, using agreed Structural Indicators, with data overseen by Eurostat. In addition the Commission uses expertise from Networks of Gender Experts to assist in its assessment of Member State progress. Insofar as gender equality issues have been mainstreamed within the EES, then these receive the full attention of Council and Commission combined with the commitment to the development of data support by Eurostat. This applies especially to the commitments made by the European Council to narrowing the gender gaps in employment (women's employment rate to rise to 57% by 2005 and to 60% by 2010) and unemployment (Lisbon 2000, Stockholm 2001), as well as the provision of childcare for at least 90% of children between 3 years and school age and 33% for children under 3 (Barcelona 2002) and pay (Brussels 2003).

## Gender impact assessment and gender budgeting

The EU is supporting the development of specific tools to take forward gender equality, including gender impact assessment and gender budgeting.

## Monitoring Equal Opportunities between Women and Men

The Commission produces for Council an annual report that monitors progress on equal opportunities between women and men in the EU. In addition, the Employment and Social Affairs Council conducts an annual review of actions to implement the UN Platform for Action.

### Indicators

The EU is playing a leading role in the development of indicators to implement the specific objectives concerning gender equality in a manner suitable for the more developed countries. Indicators are needed in order to so as to enable the assessment of progress, and usually require a robust set of quantitative data that is comparable over time and between countries. In 1998 Council committed the EU to the development of a simple suite of indicators to monitor progress on the 12 critical areas of the UN Platform for Action. Indicators have been proposed by a series of EU Presidencies: Finland 1999, women in power and decision making; France 2000, reconciliation of family and working life; Belgium 2001, gender pay gap; Spain, Denmark, Ireland, Greece, Netherlands, 2002-4, violence against women. In addition, some indicators have been agreed by Councils as part of the EES. The EU has indicators in five of the twelve critical areas: Women and the Economy (gender gaps in employment, unemployment and pay; provision of care for children and other dependents); Women in Power and Decision-Making (percentage of women among elected positions, ministerial positions, executive boards of top companies, and boards of central banks); Women and Poverty (percentage of women among those 'at-risk-of-poverty'); Women and Education (educational attainment; life-long learning; science and technology graduates); and Violence Against Women (domestic violence: number of female victims, types of victim support, measures to end violence; sexual harassment at work). Several of these indicators are supported by robust statistical data overseen by Eurostat, especially where they overlap with the needs of the EES and are constituted as Structural Indicators.

### **4.2.2. Progress within Member States**

All Member States have developed some national machinery to implement gender equality policies consistent with the UN Platform for Action. There has been much innovation and there is considerable diversity in the form that this machinery takes. All Member States have some civil servants with gender equality responsibilities. Sometimes these gender equality units are within a dedicated ministry, though more frequently they are embedded in a combined ministry. In some cases there is a dedicated Minister for Gender Equality, Parity or Women, and sometimes the Minister has other responsibilities as well. All Member States have incorporated the *acquis communautaire*, which includes gender equality laws, into their domestic legislation. Additional mechanisms and tools, such as gender impact assessment, gender budgeting, the establishment of independent bodies (research centres, observatories), and personnel with investigation powers into gender equality matters have been introduced by some Member States. The wide range in the types of developments may suggest that there is ongoing exploration of the merits of the different forms. The following table shows, for 2004, the extent to which Member States of the enlarged EU (EU-25) have developed various types of institutional mechanisms for the advancement of women.

<b>% MS</b>	<b>National machinery</b>
44%	Gender equality ministers or state secretaries or other ministers for gender equality
44%	Gender equality divisions, units, or departments (dedicated or combined ministry)
16%	Operational gender focal points
12%	Independent gender equality ministries
32%	Independent gender equality centres
48%	Multi-party government commissions, committees or councils for gender equality
44%	Inter-ministerial consultation groups for gender equality

### **4.3. OVERVIEW ON CHALLENGES**

#### **4.3.1. National machineries and other governmental bodies**

The goal of gender equality has been powerfully and importantly addressed by the development of the innovative strategy of gender mainstreaming, which was introduced to the world in the UN Platform for Action in 1995 and which has since been developed by the EU. Yet, although the EU has acknowledged the importance of a dual approach of gender mainstreaming and specific actions since 1995, and evaluation of policies in the EU has demonstrated that these two strategies for gender equality are complementary, not mutually exclusive, gender mainstreaming has sometimes been mistakenly understood to replace other gender equality strategies, such as those based on specific actions concerning women. The challenge is to ensure that appropriate action is taken to create space for both strategies.

The engagement with diverse inequalities, including those of ethnicity/race, religion/faith, disability, age and sexual orientation, is a challenge to be addressed in all aspects of gender equality policy. There is a strategic need to redress gender bias in strategies that address diverse inequalities, while yet a practical need to protect resources to deal with gender inequality. There is a parallel need to eliminate ethnocentric bias in gender equality policies. It seems to be increasingly believed that the engagement with diverse inequalities requires the integration of the dedicated units on each of these inequalities. However, such initiatives need more reflection before being implemented, since it is important that an organisational focus on gender equality be clearly maintained, while taking into account inter-sectionality in the need to address diverse inequalities.

The development of effective gender equality policies poses the challenge to combine both new forms of technical expertise and new forms of democratic representation. It is necessary to develop the effective representation of women in a range of decisional arenas, both those formally recognised as requiring democratic representation such as parliament as well as others such as private corporations and governmental consultative processes. It is also necessary to develop new knowledge-based tools to assist the development and evaluation of policy, with the gendering of statistics, indicators, impact assessment and budgeting. Gender mainstreaming requires both technically sophisticated and knowledge-based actions by the 'normal policy actors' and also the inclusion of women's previously excluded voices by more effective ways to ensure the representation of women and their interests.

While there has been much progress towards the goal of equal participation of women and men in political decision-making processes, especially in the

parliamentary arenas of some Member States, this is not yet fully achieved. The last decade has shown impressive progress in general, yet there have been major setbacks that show the need for continuing attention.

The representation of women in the European Constitution process was extremely low, and the role accorded to civil society in the Forum of the Convention has been of a 'passive' rather than an 'active' nature, where civil society groups were 'receivers of information' and 'audience' for the Convention, securing publicity for the Convention's proceedings but lacking capability to influence process and outcomes. Also, at the level of Member States it has become clear that an upward trend in the representation of women can suddenly be reversed, demonstrating the need for ongoing action.

While there has been a progressive development across Member States in terms of a growing number of institutions, especially in the new Member States, even sometimes in terms of growing resources and competence, there are ongoing concerns about the strength of the political commitment to gender equality, about the level of the location of national machineries, about their mandates and functions, about the adequacy of their financial and human resources, and about the insufficiency of accountability mechanisms and partnerships with civil society.

The overview of national machineries and the positioning of political responsibility and bodies for gender equality shows that it is rare to find institutional mechanisms specifically devoted to women or to gender equality at the top level of government. In most cases, ministerial posts include women or gender equality as one - major or minor - element of a wider range of concerns such as social affairs, labour and employment, or health, or justice. Equality units are largely linked to these posts and hence are also often organised as a sublevel within other policy areas even if their mandate is of a broader, coordinating nature. While the wide range of locations in governments across almost all policy areas is a tribute to the recognition of gender relevance in all these areas, this also challenges their potential and actual impact on influencing overall policymaking, and it hinders exchange of information across countries. A related problem is that there is a high degree of volatility in the positioning of institutional mechanisms. Frequent shifts in the positioning of institutional mechanisms for gender equality threaten their potential impact and influence. The ongoing challenge is to position national machineries that are dedicated to gender equality at the highest possible political and executive level and to assure stability of these machineries independent of political change, so that gender mainstreaming can become a reality in all relevant policy areas.

The increasing diversification and multiplication of mechanisms in the past ten years could contribute positively to the achievement of gender equality. At present, national machineries consist of a number of elements from among the following: ministries, deputy ministers, state secretaries; institutes; councils or national commissions that sometimes include participation of civil society; specialised commissions restricted to a specific theme; inter-ministerial or interdepartmental structures, including focal points; ombudpersons; tribunals; equal opportunity advocates; equality boards; gender centres; observatories; formal committees or informal networks within parliaments. Each country has its own specific configuration of mechanisms, sometimes still quite limited, sometimes fairly extensive. The many different formats for the institutional mechanisms, linked to differences in history, political and policy cultures, could reflect a good fit with the various local contexts, but there is no overview of the histories of and reasons for the choices which have been made. Indeed even the extent to which some of these mechanisms are operational is unclear. The challenge is to generate knowledge on the differentiated impacts,

strengths and weaknesses of the range of existing formats as they operate in practice.

The successful establishment of Gender Equality Units, which develop and focus expertise in gender equality, faces major challenges, partly resulting from misunderstandings that need to be addressed. First, the need for a more widely distributed expertise on gender equality in processes of gender mainstreaming has sometimes been misunderstood as involving the abolishment or shrinking of gender equality agencies. However, both for gender mainstreaming and specific actions, the development of concentrations of expertise is a key element, either as a think tank or monitoring system in the case of gender mainstreaming or as a professional implementation mechanism in the case of specific actions. The challenge is to clarify the mandates of gender equality units. In cases where these are integrated equalities units that also deal with other inequalities, there is an absolute need to maintain organisational visibility for gender equality within those units, and to monitor the distribution of resources and policy attention for gender equality in the output of the unit.

A second challenge is related to the manner in which the connection of equality units to the line ministries is institutionalised. While it seems clear that focal points in line ministries are a necessary organisational component of gender mainstreaming, there are problems with resources at this level, gender expertise is often lacking and accountability is not ensured. In order to function properly, focal points would need to have adequate resources and gender expertise. Although there are several practices that have been developed to ensure expertise and accountability within line ministries, such as study groups, training, government funded expertise centres, Charters or Public Service Agreements, these are all quite recent initiatives that have hardly moved beyond the pilot stage. The challenge is to organise sustainable institutionalisation. Gender training is a good example here. Although only a few countries have experience of gender training for top level decision-makers, there seem to be a sufficient number of examples of good training practices to enable the development of standards and manuals. The challenge is to develop standardised gender training, to integrate this in regular training procedures and thereby engage a wider range of policy actors in work for gender equality. The broader challenge is to gather systematic information on the effectiveness of the variety of practices that are used to ensure expertise and accountability and subsequently to work towards their institutionalisation and evaluation.

The process of installing mechanisms to monitor progress in gender equality, the development of gender mainstreaming and the effectiveness of new policies is rather recent, and not all countries have monitoring mechanisms in place. In most countries the government or the same bodies that are responsible for developing or implementing gender equality policies are also responsible for monitoring or evaluating them, mostly in the form of annual reporting. In some cases there are specific monitoring mechanisms for certain policy areas, such as Observatories on Violence against Women. A good practice can be found in the Netherlands which has a bi-annual Gender Equality Monitor, compiled by an independent research institution, and an independent assessment committee that reviews the progress and problems with gender equality and gender mainstreaming in all ministries. The challenge is to successfully develop, at both Member State and EU levels, independent, adequately funded units or procedures for monitoring and evaluating gender equality policies and in holding governments to account (for example by providing 'shadow reports' to international bodies). The proposed European Institute for Gender Equality will serve as a technical support to the European Institutions and the Member States by providing them with the necessary objective, reliable and comparable information and data at European level. The Institute should also

promote the visibility of gender equality. It is important that this proposed Institute be fully resourced both in terms of money and staff expertise and in terms of its access to relevant powerful institutions.

The development of a gendered link between government and civil society has been important in generating innovative new policy initiatives, in providing information on the condition of women's lives, and in encouraging women's democratic participation. Women's democratic participation is challenged by the increased size of political units, not least of the EU itself, by budgetary cuts in the facilitation of NGOs as a result of lean government cultures and by the increased power of markets. While there seem to be some positive developments in the recognition of NGOs as important stakeholders by governments in the new Member States, institutionalised co-operation of governments with NGOs is still rather exceptional, especially in gender mainstreaming. Moreover, the connection of governmental structures to the academic community in the generation of knowledge on gender issues seems rather accidental. A more systematically developed link between governments, NGOs and gender studies could contribute substantially to a higher quality of gender equality policies. The varied models of engagement with civil society, including the UN practice of plural relations with NGOs and the EU practice of engaging with a 'peak association' of NGOs, need further consideration as they seem to come each with its own set of strengths and weaknesses.

#### **4.3.2. Development and consolidation of tools**

##### **1. Gender Impact Assessment**

Gender impact assessment is an important tool within gender equality policies, because it addresses the gender bias in policy making. This practice supports the aim of eliminating gender bias and ensuring that all policies work towards gender equality. In the wording of the Platform for Action: "to mainstream a gender perspective into all policies and programmes, so that, before decisions are taken, an analysis is made of the effects on women and men respectively." In this, gender impact assessment is a tool to enhance the overall quality of policy making. It is for this reason that the European Commission has been disseminating information about gender impact assessment since 1997. However, its development has been highly uneven, its impact remains undocumented and its consolidation is even less common. The challenge is to develop, disseminate and consolidate this key tool for gender equality.

Pilot studies using gender impact assessment as a tool at the level of the European Union have generated interesting methodologies. The results of these pilots can be used to further develop and fully put in use this tool. At the level of the Member States, some Member States have considerable experience, while most have only preliminary exercises with gender impact assessment. Therefore the first challenge seems to be to introduce this tool more extensively. At the level of the EU, this means that 'gender impact' should be clearly visible when integrated impact assessment is developed. At the level of the Member States, there is a need to introduce this tool in all countries where this is not yet normal practice and there is a need for consolidation in countries that have experience already.

The absence of a common methodology for gender impact assessment hinders its effective development. So far, all countries that use gender impact assessment have each introduced their own methodology, and used it at various levels of government (national, or regional and local). One of the differences between the methodologies so far developed lies in the degree of involvement of citizens in the process of gender

impact assessment. It seems that methodologies that are developed and used at the local level have found ways to involve citizens as users of services, as residents or as participants in decision making in various fields. However, citizen participation in gender impact assessment and in gender mainstreaming is less common at a national level. A further challenge for gender impact assessment lies in the integration of the participation of or consultation with citizens in the gender impact assessment, at national as well as local level.

Even though none of the EU Member States have made the use of gender impact assessment compulsory, and all current examples of gender impact assessment are done on a voluntary basis, nonetheless, some practices have led to the successful change of policies, which take a gender equality perspective into account. At present there is little information on what determines the extent of the impact on policy changes, although factors such as timing, and administrative and political support seem to make some difference. Comparative research on the strengths and weaknesses of the various gender impact assessment methodologies and their use in practice could contribute significantly to the improvement in the effectiveness of this tool, and would facilitate the development and dissemination of the best methodologies and practices to those Member States that are still rather inexperienced with this tool. Systematic exchange of information between Member States and between Member States and the European Commission would also be an important step in accelerating progress in the further development of this tool, contributing to a higher quality of policy making.

Gender impact assessment would also benefit greatly from integrated gender training, because many civil servants and decision-makers still lack expertise on the dynamics of gender relations and on the Community policy on equality. A further challenge that is relevant to all tools used in gender equality policies is to ensure the availability of relevant equality data.

## 2. Gender Budgeting

Gender budgeting challenges the traditional notion that financial governance is a gender-free zone. Gender budgeting is a gender mainstreaming tool that includes a gender equality perspective in financial decision-making at the highest levels. It is a process of disaggregating of budgets by gender in order to discover the extent to which policies that have gendered implications are differentially funded. It is not about a separate budget for women. The purpose is to make financial decision-making at governmental level transparent in relation to gender (increased budget transparency is recommended by the Organisation for Economic Co-operation and Development (OECD) as a good governance practice).

While there has been significant progress in the development of gender budgeting in several EU Member States since 1995, its potential will remain unfulfilled until there is the substantial development in several areas: tools, democratic process, range of countries and institutions.

There are serious restrictions on the potential of gender budgeting as a result of the limited availability of key tools, such as gender-disaggregated statistics, indicators and benchmarks. For example, gender budget projects that examine the implications of tax and benefit policies are hampered by the limitation of much relevant data to a household level, which is insufficiently disaggregated by gendered individuals.

There are concerns about the development of the process, since gender budgeting requires the inclusion of women's voices and interests in areas of decision-making in which they are still under-represented. This often requires the engagement of expert

civil society groups and NGOs, but this engagement requires active encouragement and support to be effective.

There is a further challenge to extend the range of gender budgeting to include more countries and more financial institutions. This involves national governments, the EU, and global financial bodies such as the World Bank and International Monetary Fund (IMF). One example of this challenge is to extend the principle and practice of gender budgeting to EU-level financial institutions so as to include a gender equality perspective in macro-economic policy and financial decision-making in the EU consequent on the development of the Euro and European Central Bank.

Gender budgeting is an emerging practice in gender equality policy, in a rapidly expanding range of financial settings. Gender budgeting is an example of gender mainstreaming, in that it involves the introduction of a gender equality perspective in forms of policy making which had been beyond the reach of more traditional equal opportunities approaches. It is an innovative process that has potential to take forward gender equality policies in new areas of decision-making. Despite its endorsement in the Platform for Action, however, it is not yet universally carried out by governments. The challenge is to develop and generalise this potentially powerful tool. Exchange of information between Member States and between Member States and the Commission would be an important step in accelerating progress in the further development of this tool, contributing to a higher quality of policy making. The key to realising the potential of gender budgeting as a gender mainstreaming tool is the development of tools, such as gender disaggregated financial statistics, the inclusion of gendered expertise and civil society, and its extension to further financial bodies, at national, EU and global level.

#### 4. Indicators

The development of agreed indicators and the data needed to support them constitute a critical link between policy aspirations and knowing whether they are working. Robust, valid and reliable indicators of changes over time and comparatively between countries are key to evaluating the effectiveness of innovative policies. The European Union committed itself to the development of a simple suite of indicators at the Madrid Council in 1998, in order to be able to effectively carry out the annual review of the implementation of the Platform for Action to which it committed itself in 1995. This suite of indicators and associated data is incomplete. In a limited number of areas the EU has agreed indicators, but even in these, in some there is not yet the data needed to support them. A key challenge is to fill the remaining gaps in the list of indicators for the 12 critical areas and to develop the statistical data sources needed to provide this information in a robust and comparable form.

The Platform for Action identified 12 key areas of critical concern. While the Millennium Development Goals established targets in some of these areas, the successful implementation of the Millennium Goals would require a fully integrated gender perspective in all areas. Moreover, it would be necessary to pay attention to the specificities of developed countries. The United Nations Development Project made important proposals for two indices to capture progress in gendered human development, the GDI (the Gender-related Development Index) and GEM (The Gender Empowerment Measure). However, these do not encompass all 12 critical areas, and have some technical problems in that they privilege labour force participation and GDP per capita in the determination of ranking.

The EU has started the process of developing indicators more relevant to the developed world, establishing working groups, commissioning expert reports and

discussing the issue at the High Level Group on Gender Mainstreaming. Progress in these associated with EU Presidencies was noted in an earlier section. However, progress has been in very specific fields, notably those associated with the economy, broadly defined, and primarily as part of the Lisbon Agenda and the European Employment Strategy. The Commission developed seven equal opportunities indicators for use in the early European Employment Strategy, and commissioned work to develop these especially in relation to equal pay and the possibilities of a single equality index. While much progress has been made, the completion of the development of indicators in each of the 12 critical areas remains a challenge.

The country reports to the UN on progress made in the implementation of the Beijing Platform of Action provide evidence of much activity in the area of gender equality. However, it is hard to assess the extent to which this activity has the outcome of actually reducing gender inequality. Indicators are a key tool for gender equality policy, essential for the measurement of the effects of policies, and for the move from rhetoric about good intentions to the evaluation of policy development using an evidential basis. Indicators are usually (though not always) quantitative and based on statistics. The data needed to support most EU indicators are collected on an annual basis and is cross-nationally comparable. Indicators need to be valid, reliable and meaningful.

Without indicators and the data to support them, it is hard to assess the extent to which the policy progress claimed in the country reports has an outcome for gender equality. Indicators have the capacity to challenge rhetoric.

Next, the remaining challenges in the development of indicators in relation to each of the 12 critical areas of the Platform for Action will be summarised. If the EU has an indicator, whether developed in relation to gender mainstreaming or to the European Employment Strategy or has the status of a 'Structural Indicator' it will be noted.

#### Women and Poverty

There are some gender disaggregated structural indicators developed within the agenda on social inclusion and social cohesion, which are reported annually to the Spring Council, although the Presidencies and Councils have not agreed an indicator for Women and Poverty in relation to the Platform for Action. The most important is 'at-risk-of-poverty (before and after social transfers)' and data is adequately and appropriately provided by Eurostat. The inclusion of data by age would enable the disproportionate poverty of women older than working age to be revealed. This indicator shows the greater likelihood of women than men being in poverty in the EU. However, this indicator is predicated on the assumption of equal sharing of resources within households. It is thus likely to understate the poverty of women. The challenge is to develop an indicator and collect data that would capture resource distribution within as well as between households.

#### Education and Training

There are three relevant structural indicators concerning education and training, which are reported annually to the Spring Council, although the Presidencies and Councils have not agreed an indicator for Education and Training of Women in relation to the Platform for Action. These are: 'life-long learning (adult participation in education and training); 'the educational attainment of women and men'; and 'science and technology graduates'. The High Level Group on Gender Mainstreaming recommends that the first two are used as indicators for the Platform for Action. There is data on each of the three structural indicators available from ESTAT. However, there is some concern that the indicator for life-long learning, which includes any training or education in the four weeks prior to the survey, is not sufficiently robust. A further issue, for which there is no proposed indicator, is that of

the segregation of women into subject areas which tend to lead to less well-paid jobs. The challenge is to agree on relevant and available indicators for purposes of gender equality, not only the European Employment Strategy.

#### Women and Health

There is some EU-wide data on 'healthy life years' by gender, which is used in EU analysis of social inclusion (although not all countries provide data every year). The United Nations Development Programme (UNDP) uses life expectancy (adjusted by the five years estimated to be women's biological advantage). However, there is no agreed indicator on Women and Health, although this has been under discussion by the High Level Group on Gender Mainstreaming. This topic is not included within the European Employment Strategy, nor in the list of Structural Indicators. The challenge is agree an indicator and to establish an appropriate source of statistical information.

#### Violence Against Women

Several EU Presidencies (Spanish, Danish, Irish, Greek, Dutch, 2002-2004) have made progress on the development of indicators on violence against women. Three indicators on domestic violence have been adopted: the number of female victims; types of victim support; and measures to end violence. Further, there are three indicators on sexual harassment in the workplace. (See section 3.3 for details). In the 2002 Joint Report on Social Inclusion, 10 out of 15 Member States cited domestic violence as one of the major challenges in relation to social inclusion concerning gender equality, but there is no Structural Indicator on this topic. There are three major outstanding challenges. First, to develop and adopt indicators on the remaining forms of violence against women, for example, rape and other forms of sexual assault, so-called 'honour' crimes, and trafficking in women. Second, to refine the definition of domestic violence so that it can be appropriately put into practice, for example to include not only prevalence but also the number of incidents and to ensure that it can be mainstreamed into crime statistics. Third, to collect data that is valid, reliable and meaningful on an annual basis that is comparable between countries. Despite the progress in the development of indicators, the data to support them does not exist in any Member State (although there have been several ad hoc one-off studies), let alone comparable data at the level of EU, nor do there appear to be any plans to collect it. The challenge is to complete the development of indicators concerning violence against women, and to collect the data necessary to use them.

#### Women and Armed Conflict

There have been discussions within the EU about the importance of the presence of women in peace-keeping forces and armies at appropriate levels, and of training for all in the specific issues that affect women civilians in conflict zones. However, there is neither agreed indicator nor relevant statistical data collected on Women and Armed Conflict.

#### Women and the Economy

The EU has made most progress in the development of indicators in the area of women and the economy. This is strongest whether there are overlaps between the recommendations of Presidencies on Platform for Action indicators with the requirements of the European Employment Strategy, where there are Structural Indicators that are supported with data collection directly or indirectly under the auspices of Eurostat. Nevertheless, there remain several challenges.

The gender pay gap may appear a straightforward indicator in that it was agreed as an Indicator by the Belgian Presidency and it is also a Structural Indicator. Further the 2003 Council recommended a target of a significant closing of the gender pay gap. While there is some reasonable data to support this, there is a remaining

challenge to collect data that is fully comparable, inclusive and annual in order to support it. For example, some countries provide data for full-time workers only, even though the operational definition of the Structural Indicator includes those working more than 15 hours, thereby in some countries, but not all, excluding a particularly low paying set of workers. There is currently a gap in the main source of data collection, as one survey (European Community Household Panel - ECHP) stops and its replacement (Survey on Income and Living Conditions - SILC) has not yet started, producing a challenge to provide statistics to support the indicator at present.

The EU has made progress on indicators of the provision of care for children and other dependants, under the French Presidency in 2000, and, further, the Barcelona Council in 2002 set hard targets, within the European Employment Strategy, on childcare, so that Member States should provide by 2010 childcare for at least 90% of children between 3 years and school age by 2010 and for at least 33% of children under 3 years of age. However, there is no Structural Indicator in this area and, currently, an absence of annually collected cross-nationally comparable data. The challenge is to provide the statistics to support the Presidency's indicators (and indeed the Barcelona targets). Eurostat has announced plans to include questions about care in two future surveys (Eurostat 2004). In the Labour Force Survey (LFS) for 2005, an ad hoc module will contain a set of questions how on child care and other care responsibilities are dealt with and will also ask about the take up of parental leave. The new SILC survey will, in a couple of years include questions on childcare. The challenge will be to ensure that the plans are delivered, the questioning sufficient, and that the repeats are sufficiently frequent to enable adequate monitoring (for example, there appears to be no commitment to repeat the LFS ad hoc module).

Statistical information on two further topics relevant to gender equality in the economy, the gender gaps in employment and in unemployment, is managed by Eurostat, since these are Structural Indicators. Under the early version of the European Employment Strategy, these were both indicators of equal opportunities. There are hard targets to narrow these gender gaps set by the Lisbon Council in 2000, which were qualified by age by the Stockholm Council.

#### Women in Power and Decision-Making

Indicators on women in political decision-making were agreed by the Finnish Presidency in 1999 and on women and men in economic decision-making by the Italian Presidency in 2003. Statistical data is available on: the proportion of women in the single or lower house of Parliament; the proportion of women who are members of national/federal governments; the proportion of women and men among the members of executive boards of the top 50 firms publicly quoted on national stock exchanges.

#### Institutional Mechanisms for the Advancement of Women

Member States of the EU have provided qualitative information on the development of institutional mechanisms for the advancement of women within their reports to the UN as part of the follow-up to the Platform for Action. However, there is no agreed indicator and no sources that would provide rigorously comparable and quantitative data.

#### Human Rights of Women

Human rights covers a very wide range of issues, some of which are addressed within other critical areas. Human rights issues that appear not to be covered elsewhere, but which have been under discussion within the EU, include cross-cutting forms of marginalisation such as disability and race; indicators for sexual

rights; and for various forms of bodily integrity, such as reproductive decisions. There are no agreed indicators in these areas.

#### Women and the Media

While there have been discussions about the importance of ascertaining the extent of the presence and level of women in the media as an industry as well as the nature of the portrayal of women in the media, there are no agreed indicators.

#### Women and the Environment

There is no agreed indicator on women and the environment. Discussions as to potential indicators have included the presence and level of women in decision making about the environment as well as the more difficult issue of the nature of the gender impact of environmental decisions, perhaps by including a gender dimension in environmental impact assessments.

#### The Girl-Child

There is no agreed indicator, although there have been discussions as to whether age might be constructed as a transversal issue, cross-cutting all of the other areas, as well as a particular interest in finding a way to capture the sexual exploitation of girl-children in an indicator.

#### Conclusions on Indicators

In 1998, the EU pledged to develop a simple suite of indicators to monitor progress on the Platform for Action. There has been considerable progress in developing such indicators and the statistical information needed to support them. However, this programme of work is as yet incomplete. There are serious challenges to develop the indicators and statistical data necessary to monitor the effectiveness of policy developments relevant to the Platform for Action. The development of indicators has progressed most in areas associated with the economy, though even here there are major gaps, especially in relation to the adequacy of data. In several areas, there are no agreed indicators. In others, such as violence against women, while there is agreement on the broad nature of the indicators, there is an absence of data to support them. The EU has made a major contribution to the development of such a set of indicators. However, there are some remaining gaps in the extent to which there are both quantitative indicators and sources of relevant statistical data, such as in the field of violence against women. There are also gaps related to the Enlargement, and action is needed to ensure full comparability of data across all Member States. The challenge is to fill the remaining gaps in the list of indicators for the 12 critical areas and to develop the statistical data sources needed to provide this information in a robust and comparable form.

## **V CONCLUSIONS**

In general there are three important ongoing challenges. The first is to clarify the misunderstanding that gender mainstreaming can replace other gender equality strategies, such as those based on specific actions concerning women. The challenge is to ensure appropriate action to create space for both strategies. Second, the engagement with diverse inequalities, including those of ethnicity/race, religion/fait, disability, age and sexual orientation, is a challenge to be addressed in all aspects of gender equality policy, so as to redress gender bias in strategies that address diverse inequalities and ethnocentric bias in gender equality policies, while protecting resources to deal with gender inequality. Third, the development of effective gender equality policies poses the challenge to combine both new forms of technical expertise and new forms of democratic representation.

The main challenges on institutional mechanisms identified in this chapter are the following:

1. Concerning the need for further implementation of the Platform for Action in strengthening national mechanisms:
  - ❑ to position national machineries that are dedicated to gender equality at the highest possible political and executive level and to assure stability of these machineries independent of political change;
  - ❑ to generate knowledge as to the differentiated impacts, strengths and weaknesses of the range of institutional formats as they operate in practice;
  - ❑ to clarify the mandates of gender equality units;
  - ❑ to maintain the organisational visibility of gender equality within integrated units, and to monitor the distribution of resources for and policy attention to gender equality in the output of such units;
  - ❑ to develop standardised gender training, to integrate this in regular training procedures and thereby engage a wider range of policy actors in work for gender equality;
  - ❑ to gather systematic information on the effectiveness of the variety of practices that are used to ensure expertise and accountability and subsequently to work towards their institutionalisation and evaluation;
  - ❑ to develop, at both Member State and EU levels, independent, adequately funded units or procedures for monitoring and evaluating gender equality policies and in holding governments to account;
  - ❑ to develop a more structural link between governments, NGOs and gender studies to contribute substantially to a higher quality of gender equality policies.
2. Concerning the need for further implementation of the Platform for Action in strengthening tools for gender mainstreaming and gender equality policies:
  - 2.1. Gender impact assessment
    - ❑ to develop, disseminate and consolidate gender impact assessment;
    - ❑ to make 'gender impact' clearly visible when integrated impact assessment is developed;
    - ❑ to introduce gender impact assessment in all countries, especially in new Member States;
    - ❑ to consolidate the use of gender impact assessment in countries with some experience of this;
    - ❑ to integrate the participation of or consultation with citizens in gender impact assessments, at national as well as local level;
    - ❑ to do comparative research on the strengths and weaknesses of the various gender impact assessment methodologies and their use in practice;
    - ❑ to develop and disseminate the best methodologies and practices in gender impact assessment;
    - ❑ to exchange information on gender impact assessment systematically between Member States and between Member States and the European Commission;
  - 2.2. Gender budgeting
    - ❑ to develop and generalise gender budgeting;
    - ❑ to provide more and more adequate tools for gender budgeting, including gender-disaggregated statistics, indicators and benchmarks;
    - ❑ to extend the principle and practice of gender budgeting to EU-level financial institutions so as to include a gender equality perspective in macro-economic policy and financial decision-making in the EU consequent on the development of the Euro and European Central Bank;
    - ❑ to include women's voices and interests in areas of decision-making in which they are still under-represented;
    - ❑ to actively encourage the engagement of expert civil society groups and NGOs;

### 2.3. Development of indicators

- ❑ to fill the remaining gaps in the list of indicators for the 12 critical areas of the Platform for Action and to develop the gender disaggregated statistical data sources needed to support them in a robust and comparable form;
- ❑ to develop an indicator on Poverty and collect data that would capture resource distribution within as well as between households;
- ❑ to agree on indicators on Education for purposes of gender equality, not only limited to the European Employment Strategy;
- ❑ to agree an indicator on Health; Women and Armed Conflict; Institutional Mechanisms; Human Rights of Women; Women and the Media; Women and the Environment; and the Girl-Child, and to establish appropriate sources of statistical information;
- ❑ to complete the development of indicators concerning violence against women, and to collect the data necessary to use them;
- ❑ to collect data on the gender pay gap that is fully comparable, inclusive and annual;
- ❑ to complete the development of the indicators on the provision of care for children and other dependents;
- ❑ to provide the statistics to support the Presidency's indicators on the provision of care for children and other dependants (and indeed the Barcelona targets), and to ensure that the plans for further development of the statistical information indicators are delivered, in particular that the range and depth of questioning is sufficient, and that the repeats are sufficiently frequent to enable adequate monitoring;
- ❑ to produce the statistical data on the proportion and number of women and men among members of the decision-making bodies of the Central Banks.

## VI ANNEXES

### 6.1. ANNEX 1

	<b>Implementation of the Beijing Platform for Action (1996 - 2001) DAW</b>	<b>Follow-up to the Beijing Platform for Action by the EU</b>
1996	Women and poverty Women and the media	Global evaluation report Communication from the Commission of 21 February 1996 on incorporating equal opportunities between women and men into all Community policies and activities On 13 February 1996 Parliament adopted a resolution on the Memorandum on equal pay for work of equal value, recognising that wage differences between the sexes for work of equal value are only one of the sources of discrimination in the employment market. Other instances of divergence may be attributed to the structure of the local employment markets, wage structures, or a lack of social facilities enabling men and women to combine family commitments with an occupational career. On 2 December 1996, the Council adopted a resolution on mainstreaming equal opportunities for men and women into the European Structural Funds On 2 December 1996, the Council adopted a resolution on the balanced participation of women and men in the decision-making process
1997	Education and training of women Women and the economy Women in power and decision-making Women and the environment	Evaluation on the integration of gender mainstreaming into national policies, best practice in positive actions and measures in the struggle against violence to women EU report on the implementation of integrating gender issues in development co-operation
1998	Violence against women Women and armed conflict Human rights of women The girl child	Paper on the development of indicators and benchmarks at EU level Communication from the Commission to the Council and the European Parliament of 9 December 1998: For further actions in the fight against trafficking in women
1999	Women and health Institutional mechanisms for the advancement of women Initiation of the comprehensive review and appraisal of the implementation of the Platform for Action	Agreement on a set of indicators for the area of women in power and decision making EU Annual Report on Human Rights containing a specific section on women's rights Communication from the Commission of 17 February 1999, "Women and science": mobilising women to enrich European research. (aims to promote equal opportunities in research activities in the European Union and, in particular, the Fifth Framework Programme for research and technological development). Council Resolution of 20 May 1999 on women and science.
2000	Comprehensive quinquennial review and appraisal of the implementation of the Platform for Action Emerging issues	Internal preparations for the five-year review of the PFA Indicators for work life balance for women and men
2001	Women, the girl child and human	Indicators for measuring the gender pay gap

	immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) Gender and all forms of discrimination, in particular racism, racial discrimination, xenophobia and related intolerance	
	Implementation of the Critical Areas of Concern (Multi-year programme of work for the Commission on the Status of Women for 2002 - 2006, ECOSOC resolution 2001/4)	
2002	Eradicating poverty, including through the empowerment of women throughout their life cycle in a globalizing world Environmental management and mitigation of natural disasters: a gender perspective	Indicators for measuring the domestic violence against women Communication from the Commission 20.12.2002 on implementation of gender mainstreaming in the Structural Funds programming documents 2000-2006
2003	Participation and access of women to the media, and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women Women's human rights and elimination of all forms of violence against women and girls as defined in the Beijing Platform for Action and the outcome documents of the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century"	Proposal for a Regulation of the European Parliament and of the Council of 30 July 2003 on promoting gender equality in development co-operation
2004	The role of men and boys in achieving gender equality Women's equal participation in conflict prevention, management and conflict resolution and in post-conflict peace-building	

## 6.2. ANNEX 2

### Integration of gender mainstreaming in Council formations

December 2000	France	Council on Education	Recommendation on mobility for students Resolution incorporating an action plan for mobility
May 2001	Sweden	Council on Development	Study
June 2001	Sweden	Council on Research	Resolution on Science, Society and the Citizen in Europe
December 2001	Belgium	ECOFIN	Seminar
March 2002	Spain	Environment	Conference
May 2002	Spain	Agriculture	Conclusions on "Incorporating the gender perspective into the Agriculture Council"
December 2002	Denmark	Employment, Social Policies, Health and Consumer Affairs	Guide on gender mainstreaming of Council formation
June 2003	Greece	Employment, Social Policies, Health and Consumer Affairs	Resolution on building social and human capital in the knowledge society
October 2003	Italy	Employment, Social Policies, Health and Consumer Affairs	Resolution OJ C 260, 29/10/2003; p. 4
November 2003	Italy	Competitiveness (internal market, industry and research) Council	Resolution 14711/03 on Equal access to and participation of women and men in the knowledge society for growth and innovation
May 2004	Ireland	Education, Youth and Culture Council	Resolution on Strengthening Policies, Systems and Practices in the field of guidance throughout life
December 2004	Netherlands	JAI Council	Information note on gender-mainstreaming in integration policy, SOC 567/Migr 109

## 6.3 ANNEX 3 – STATISTICAL DATA ON INDICATORS

### 6.3.1. Women and Poverty

**ES01/2004 Women and men at-risk-of-poverty (%) after social transfers at EU level in 2001**

2001	Men	Women	Absolute gap
SK	12	3	9
CZ	8	7	1
AT	14	9	5
DK	12	9	3
FI	14	9	5
SE	11	9	2
DE	12	10	2
HU	10	10	0
SI	12	10	2
BE	15	12	3
LU	13	12	1
NL	11	12	-1
EU	15,4	13,4	2
CY	18	15	3
FR	16	15	1
MT	15	15	0
UK	19	15	4
PL	15	16	-1
EE	19	17	2
ES	20	17	3
LT	17	17	0
LV	16	17	-1
EL	22	19	3
IT	20	19	1
IE	23	20	3
PT	20	20	0

Source Eurostat, ECHP UDB version December 2003

Definition: The at-risk-of-poverty rate after social transfers concerns the share of persons with an equivalised disposable income below the poverty threshold, which is the national median equivalised disposable income (after social transfers). Gender breakdown is based on equal sharing of resources within household.

The absolute gap concerns the difference between male and female rate of a reference year,

### 6.3.2. Education and Training of Women

**ES02/2004 Gender gap (%) in educational attainment (at least upper secondary school) of women and men 25 – 64 at EU level in 1995 and 2003**

	1995 Absolute gap	2000 Absolute gap	2003 Absolute gap
eu25			4
eu15	8	6	4
be	5	-1	0
cz		10	8
dk	7	4	2
de	12	9	8
ee		-3	-2
gr	5	4	4
es	4	3	1
fr	7	6	4
ie	-7	-5	-6
it	5	2	1
cy		7	8
lv		-4	-6
lt		0	-3
lu	14	9	5
hu		9	8
mt			7
nl		7	
at	18	13	13
pl		3	3
pt	0	-2	-3
si		9	7
sk		10	7
fi	-2	-3	-3
se	-4	-3	-3
uk	16	9	8

Source: Eurostat, European Labour Force Survey

Fr, AT 1995: First quarter

Fr 2000: First quarter

Note: The absolute gap concerns the difference between male and female rate for a reference year. A positive gender gap signifies that for a reference year the respective rate for men was higher than those for women, a negative gender gap results from a higher rate for women.

**ES03/2004 Lifelong learning of women and men (adult participation % in education and training)**

	<b>1995 Women</b>	<b>1995 Men</b>	<b>2003 Women</b>	<b>2003 Men</b>
EU25	:	:	9.7 b	8.3 b
be	2,3	3,3	8,7	8,3
cz	:	:	5,7	5,1
dk	18,9	14,8	22.0 b	16.0 b
de	:	:	5.6	6.4
ee	:	:	7,1	5,2
gr	0,9	1	3.8 b	3.5 b
es	4,8	3,8	6,3	5,3
fr	3	2,8	7.7 b	7.1 b
ie	4,3	4,4	11.0 b	8.4 b
it	3,9	4,1	5,2	4,2
cy	:	:	8.5 b	7.1 b
lv	:	:	10,2	5,7
lt	:	:	5,7	3,3
lu	2,3	3,5	6.0 b	6.6 b
hu	:	:	6.5 b	5.4 b
mt	:	:	3,6	4,9
nl	12,2	13,9	17	16,2
at	6,3	9,2	7,8	8
pl	:	:	5,5	4,5
pt	3,5	3	4	3,4
si	:	:	16.3 b	13.9 b
sk	:	:	4.7 b	4.9 b
fi	:	:	20.4 b	15.0 b
se	:	:	37.3 b	31.3 b
uk	:	:	25,3	17,6

Source: Eurostat, European Labour Force Survey

b: break in series

Note: The lifelong learning indicator concerns the adult participation in percentages in education and training measures four week prior to the survey.

### 6.3.3. Women and Health

#### ES04/2004 Mean age of women at the birth of first child

	1998	2002	Difference
MT	:	:	
SK	23,2	24,7	1,5
EE	23,6	24,6	1
LT	23,6	24,3	0,7
LV	24	24,9	0,9
PL	24,2	25	0,8
CZ	24,4	25,6	1,3
HU	24,5	25,6	1,1
CY	25,7	26,7	1
SI	25,8	27,2	1,4
AT	26,1	26,7	0,6
PT	26,1	26,8	0,7
GR	27,2	:	
FI	27,4	27,6	0,2
DK	27,5	27,8	0,3
IE	27,5	28	0,5
BE	27,6	:	
SE	27,8	28,3	0,6
DE	27,9	28,4	0,5
IT	28,3	:	
FR	28,4	28	-0,4
LU	28,6	28,8	0,2
NL	28,7	28,7	0
UK	28,8	29,1	0,3
ES	28,9	29,1	0,2

Source: Eurostat

**ES05/2004 Healthy life years of women and men at EU level**

	<b>1998 Women</b>	<b>1998 Men</b>	<b>2003 Women</b>	<b>2003 Men</b>
BE	65.4 e	63,3	69.2 e	67.4 e
CZ	:	:	:	:
DK	61.3 e	62,4	60.9 e	63.0 e
DE	64,3	62,1	64,7	65
EE	:	:	:	:
ES	68,3	66,5	68.4 e	66.7 e
ES	68,2	65,2	69.0 e	66.8 e
FR	62,8	59,2	63.9 e	60.6 e
IE	:	64	65.4 e	63.4 e
IT	71,3	67,9	73.9 e	70.9 e
CY	:	:	69,6	68,4
LV	:	:	:	:
LT	:	:	:	:
LU	:	:	:	:
HU	:	:	57.8 p	53.5 p
MT	:	:	:	:
NL	61.1 e	61,9	58.8 e	61.7 e
AT	:	63,4	69.6 e	66.2 e
PL	:	:	:	:
PT	61,1	59,1	61.8 e	59.8 e
SI	:	:	:	:
SK	:	:	:	:
FI	58,3	55,9	56.5 e	57.3 e
SE	61.3 e	61,7	62.2 e	62.5 e
UK	62.2 e	60.8 e	60.9 e	61.5 e

Source: Eurostat

e: estimation

p: provisional data

Note: The healthy life years of women and men at birth is defined as the number of years a person is expected to live in absence of limitations of functioning / disability.

## EC01/2004 Smokers over 15 years by age and sex

Health statistics — Key data on health 2002 — Data 1970–2001

### 2.3.1 Adults (15+) who are daily cigarette smokers, by age and sex, 1995

(%)

	EU-15	B	DK	D (W)	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
<b>Total</b>																
Males	33	34	39	30	49	39	39	31	33	28	37	35	37	22	18	29
Females	25	28	37	21	29	23	31	28	24	28	31	21	13	18	25	26
All	29	31	38	25	39	31	35	29	38	28	34	28	24	20	22	27
<b>15–24</b>																
Males	37	36	50	39	46	33	51	31	29	28	57	42	49	27	18	28
Females	33	28	45	35	36	26	58	31	22	34	40	33	27	13	25	30
All	35	32	47	37	41	30	54	31	25	31	48	38	37	19	22	29
<b>25–34</b>																
Males	44	43	55	33	56	49	57	37	28	37	44	53	58	35	14	32
Females	33	41	36	25	47	56	38	29	39	34	33	25	37	28	18	37
All	38	42	44	29	52	52	47	33	33	36	38	37	48	32	16	34
<b>35–44</b>																
Males	38	27	30	30	60	58	41	39	49	30	34	37	45	35	27	32
Females	29	41	47	22	39	33	37	31	34	20	36	20	11	25	33	26
All	33	34	38	26	50	45	39	35	41	25	35	28	27	29	30	29
<b>45–54</b>																
Males	34	44	34	31	65	32	37	26	35	29	34	37	32	35	20	33
Females	23	44	29	25	27	20	20	21	27	27	24	31	6	21	24	26
All	29	44	32	28	44	26	28	23	31	28	28	34	16	27	22	29
<b>55–64</b>																
Males	27	30	40	24	40	37	17	27	36	26	45	20	30	13	17	31
Females	16	12	37	15	11	3	15	29	21	36	33	10	-	10	24	23
All	21	20	39	20	25	19	16	28	28	31	38	15	12	12	20	27
<b>65+</b>																
Males	16	22	28	17	28	22	15	2	21	18	13	15	11	3	11	17
Females	11	9	26	5	7	-	10	22	7	21	18	9	-	-	33	15
All	13	14	27	10	17	8	12	21	13	19	16	12	5	2	21	16

Source: Eurobarometer 43.0, European Commission.

88



eurostat

### 2.3.2 Smokers, by age and sex, 1999

(%)

Do you smoke?	EU-15	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK
<b>TOTAL</b>																
Males	40	47	32	41	58	47	43	38	35	39	37	47	44	40	19	37
Females	28	28	44	27	32	28	34	27	20	29	27	30	14	22	25	33
All	34	37	38	34	45	37	38	32	27	34	31	38	28	30	22	35
<b>15–24</b>																
Males	43	53	21	45	47	46	53	32	34	50	34	45	33	34	16	45
Females	40	38	49	45	43	45	53	27	23	39	29	39	16	29	26	41
All	41	46	35	45	45	46	53	30	29	45	32	42	25	31	21	43
<b>25–34</b>																
Males	46	55	33	49	64	49	56	34	38	43	39	50	66	49	20	35
Females	38	40	38	37	53	50	46	37	22	33	26	43	27	30	33	43
All	42	48	35	43	59	49	51	35	30	38	33	47	46	39	26	39
<b>35–44</b>																
Males	45	49	32	41	74	54	52	55	34	42	45	63	55	41	21	46
Females	38	40	55	34	42	38	49	41	33	25	34	50	24	28	34	37
All	41	44	43	37	58	46	50	48	33	34	39	57	39	34	27	41
<b>45–54</b>																
Males	46	48	40	45	83	65	41	38	45	36	36	51	55	62	23	34
Females	28	27	48	34	36	21	31	23	20	30	37	21	6	20	33	32
All	37	38	44	40	60	43	36	31	32	33	36	36	30	41	28	33
<b>55–64</b>																
Males	35	42	29	35	48	52	22	36	35	44	42	35	29	26	17	33
Females	20	23	41	17	16	8	28	27	14	35	23	18	11	12	24	29
All	27	32	35	26	31	29	25	31	24	38	32	26	20	19	21	31
<b>65+</b>																
Males	25	32	39	27	36	18	22	32	24	19	20	26	20	15	17	28
Females	10	8	34	8	7	5	5	13	10	7	11	11	-	12	8	19
All	16	17	36	15	20	11	12	21	15	14	15	17	8	13	12	23

Source: Eurobarometer 52.1, European Commission.

#### 6.3.4. Women and the Economy

##### ES06/2004 Gender employment gap (%) at EU level in 1995 and 2003

	1995 Absolute gap	1998 Absolute gap	2003 Absolute gap
EU		19,6	15,7
at	19,5	18,2	13
be	21,9	19,5	15,5
cy			18,4
cz		17,3	16,8
de	18,4	16,1	11,9
dk	13,2	9,7	9,1
ee		9,3	8,2
es	30,8	30,9	27,2
fi	5,2	6,6	4
fr	15,1	14,2	12,2
gr	34,4	31,4	28,6
hu		13,6	12,6
ie	25,5	23,1	19,2
it	31,5	29,5	26,9
lt		8,9	5,6
lu	31,8	28,3	21,3
lv		10	8,2
mt			40,9
nl	21,5	20,1	15,1
pl		14,8	10,5
pt	19,1	17,6	13,5
Se	4,3	4,9	2,7
Si		8,6	9,8
Sk		14,3	11,1
Uk	13,4	13,7	12,8

Source: Eurostat

Note: The absolute gap concerns the difference between male and female rate for a reference year. A positive gender gap signifies that for a reference year the respective rate for men was higher than those for women.

**ES07/2004 Gender unemployment gap (%) at EU level in 1995, 1998, 2003 and 2004**

	<b>1995 Absolute gap</b>	<b>1998 Absolute gap</b>	<b>2003 Absolute gap</b>	<b>2004 Absolute gap</b>
EU			1,7	1,7
AT	1,9	1,6	0,8	1,3
BE	5,1	3,9	0,8	1,7
CY		1,1	1,3	2,2
CZ		3,1	3,7	2,5
DE	2,4	1,1	-0,8	-0,8
DK	2,5	4,6	0,6	0,5
EE		-1,6	-0,6	-2,2
EL	7,9	9,6	8,3	
ES	10,4	10,6	7,7	6,9
FI	-0,6	1,1	-0,3	0,2
FR	3,7	3,7	2	1,9
HU		-1,2	-0,5	0,2
IE	0,3	-0,4	-0,7	-0,9
IT	7,3	7,1	4,9	
LT		-2,7	0,8	0,8
LU	2,3	3,9	1,6	1,9
LV		-1,4	0,5	1
MT			4,5	1,5
NL	2,6	2	0,4	0,7
PL		3,7	1,4	1,7
PT	1,7	2,3	1,8	1,8
SE	-1,9	-0,4	-0,8	-0,5
SI		0,2	1	0,9
SK			0,6	2,2
UK	-3,2	-1,6	-1,2	-0,9

Source: Eurostat

Definition: The absolute gap concerns the difference between male and female rate for a reference year. A positive gender gap signifies that for a reference year the respective rate for men was higher than those for women, a negative gender gap results from a higher rate for women.

**ES08/2004 Gender pay gap in unadjusted form - Difference between men's and women's average gross hourly earnings as a percentage of men's average gross hourly earnings**

	<b>1995 Absolute gap</b>	<b>1998 Absolute gap</b>	<b>2001 Absolute gap</b>
EU-15	17	16	16
AT	22	21	20
BE	12	9	12
CY	29	26	26
CZ	23	28	26
DE	21	22	21
DK	15	12	15
EE	27	26	24
ES	13	16	17
FI	17,0	19	17
FR	13	12	14
GR	17	12	18
HU	21	18	19
IE	20	20	17
IT	8	7	6
LT	27	22	16
LU	19	:	:
LV	20	20	16
MT	:	:	10
NL	23	21	19
PL	15	:	15
PT	5	6	10
SE	17	18	18
SI	14	11	11
SK	19	:	20
UK	26	24	21

Source: Eurostat

Exceptions to the reference years: FI, SE, CZ, HU: 1996. LV: 1998. SK: 1999

- EU-15: weighted average of national values for old Member States estimated without missing Member States
- For the Netherlands, data are based on annual earnings including overtime pay and non-regular payments
- For Sweden, data are based on full-time equivalent monthly salaries, not hourly earnings.
- For Cyprus only full-time employees are included
- For Czech Republic only full-time employees in enterprises with more than 9 employees are included
- For Hungary only full-time employees in enterprises with more than 20 employees (1995 – 97) and more than 5 employees (1998 - ) are included
- For Lithuania only fulltime employees (1995 – 99) are included
- For Poland only employees in enterprises with more than 9 employees are included
- For Slovenia employees in public enterprises and employees in private enterprises with more than 2 employees are included

### 6.3.5. Women in Power and Decision making

**EC02/2004** The proportion of women and men among members of the daily executive boards of the top 50 firms publicly quoted on the national stock exchange – 2004

<b>Country</b>	<b>Companies on Stock Exchange</b>	<b>Companies in Database</b>	<b>Female Heads DEB in %</b>	<b>Male Heads DEB in %</b>
Austria	49	47	0	100
Belgium	50	48	0	100
Denmark	50	48	0	100
Estonia	15	15	0	100
Finland	50	50	0	100
Germany	50	49	0	100
(Iceland)	38	38	0	100
Ireland	49	46	0	100
(Romania)	50	26	0	100
Slovakia	22	20	0	100
Spain	49	46	0	100
Italy	49	48	1	99
The Netherlands	49	48	1	99
France	50	49	2	98
(Norway)	49	49	2	98
Sweden	49	49	2	98
United Kingdom	50	49	2	98
Portugal	50	45	3	97
Slovenia	41	30	3	97
Luxembourg	28	25	4	96
Greece	50	42	5	95
Cyprus	50	36	6	94
Hungary	47	47	9	91
Latvia	50	36	10	90
(Bulgaria)	50	10	11	89
Average (%)			2	98

Source : European Commission, Women and Men in Decision-making

## EC03/2004 The proportion of women and men in national Parliaments

### Presidents of Parliament per sex

Country	House	Female presidents	Male presidents
Austria	Single/Lower House	0	1
Belgium	Single/Lower House	0	1
Cyprus	Single/Lower House	0	1
Germany	Single/Lower House	0	1
Denmark	Single/Lower House	0	1
Estonia	Single/Lower House	1	0
Greece	Single/Lower House	1	0
Spain	Single/Lower House	0	1
Finland	Single/Lower House	0	1
France	Single/Lower House	0	1
Hungary	Single/Lower House	1	0
Ireland	Single/Lower House	0	1
Italy	Single/Lower House	0	1
Luxembourg	Single/Lower House	0	1
Latvia	Single/Lower House	1	0
The Netherlands	Single/Lower House	0	1
Portugal	Single/Lower House	0	1
Sweden	Single/Lower House	0	1
Slovenia	Single/Lower House	0	1
Slovakia	Single/Lower House	0	1
United Kingdom	Single/Lower House	0	1
Average (%)	Single/Lower House	15	85
Average (%)	Upper House	33	67

Source: European Commission, Women and Men in Decision-making

### Members of Parliament per sex

Country	House	1999/2003*	1999/2003*	2004	2004
		Women	Men	Women	Men
Austria	Single/Lower House	32	68	32	68
Belgium	Single/Lower House	34	66	35	65
Germany	Single/Lower House	32	68	33	67
Denmark	Single/Lower House	38	62	39	61
Greece	Single/Lower House	9	91	13	87
Spain	Single/Lower House	28	72	36	64
Finland	Single/Lower House	37	63	38	62
France	Single/Lower House	10	90	13	87
Ireland	Single/Lower House	13	87	12	88
Italy	Single/Lower House	10	90	12	88
Luxembourg	Single/Lower House	20	80	27	73
The Netherlands	Single/Lower House	35	65	40	60
Portugal	Single/Lower House	20	80	20	80
Sweden	Single/Lower House	45	55	44	56
United Kingdom	Single/Lower House	18	82	18	82
Average (%)	Single/Lower House	25	75	23	77
Average (%)	Upper House	n.a	n.a.	21	79
Cyprus*	Single/Lower House	11	89	11	89
Estonia*	Single/Lower House	17	83	19	81
Hungary*	Single/Lower House	10	90	9	91
Latvia*	Single/Lower House	18	82	17	83
Slovenia*	Single/Lower House	13	87	13	87
Slovakia*	Single/Lower House	19	81	17	83

Source: European Commission, Women and Men in Decision-making

**EC04/2004 The proportion of women and men in national / federal Governments in 2004**

**President's of Government per sex**

<b>Country</b>	<b>Female presidents</b>	<b>Male presidents</b>
Austria	0	1
Belgium	n.a.	n.a.
Cyprus	0	1
Germany	0	1
Denmark	n.a.	n.a.
Estonia	0	1
Greece	0	1
Spain	n.a.	n.a.
Finland	1	0
France	0	1
Hungary	0	1
Ireland	1	0
Italy	0	1
Luxembourg	n.a.	n.a.
Latvia	1	0
The Netherlands	n.a.	n.a.
Portugal	0	1
Sweden	n.a.	n.a.
Slovenia	0	1
Slovakia	0	1
United Kingdom	n.a.	n.a.
Average (%)	18	82

Source : European Commission, Women and Men in Decision-making

**Prime Ministers per sex**

<b>Country</b>	<b>Female prime ministers</b>	<b>Male prime ministers</b>
Austria	0	1
Belgium	0	1
Cyprus	n.a.	n.a.
Germany	0	1
Denmark	0	1
Estonia	0	1
Greece	0	1
Spain	0	1
Finland	0	1
France	0	1
Hungary	0	1
Ireland	0	1
Italy	0	1
Luxembourg	0	1
Latvia	0	1
The Netherlands	0	1
Portugal	0	1
Sweden	0	1
Slovenia	0	1
Slovakia	0	1
United Kingdom	0	1
Average (%)	0	100

Source : European Commission, Women and Men in Decision-making

**Senior Ministers per sex**

<b>Country</b>	<b>Female senior ministers in %</b>	<b>Male senior ministers in %</b>
Austria	45.5	54.5
Belgium	21	79
Cyprus	9	91
Germany	46	54
Denmark	33	67
Estonia	15	85
Greece	6	94
Spain	47	53
Finland	47	53
France	24	76
Hungary	13	87
Ireland	13	87
Italy	9	91
Luxembourg	14	86
Latvia	19	81
The Netherlands	33	67
Portugal	16	84
Sweden	52	48
Slovenia	6	94
Slovakia	0	100
United Kingdom	26	74
Average (%)	24	76

Source : European Commission, Women and Men in Decision-making

**Junior Ministers per sex**

<b>Country</b>	<b>Female junior ministers in %</b>	<b>Male junior ministers in %</b>
Austria	14	86
Belgium	33	67
Cyprus	n.a.	n.a.
Germany	40	60
Denmark	n.a.	n.a.
Estonia	n.a.	n.a.
Greece	4	96
Spain	n.a.	n.a.
Finland	n.a.	n.a.
France	20	80
Hungary	15	85
Ireland	19	81
Italy	9	91
Luxembourg	0	100
Latvia	n.a.	n.a.
The Netherlands	40	60
Portugal	14	86
Sweden	n.a.	n.a.
Slovenia	0	100
Slovakia	n.a.	n.a.
United Kingdom	27	73
Average (%)	18.1	81.9

Source : European Commission, Women and Men in Decision-making

### 6.3.6. The Girl-Child

#### ES09/2004 Declared legal abortions at EU level in the age category 15 to 19

	1995	2000	2001	2002
At	:	:	:	:
Be	:	2036	2133	:
Cz	5266	2990	2818	2782
De	6487	14930	16453	15948
Dk	2328	:	1954	:
Ee	1656	1631	:	1414
Es	6695	9047	:	:
Fi	1489	2319	2403	2486
Fr	15218	:	:	:
Gr	:	:	:	:
Hu	12759	7163	6387	6337
It	10918	11160	:	10136 p
Lt	1666	1160	1009	860
Lv	:	1595	1476	1518
Nl	:	:	:	:
Pl	:	:	:	:
Se	4067	5001	5408	6240
Si	780	818	688	584
Sk	:	1835	1707	1611
Uk	31233	40235	40387	38972

Source: Eurostat Demography

P: provisional value

#### EC10/2004 Fertility rate, live births for girls 15-19

	1995	1996	1997	1998	1999	2000	2001	2002
eu25	:	:	:	:	:	0,01104	0,01094	0,01079
be	0,00666	0,00746	0,00722:	:	:	:	:	:
cz	:	:	:	:	0,01804	0,00922	0,00825	0,00849
dk	0,00566	0,00534	0,00585	0,00532	0,00528	0,00554	0,00516	0,00452
de	0,00943	0,00967	0,00964	0,00964	0,00528	0,00986	0,01001:	:
ee	0,00668	0,00684	0,00627	0,00638	0,01941	0,0193	0,01774	0,01637
gr	0,00974	0,00929	0,00914	0,00888	0,00871:	:	:	:
es	0,00609	0,00583	0,00612	0,00619	0,00671	0,00705:	:	:
fr	0,00699	0,00703	0,00699	0,00694	0,00734	0,00796	0,00834:	:
ie	0,01221	0,00548	0,0058	0,00619	0,01555	0,01498	0,01529	0,01522
it	0,005	0,00485:	:	:	0,00533	0,00545:	:	:
cy	:	:	:	:	0,00407	0,00771	0,00563	0,00547
lv	0,02206	0,01907	0,0159	0,01421	0,01435	0,01398	0,01278	0,01154
lt	0,02408	0,02269	0,0211	0,01987	0,01824	0,01932	0,01668	0,01583
lu	0,00737	0,00707	0,0065	0,00643	0,00722	0,00917	0,00928	0,00935
hu	:	:	:	:	:	0,01877	0,01825	0,01759
mt	:	:	:	:	:	0,01464	0,01345:	:
nl	0,00416	0,00408	0,0043	0,00441	0,00492	0,00541	0,00588	0,00576
at	0,00715	0,00486	0,00413	0,00472	0,00722	0,00999	0,01033	0,0104
pl	:	:	:	:	:	0,01195	0,01102	0,01032
pt	0,01599	0,01611	0,01652	0,01637	0,01649	0,01744	0,01617	0,01686
si	:	:	:	:	:	0,00502	0,00437	0,00409
sk	:	:	:	:	:	0,01812	0,01642	0,01636
fi	0,00671	0,00681	0,00608	0,00644	0,0067	0,00727	0,00736	0,00776
se	0,0058	0,00534	0,00486	0,00446	0,00465	0,00494	0,00474	0,00484
uk	0,02308	0,02447	0,0248	0,02482	0,0067	0,02315:	:	:

Source : Eurostat Demography

## BIBLIOGRAPHY

- "Women and men in an enlarged Europe" ; background documents to Malta, 1-3 April 2004
- Commission of the European Communities: Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions: "Implementation of gender mainstreaming in the Structural Funds programming documents 2000-2006", 20 December 2002
- Commission of the European Communities: Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions: "Towards a Community framework Strategy on Gender Equality (2001-2005)", 7 June 2000
- Commission of the European Communities: Report from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of Regions: "Report on equality between women and men", 2004
- Commission of the European Communities: Report from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions: "Annual Report on Equal Opportunities for Women and Men in the European Union 2001", 28 May 2002
- Commission of the European Communities: Report from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions: "Annual Report on Equal Opportunities for Women and Men in the European Union 2002", 5 March 2003
- Communication from the Commission to the Council of 1 June 1995: a new partnership between women and men, equal sharing and participation; the European Community's priorities for the Fourth UN World Conference on Women (Beijing, September 1995) [ COM(1995)221 final- not published in the Official
- Division for the Advancement of Women of the United Nations: Expert Group Meeting : "The role of national mechanisms in promoting gender equality and the empowerment of women : achievements, gaps and challenges" - Aide mémoire
- Economic and Social Council-Economic Commission for Europe of the United Nations: Regional Preparatory meeting on the 2000 Review of Implementation of the Beijing Platform for Action: "Institutional mechanisms for the Advancement of Women: Some developments since the Beijing conference", 7 December 1999
- European Commission – Directorate-General for Employment and Social Affairs – Gender equality unit: "Equal opportunities for women and men in the European Union – Overview" ; February 2003
- European Commission : "Implementation by the European Community of the Platform for Action adopted at the Fourth World Conference on Women in Beijing 1995; Working document from the Commission Services", May 2000
- European Commission: "Beijing +5 – An overview of the European Union follow-up and preparations", 3-4 February 2000
- European Commission: "Equal Opportunities for women and men in the European Union – Annual report 2000", April 2001
- European Commission: The Social Protection Committee: "Objectives in the Fight against Poverty and Social Exclusion – 2003"
- United Nations-General Assembly A/RES/S-23-2: Resolution adopted by the General Assembly on the Ad Hoc Committee of the Whole of the Twenty-third Special Session of the General Assembly, S-23/2. "Political declaration", 16 November 2000
- United Nations-General Assembly A/RES/S-23-3: Resolution adopted by the General Assembly on the Ad Hoc Committee of the Whole of the Twenty-third

Special Session of the General Assembly, S-23/3. "Further actions and initiatives to implement the Beijing Declaration and Platform for Action", 16 November 2000

- UN- questionnaire 2004
- Member States reports to the UN questionnaire