

EN

EN

EN



EUROPEAN COMMISSION

Brussels, 21.9.2010
COM(2010) 491 final

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

**Strategy for equality between women and men
2010-2015**

SEC(2010) 1079
SEC(2010) 1080

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

**Strategy for equality between women and men
2010-2015**

CONTENTS

Introduction	3
1. Equal economic independence	4
2. Equal pay for equal work and work of equal value	6
3. Equality in decision-making	7
4. Dignity, integrity and an end to gender-based violence.....	8
5. Gender equality in external actions.....	9
6. Horizontal issues	10

Introduction

The European Union's achievements in fostering equality between women and men have helped to change the lives of many European citizens for the better and provide the foundation on which we now have to build a genuinely gender-equal society.

In 1975, the principle of equal pay for equal work was successfully invoked to defend Gabrielle Defrenne, who was an air hostess working for the Belgian national airline, and the rights stemming from the Defrenne case are an unshakable legacy for women in the European Union. The case led to the adoption of the first European directives on gender equality.

Some encouraging recent trends include the increased number of women on the labour market and their progress in securing better education and training. However, gender gaps remain in many areas and in the labour market women are still over-represented in lower paid sectors and under-represented in decision-making positions. Parenthood keeps female employment rates down, and women continue to work more unpaid hours than men at home.

Inequalities between women and men violate fundamental rights. They also impose a heavy toll on the economy and result in underutilisation of talent. On the other hand, economic and business benefits can be gained from enhancing gender equality¹. In order to achieve the objectives of Europe 2020², namely smart, sustainable and inclusive growth, the potential and the talent pool of women need to be used more extensively and more efficiently.

Gender roles continue to influence crucial individual decisions: on education, on career paths, on working arrangements, on family and on fertility. These decisions in turn have an impact on the economy and society. It is therefore in everyone's interest to offer genuine choices equally for women and men throughout the different stages of their lives.

Equality is one of five values on which the Union is founded. The Union is bound to strive for equality between women and men in all its activities³. The Charter of Fundamental Rights⁴ provides for such equality and prohibits sex discrimination.

In March 2010, to mark the 15th anniversary of the declaration and platform for action adopted at the Beijing UN World Conference on Women and the 30th anniversary of the UN Convention on the Elimination of All Forms of Discrimination against Women, the Commission adopted the Women's Charter⁵, in which the Commission renewed its commitment to gender equality and to strengthening the gender perspective in all its policies.

¹ Council Conclusions on Gender equality: strengthening growth and employment, 2980th EPSCO Council meeting, 30.11.2009.

² COM(2010) 2020.

³ Articles 2 and 3 TEU, Article 8 TFEU.

⁴ OJ C 303, 14.12.2007, p. 1, Article 23.

⁵ COM(2010) 78.

Building on the Roadmap for equality between women and men 2006-2010, as well as the European Pact for Gender Equality⁶, this Strategy spells out actions under five priority areas defined in the Women's Charter, and one area addressing cross-cutting issues. For each priority area, key actions to stimulate change and achieve progress are described and more detailed proposals are to be found in the accompanying staff working paper. The actions proposed follow the dual approach of gender mainstreaming (meaning the integration of the gender dimension in all policy areas) and specific measures. The Strategy represents the work programme of the European Commission on gender equality, aiming additionally to stimulate developments at national level and to provide the basis for cooperation with the other European institutions and with stakeholders.

1. EQUAL ECONOMIC INDEPENDENCE

Economic independence is a prerequisite for enabling both women and men to exercise control over their lives and to make genuine choices. Earning one's own living is the main way to achieve this and there has been progress in the participation of women on the labour market during the last decade, with the female employment rate rising to 62.5%⁷. In the EU, women accounted for 9.8 million out of 12.5 million additional employment between 2000 and 2009. This increased participation has contributed to economic growth in the EU.

Getting more women on to the labour market helps counterbalance the effects of a shrinking working-age population, thereby reducing the strain on public finances and social protection systems, widening the human capital base and raising competitiveness. Measures to facilitate work-life balance can have a positive impact on fertility. To reach the Europe 2020 objective of a 75% employment rate for women and men, particular attention needs to be given to the labour market participation of older women, single parents, women with a disability, migrant women and women from ethnic minorities. The employment rates of these groups are still relatively low and remaining gender gaps need to be reduced in both quantitative and qualitative terms⁸.

The impact of parenthood on labour market participation is still very different for women and men in the EU today because women continue to shoulder a disproportionate part of the responsibilities involved in running a family. Many women feel that they still have to choose between a career and their children. Current demographic trends also mean that women and men increasingly have to care for dependants other than children over indefinite periods of time. Member States which have put reconciliation policies in place are seeing high numbers of both women and men in work and relatively sustainable birth rates. The EU has made recent progress in improving the overall framework for a better work/life balance⁹. The Commission

⁶ European Council conclusions March 2006 7775/1/06.

⁷ From 57.3% to 62.5% between 2000 and 2009 (age group 20-64).

⁸ See, in particular, Employment Guideline 7, Council document 10907/10, 9.6.2010.

⁹ COM(2008) 635, Directive 2010/18/EU implementing the revised Framework Agreement on parental leave (OJ L 68, 18.3.2010, p. 13); Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC (OJ L 180, 15.7.2010).

will strive for further progress in this area, paying particular attention to the availability of affordable high-quality care.

The proportion of female entrepreneurs, at 33%¹⁰ (30% in start-ups), is some way short of optimum and most women still do not consider entrepreneurship as a relevant career option. The implementation of the revised directive¹¹ on self-employed women should remove a major barrier to female entrepreneurship¹². Young women should also benefit from the growing emphasis on entrepreneurship as one of the basic skills that schools should teach all pupils, as foreseen in the Youth on the Move flagship initiative¹³.

The employment rate of migrant women is still low¹⁴ especially during the first three years in the host country. For this reason, there is a strong need to provide early support to migrant women and monitor the effect of such assistance. Making them more aware of their rights and facilitating their integration and access to education and health care is crucial.

The ways in which women and men experience poverty and social exclusion are still quite different. Women face a higher poverty risk, particularly lone parents and the elderly, when the pay gap becomes a 'pension gap'. Barriers to employment are also reflected in higher inactivity rates and higher long-term unemployment rates. In addition, amongst disadvantaged groups (i.e. migrant workers, disabled, elderly) gender gaps tend to be much wider and cause many problems for women. Active ageing policies and specific measures in the pension sector are needed to ensure that women have adequate means when they retire¹⁵.

Key actions

The Commission will:

- Support the promotion of gender equality in the implementation of all aspects and flagship initiatives of the **Europe 2020** strategy, especially as regards definition and implementation of relevant national measures, through technical support as well as through the Structural Funds and other major funding programmes such as the 7th Framework Programme for Research. In the context of the Employment Guidelines and the evaluation of national employment policies, it will monitor closely the national policies adopted to improve gender equality in the labour market and boost the social inclusion of women.
- Promote female entrepreneurship and self-employment.

¹⁰ Labour force survey, 2008.

¹¹ See footnote 9.

¹² See also Employment Guideline 8.

¹³ COM(2010)477

¹⁴ Conclusions of the Council and the Representatives of the Governments of the Member States on Integration as a Driver for Development and Social Cohesion, 10307/10, 3.6.2010.

¹⁵ See also Employment Guideline 10.

- Assess remaining gaps in entitlement to **family-related leave**, notably paternity leave and carers' leave, and the options for addressing them. Social partners will be consulted on further measures, under Article 154 TFEU.
- Report on the Member States' performance with regard to **childcare facilities**.
- Promote gender equality in all initiatives on **immigration and integration of migrants**.

2. EQUAL PAY FOR EQUAL WORK AND WORK OF EQUAL VALUE

The principle of equal pay for men and women for work of equal value is enshrined in the EU Treaties. Despite that, the gender pay gap (the average difference between men's and women's hourly gross earnings across the economy as a whole) in the EU remains at 17.8%, with Estonia at 30.9%, the Czech Republic at 26.2%, Austria at 25.5%, and Germany at 23.2% against Italy at 4.9%, Slovenia at 8.5%, and Belgium and Romania at 9%¹⁶. Clearly this is a situation which the spirit of the EU Treaties requires to be changed over time.

The root causes of the gender pay gap extend well beyond the question of equal pay for equal work. There is a gap between women's educational attainment and professional development, thus special attention should be paid to the transition between education and the labour market. The causes of the pay gap also derive from segregation in the labour market as women and men still tend to work in different sectors/jobs. On the one hand, women and men are often over-represented in certain sectors, with 'female' jobs (mostly in health care, education and public administration) being in general less valued than typically male professions. On the other hand, within the same sector or company the jobs done by women tend to be of lower value and less well paid.

The pay gap also reflects other inequalities on the labour market mainly affecting women – in particular their disproportionate share in family responsibilities and the difficulties in reconciling work with private life. Many women work part-time or under atypical contracts: although this permits them to remain in the labour market while managing family responsibilities, it can have a negative impact on their pay, career development, promotion prospects and pensions¹⁷.

Key actions

The Commission will:

- With the European social partners, and respecting the autonomy of the social dialogue, explore possible ways to improve the **transparency of pay** as well as the impact on equal pay of arrangements such as **part-time** work and **fixed-term** contracts.

¹⁶ 2008 figures except for Estonia (2007).
¹⁷ See also Employment Guideline 7.

- Support **equal pay initiatives at the workplace** such as equality labels, ‘charters’, and awards, as well as the development of tools for employers to correct unjustified gender pay gaps.
- Institute a **European Equal Pay Day** to be held each year to increase awareness on how much longer women need to work than men to earn the same.
- Seek to encourage women to enter **non-traditional professions**, for example in "green" and innovative sectors.

3. EQUALITY IN DECISION-MAKING

In most Member States, women continue to be under-represented in decision-making processes and positions, in particular at the highest levels, despite the fact that they make up nearly half the workforce and more than half of new university graduates in the EU.

Despite progress towards a gender balance in political decision-making, much remains to be done: on average, only one in four members of national parliaments and ministers of national governments is a woman¹⁸.

In economic decision-making, the proportion of women is lower than that of men at all levels of management and decision-making. Women represent only one in ten board members of the largest publicly listed companies in the EU and 3% among the presidents of the board. Research shows that gender diversity pays off and that there is a positive correlation between women in leadership positions and business performance.

Despite the EU goal, set in 2005, of having 25% of leading positions in the public research sector filled by women, the target is still some way off as only 19% of full professors in EU universities are women¹⁹. The prevailing gender imbalance in science and research is still a major obstacle to the European objective of increasing competitiveness and maximising innovation potential.

The Commission will apply the same standards it encourages others to set by making the necessary efforts to improve its internal gender balance, especially in decision making positions.

Key actions

The Commission will:

- Consider targeted initiatives to improve the **gender balance in decision making**.
- Monitor the **25% target for women in top level decision-making positions in research**.

¹⁸ <http://ec.europa.eu/social/main.jsp?catId=762&langId=en&furtherPubs=yes>
¹⁹ Grade A academic staff (professors) (She Figures 2009)".

- **Monitor progress towards** the aim of 40% of members of one sex in committees and expert groups established by the Commission²⁰.
- Support efforts to promote greater participation by women in **European Parliament elections** including as candidates.

4. DIGNITY, INTEGRITY AND AN END TO GENDER-BASED VIOLENCE

There are many forms of violence that women experience because they are women. These include domestic violence, sexual harassment, rape, sexual violence during conflict and harmful customary or traditional practices such as female genital mutilation, forced marriages and honour crimes. It is estimated that in Europe, 20% to 25% of women have suffered physical violence at least once during their lives²¹ and there are estimates that up to half a million women living in Europe have been subjected to genital mutilation²².

Accordingly, the Action Plan to implement the Stockholm Programme²³ puts emphasis on the protection of victims of crime, including female victims of violence and genital mutilation, and announces a comprehensive EU strategy on gender-based violence. In addition, the Women's Charter envisages the putting into place of a comprehensive and effective policy framework to combat gender-based violence as well as measures, including criminal law, within the limits of its powers, to eradicate female genital mutilation once and for all across Europe.

Gender-based inequalities are also present in healthcare and long-term care as well as in health outcomes. Women and men are confronted with gender-specific health risks and diseases which need to be adequately addressed in medical research and health services. There is a need to ensure that social and health services continue to improve their adaptation to the specific needs of women and men respectively.

Gender related issues are also of particular importance in the area of asylum. The 2008 and 2009 Commission proposals amending the current EU asylum instruments address *inter alia* the key areas where gender specific elements need to be reinforced.

Key actions

The Commission will:

- Adopt an EU-wide strategy on combating violence against women that will aim, for instance, at eradicating female genital mutilation using all appropriate instruments, including criminal law, within the limits of the EU's powers, supported by a Europe-wide awareness-raising campaign on violence against women.

²⁰ 2000/407/EC Commission Decision of 19 June 2000.

²¹ Council of Europe, Combating violence against women: Stocktaking study on the measures and actions taken in Council of Europe member states (2006).

²² EP resolution of 24.3.2009 on combating FGM in the EU.

²³ COM(2010) 171.

- Ensure that the EU asylum legislation takes into account gender equality considerations; promote gender-specific training and best practices within the European Asylum Support Office as well as via funding by the European Refugee Fund. .
- Draw up a Men's Health report, following the 2010 Women's Health report.

5. GENDER EQUALITY IN EXTERNAL ACTIONS

The EU policy on the promotion of gender equality within the EU is closely linked to the work undertaken by the Union in third countries. Through all relevant policies under its external action, the EU can exercise significant influence in fostering gender equality and women's empowerment worldwide.

Candidate countries must fully embrace the fundamental principle of equality between women and men. Monitoring the transposition, implementation and enforcement of EU legislation in this area remains a priority of the enlargement process, which the EU supports financially.

In the context of the European Neighbourhood Policy (ENP), the EU supports partner countries' efforts to promote gender equality. The ENP Action Plans set out a jointly agreed agenda of reform priorities and contain commitments of partner countries to engage in dialogue on related issues and to carry out policy and legislative reforms.

The EU remains committed to speedier achievement of the **Millennium Development Goals**, and to helping to attain the standards set by the Convention on the Elimination of all Forms of Discrimination against Women, as well as the objectives of the Beijing Platform of Action, and the Cairo Programme of Action, as foreseen in the EU Plan of Action on Gender Equality and Women's Empowerment in Development (2010-2015)²⁴. The EU guidelines on **violence** against women and girls and combating all forms of discrimination against them provide guidance for conducting political dialogue and for taking action, where appropriate, in individual cases of women's rights violation. The EU will continue to use its **development policies** to promote gender equality and women's empowerment²⁵.

The EU will also actively cooperate with **international organisations** working on gender equality such as the ILO, the OECD, the UN and the African Union to produce synergies and foster women's empowerment, as well as with **the new UN Entity for Gender Equality**, UN WOMEN, and will support civil society participation, capacity building and advocacy on gender equality and women's empowerment.

The EU is also committed to protecting women in times of **conflict** and post-conflict, and to ensuring women's full participation in **conflict prevention, peace building** and reconstruction processes, and actively implements the EU Comprehensive Approach to the United Nations Security Council Resolutions 1325 and 1820 on

²⁴

²⁵

Annex to the Council Conclusions on the MDGs for the UN Plenary meeting in New York and Beyond. See preceding reference.

Women, Peace and Security. Gender considerations will also be further integrated into **humanitarian aid**²⁶.

The EU also integrates gender equality into its trade policy as part of a wider framework of sustainable development and encourages the effective application of the ILO's core labour standards and its Decent Work Agenda, including in relation to non-discrimination, in its preferential trade agreements. The issue of gender equality is also addressed in the Sustainability Impact Assessments which are prepared to help guide negotiators in trade discussions.

Key actions

The Commission will:

- Monitor and support adherence to the Copenhagen criteria for accession to the EU in the field of equal treatment between women and men, and assist Western Balkan countries and Turkey with the transposition and enforcement of legislation.
- Implement the EU Plan of Action on Gender Equality and Women's Empowerment in Development (2010-2015).
- Continue to encourage ENP partner countries to promote gender equality through regular policy dialogue, exchange of experience and by exploring possibilities for assistance under the European Neighbourhood and Partnership Instrument.
- Further integrate gender considerations into EU humanitarian aid.

6. HORIZONTAL ISSUES

6.1. Gender roles

Rigid gender roles can hamper individual choices and restrict the potential of both women and men. Promoting **non-discriminatory gender roles** in all areas of life such as education, career choices, employment and sport is thus an essential contribution towards gender equality. Gender equality needs the active contribution, support and participation of **men** and policies should also address gender-related inequalities that affect boys/men such as literacy rates, early school-leaving and occupational health.

6.2. Legislation

The EU has a long-standing body of **law against sex discrimination** both in employment and in other fields of everyday life. Through recent major simplification and modernisation, this legislation has been made more accessible to correspond to societal change. The 2006 recast directive²⁷ and the 2010 directives on rights to

²⁶ Notably in the context of the implementation of the European Consensus on Humanitarian Aid, OJ C 25, 30.1.2008, p. 1.

²⁷ 2006/54/EC.

parental leave²⁸ and on self-employed workers²⁹ are important milestones in this exercise.

An effective legal framework requires **monitoring, enforcement, regular evaluation and updating**, as well as ongoing dialogue with business, social partners, equality bodies and civil society representatives to ensure that it is apt for its purpose. Equality bodies at national level which assist victims, promote rights and develop research are essential to application of the rights in practice, and the rights of associations and trade unions to defend victims are vital too.

In this context, the Commission has launched a comprehensive study on the functioning of equality bodies across the 27 Member States and a more general study on access to justice in this area. Furthermore, the deliberations of the Forum on sex discrimination in access to insurance and related financial services set up under Directive 2004/113/EC will, together with the results of two in-depth studies on insurance practices and on potential sex discrimination in education, feed into the forthcoming implementation report on the Directive.

The aggravated consequences of **discrimination on two or more grounds**, for example age and sex in the case of older women seeking access to employment, need to be addressed in the implementation of relevant legislation as well as of the legal acts providing protection from discrimination on the other grounds referred to in Article 19 TFEU. The Commission is also studying the specific issues pertaining to sex discrimination in relation to gender identity.

6.3. The governance and tools of gender equality

Strengthening cooperation with the various institutions and stakeholders active in the field of gender equality — Member State governments, the European Parliament, social partner organisations, civil society, equality bodies, international organisations, EU agencies — will be crucial to ensure progress.

On the basis of its Annual Report on equality between women and men, focusing each year on a particular theme and identifying good practices of Member States, the Commission will institute a yearly top-level Gender Equality Dialogue involving the European Parliament, the Council presidencies and key stakeholders such as the European social partners and civil society, to take stock of progress made in implementing this strategy.

Close cooperation with Member State governments will continue through the high-level group on gender mainstreaming. The Advisory Committee, composed of Member State representatives, European social partner organisations and civil society, will continue to advise the Commission on policy and legislative initiatives. The Commission will intensify exchanges of good practice between Member States in all areas covered by this strategy.

The Commission will continue to work closely with the European social partners and the organisations representing civil society.

²⁸ 2010/18/EC.

²⁹ See footnote 9.

Gender mainstreaming will be implemented as an integral part of the Commission's policymaking, including via the impact assessment and evaluation processes. The Commission will increase the knowledge base on gender equality. A significant impact is expected following the establishment of the European Institute for Gender Equality. As part of its work programme, the Institute will help the Commission and the Member States to report on the EU-level indicators established under the Beijing Platform for Action in areas of particular concern and to develop further indicators where needed (such as on women and the environment).

The Commission will continue to raise awareness of and publicise the benefits of gender equality policies. It will, for example, improve its gender equality web portal with links and updates on progress.

The next EU Multiannual Financial Framework will be presented in the first half of 2011. This will provide support after 2013 for implementation of the actions envisaged in this strategy. Moreover, better integration of gender equality issues in implementing and reporting on the current programmes (2007-2013) will provide a solid basis for ensuring that the gender perspective is incorporated into the design of the next generation of programmes so that they are underpinned by a solid assessment of the situation of women and of men.

Key actions

The Commission will:

- Address the **role of men** in gender equality; promote good practice on gender roles in youth, education, culture and sport.
- Monitor the correct implementation of **EU equal treatment laws** with a particular focus on Directives 2004/113/EC and 2006/54/EC. Monitor the extent to which gender has been taken into account in applying the non-discrimination directives.
- Promote full implementation of the **Beijing Platform for Action** including the development and updating of indicators, with the support of **the European Institute for Gender Equality**.
- Present an **Annual Report** on progress on gender equality, especially in the areas covered by this strategy, ahead of an annual top-level **Gender Equality Dialogue** between the Parliament, Commission, Member States and key stakeholders.
-