

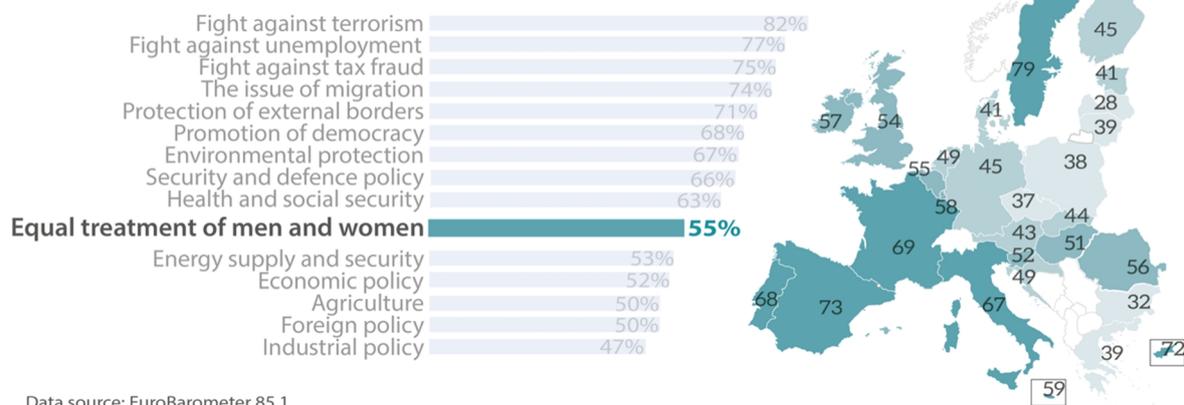
Equal treatment of men and women

OVERVIEW

Public opinion surveys suggest that the majority of Europeans are aware of EU action, and consider that equal treatment of women and men should be an EU priority, with majority support for existing or higher levels of EU involvement. In areas where the public feel that EU intervention is most effective – notably ensuring equal pay, facilitating work-life balance and combating violence against women – there is scope for further action at national and EU level, ranging from ‘soft’ measures such as awareness-raising campaigns to better implementation and enforcement of existing equal treatment legislation, and the potential introduction of new legislative proposals. A number of initiatives are already on the table, but stakeholders have also expressed concerns about diminishing commitment to gender equality policy at EU level.

Public expectations and EU commitment on equal treatment of men and women – is there a gap?

Percentage of respondents who would like the EU to intervene more than at present

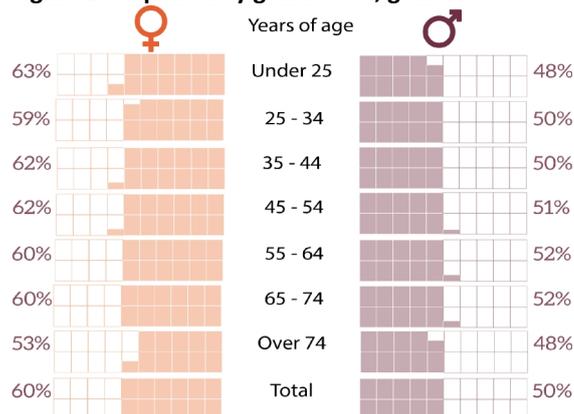


Data source: EuroBarometer 85.1

According to a new Eurobarometer survey of the European Parliament on '[perceptions and expectations](#)', 55% of EU citizens surveyed would like the EU to intervene more in the policy area of equal treatment of men and women. The differences across Member States are significant. The strongest support for increased EU action is seen in Sweden (79%), and the weakest in Latvia (28%). More EU citizens evaluate current EU action in equal treatment of men and women as adequate (48%) than as insufficient (42%) (the only equivalent area being energy supply and security). This is also one of the policy areas with the smallest number of respondents unable to evaluate EU involvement (only 4%) and the area with the highest proportion of EU citizens who would like EU involvement to remain as it currently is (33%). Although in some Member States there is a gap between citizens' expectations for EU involvement and their perception of current involvement, overall there is a certain level of satisfaction with the current level of EU involvement. Considering that 76% of EU citizens think

that tackling inequality between men and women should be an EU priority, the importance of this policy area is very high. Some of the measures to tackle inequality considered most effective are: making sure women earn the same as men for the same work (42%), making childcare more accessible (36%), and increasing flexible work arrangements (33%). However, violence against women is perceived as the most urgent gender inequality issue to be addressed (59%). Women express stronger support than men – 60 to 50%. Amongst the under 25s, women express the highest (63%) and men the lowest level of support (48%), but differences of opinion according to age are not statistically significant.

Figure 1 – Opinion by generation, gender



Data source: EuroBarometer 85.1

Legal framework

Equality between women and men (also referred to as ‘gender equality’) has been gaining in importance since 1957, when the principle that men and women should receive equal pay for equal work was included in Article 119 of the Treaty of Rome (now Article 157 TFEU), and is now one of the core values and objectives of the EU (Articles 2 and 3(3) TEU and the Charter of Fundamental Rights). The EU is committed to promoting gender equality ‘in all its activities’ (Article 8 TFEU – a principle known as ‘gender mainstreaming’) and can enact legislation to combat gender-based discrimination (Article 19 TFEU).

Current implementation and EU action

The Treaties provide a framework for threefold action to achieve gender equality by: 1) eliminating discrimination based on sex; 2) promoting equal treatment and equal opportunities; and 3) ensuring that all policies are audited for their gender impact. On this basis, the European Union has [actively promoted](#) gender equality by introducing legislation in its areas of competence, using ‘soft instruments’ such as recommendations, funding and exchanges of good practice to support action in the Member States, and establishing structures to promote and monitor progress. The [case law](#) of the European Court of Justice has also played a key role in defining the concepts and scope of EU policy in this field.

Since the introduction of the first directives in this area in the 1970s, the EU has developed [extensive legislation](#) on gender equality, covering, amongst other things, equal pay, social security, employment and working conditions (Directive [2006/54/EC](#)); equal access to goods and services (Directive [2004/113/EC](#)); guaranteed rights to maternity and parental leave (Directives [92/85/EEC](#) and [2010/18/EU](#)); and protection for victims of trafficking and crime (Directives [2011/36/EU](#) and [2012/29/EU](#)). This binding EU law is [seen](#) to have given crucial impetus to gender discrimination law in the Member States, and made a measurable contribution to gender equality. However, a number of problems have also been identified. [Transposition and implementation](#) have been patchy in many countries and there is a general problem with enforcement. For example, recent [assessments](#) of Directive 2006/54/EC have found that there are still problems with practical application of equal pay provisions in the Member States. In other areas of public concern which are decisive for gender equality, including [reconciling family/private life and work](#) and [combating violence against women](#), gaps remain in the coverage and protection offered by the existing framework.

Proposals for legislation and a range of non-legislative measures for tackling inequality and advancing equality between women and men are set out in comprehensive policy programmes. The Commission has now issued a [Strategic engagement for gender equality 2016-2019](#), whilst

the [Gender Action Plan 2016-2020](#) sets out a specific programme in external relations and development.

[European](#) and [national](#) equality bodies play an important role in supporting and monitoring gender equality policy, but some national bodies have [reported](#) facing challenges in recent years due to diminishing resources. The [European Institute for Gender Equality](#) (EIGE), established in 2006, is helping to address a lack of reliable, comparable data on the impact of EU and national gender equality policy. Its current [Gender Equality Index](#) shows that Europe is 'half way to equality', with wide variations between countries.

Potential for better implementation and further EU action

Calls for stronger policy commitment

The [review](#) of the previous [Strategy for Equality between Women and Men 2010-2015](#) found that Member States [recognised](#) it as a blueprint for national as well as EU action on gender equality and unanimously supported a new Strategy. Stakeholders [urged](#) the EU to pursue the same objectives: [equal economic independence](#); [equal pay for work of equal value](#); [equality in decision making](#); [dignity, integrity and ending gender violence](#); and [promoting gender equality beyond the EU](#). They also pointed to a need for more [gender-responsive budgeting](#) and more effective gender-mainstreaming. Although the Commission's proposal took up many of these priorities, governments have [asked](#) the European Commission for a stronger equality strategy, with better links to other strategies, notably Europe 2020, the European Semester, the Multi-Annual Financial Framework and the [United Nations 2030 Agenda for Sustainable Development](#), whose [goal](#) on empowering all women and girls applies to the EU.

Possibilities for better implementation of existing equal treatment legislation

Equal pay. Through their European association, [Equinet](#), national equality bodies have called for more effective sanctions to increase the cost of non-compliance with EU legislation, whilst an [evaluation](#) for the European Parliament concluded that binding legislation (a revised or a new Directive) would be more effective in reducing the gender pay gap than voluntary measures.

Proposals for new measures on work life balance and violence against women

When considering new legislation, [competence](#) is likely to be a key issue, given the particular difficulty of defining the boundaries between areas of social policy where the EU has shared competence and areas where it may take only supporting or coordinating action, and previous reservations on the part of some Member States to adopt new EU gender equality measures.

Work/life balance: A 2008 proposal for a [revision of the maternity leave directive](#) was withdrawn on failing to reach a majority in the Council. However, in August 2015 the European Commission [announced](#) a replacement package to remove obstacles to the labour market for parents and others with caring responsibilities (particularly women), and to strengthen gender equality, comprising legislative and non-legislative measures.

Violence against women: An [assessment](#) for the European Parliament concluded that a broad instrument harmonising national legislation and integrating existing international standards, would provide better protection to women and more legal certainty, and the Parliament has [proposed](#) EU legislation on violence against women. This is not on the table, but instead, the Commission has [proposed](#) that, in their respective areas of competence, the Member States and the EU should accede to the Council of Europe Convention on preventing and combating violence against women and domestic violence ([Istanbul Convention](#)), which sets legally binding standards to prevent gender-based violence, protect victims of violence and punish perpetrators. The Commission has also announced an awareness-raising campaign in 2017.

Other possible ways forward could include more effective gender mainstreaming and gender budgeting in all areas of EU policy.

The EU budget and equal treatment of men and women

The Commission [estimates](#) that approximately €5.85 billion will be spent in 2014-2020 on measures to promote gender equality. There is no single budget line in the EU budget concerned with the equal treatment of men and women. Rather, gender equality and gender mainstreaming are financed through a vast array of actions under several EU funding programmes, five of which are particularly important for gender equality.

The European Social Fund ([ESF](#)) has programmed approximately €4.6 billion for gender equality in 2014-2020, of which €1.6 billion for 'equality between men and women in all areas' (an investment priority chosen by 12 Member States). The European Programme for Employment and Social Innovation ([EaSI](#)) has promoting gender equality as one of its objectives and two major actions in this area, the [Progress axis](#) and the [EURES axis](#) (respectively 61% and 18% of the overall 2014-2020 budget of €919 469 million). The Rights, Equality and Citizenship Programme ([RECP](#)) has a financial envelope of nearly €440 million for the 2014-2020 period. One of its nine objectives is concerned with gender equality, and another with preventing and combating violence against women and other groups. These two objectives currently account for around 35% of the RECP funds. Over 2014-2010, the Development Cooperation Instrument ([DCI](#)) has earmarked €70 million for 'gender, women's empowerment and girls' rights', and €18 million to tackle harmful practices such as child marriage and female genital mutilation. Under the Horizon 2020 programme, a budget of about €43 million has been allocated to projects promoting awareness and implementation of gender equality in the research system and research organisations for 2014-2017. Lastly, funding is also allocated to the European Institute for Gender Equality (EIGE), with appropriations of €6.776 million in 2014, €7.464 million in 2015 and €7.527 million in 2016 to cover staff, administrative and operational expenditure.

Outside the EU budget, gender equality is mainstreamed in bilateral and regional geographical programmes. Examples include the DCI-Asia Latin America programme, which dedicates €16-18 million to specific actions on gender equality, and the Gender Equality Facility in Albania, financed with €2 million.

Potential for further financing at EU level

There are many areas of potential further spending on gender equality. [Recent studies](#) have found that the commitment to gender equality and gender mainstreaming is not reflected in spending, and suggest extending gender-responsive budgeting. One focus could be the implementation of the [Gender Action Plan](#) and more generally the reinforcement of gender mainstreaming in all EU external action. In June 2016, the Commission committed €100 million under the Development Cooperation Instrument to finance actions specifically targeted to further gender equality for 2014-2020. A second focus could be support for '[equality bodies](#)'. A third could be support for civil society organisations' work on gender equality, with the Commission announcing that €30 million will be available from the 2016 and 2017 budget. A fourth and last area of potential increase in spending may come from the implementation of [initiatives](#) aimed at strengthening a gender-responsive budget.

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