

Helena Dalli

Equality

Hearing due to be held on Wednesday 2 October at 14.30 hours.

European Parliament committees responsible: Women's Rights and Gender Equality (FEMM) and Employment and Social Affairs (EMPL).

Helena Dalli was first elected to the Maltese Parliament in 1996 and re-elected in five subsequent national elections as a Labour Party candidate. Most recently she has been Minister for European Affairs and Equality (since 2017). Between 1996 and 1998, she served as Parliamentary Secretary for Women's Rights in the Prime Minister's office, going on to be appointed Minister for Social Dialogue,



Consumer Affairs and Civil Liberties (2013-2017). As well as equality, human rights and European affairs, her portfolio as a minister has included migrant integration, industrial relations and occupational health and safety. While in office, she put forward an Equality Act to strengthen Malta's human rights and equality framework and piloted specific laws on gender-based and domestic violence, marriage equality and rights for transgender and intersex people. She was Malta's representative in the EPSCO Council and head of delegation to the UN Commission on the Status of Women. During Malta's Presidency of the Council of the EU in 2017, she coordinated the process towards the EU's signature of the Istanbul Convention. In 2016, she won a European Diversity Award for her work in human rights and equality at the national and international level.

Born in 1962, Helena Dalli holds a doctorate in political sociology from the University of Nottingham and an honours degree in sociology from the University of Malta, where she still lectures in sociology and public policy.

This is one of a set of Briefings designed to give Members of the European Parliament an overview of major issues of interest in the context of the hearings of the Commissioners-designate. The full set of Briefings can be found at: https://epthinktank.eu/commissioner_hearings_2019

Background

The new [equality portfolio](#) created for the Commission's 2019-2024 term has a broad focus on tackling discrimination, promoting inclusion and equal opportunities for all and raising awareness of the rights that exist under EU law. Four of the six areas of action focus specifically on equality between women and men ('[gender equality](#)').

Equality is one of the fundamental values on which the European Union is founded, reflected in the Treaties and the [Charter of Fundamental Rights](#), which enshrines all the personal, civic, political, economic and social rights enjoyed by all people living in the EU.

The Treaty provisions require the EU to mainstream [gender equality](#) and non-discrimination in all its policies, and have allowed it to introduce [gender equality legislation](#) and [non-discrimination law](#) for other specific protected grounds (racial or ethnic origin, religion or belief, disability, age and sexual orientation). This binding EU law is seen to have given crucial impetus to anti-discrimination law in the Member States, and has created [legally enforceable rights](#) for individuals. However, EU law does not currently offer the same level of protection across all sectors (employment, social security, healthcare, education, social advantages, and access to and supply of goods and services) for all the protected grounds. Besides non-discrimination, other EU legislation protects [victims](#) of crime, and makes serious manifestations of [racism and xenophobia](#) criminal offences across the EU. In addition to legislation, the EU uses 'soft instruments' such as recommendations, funding and exchanges of good practice to support action in the Member States, and has established structures, including the [European Fundamental Rights Agency](#) (FRA) and the [European Institute for Gender Equality](#) (EIGE), to monitor progress. EIGE's [gender equality index](#) and [FRA's surveys](#) reveal the extent of discrimination and inequality still experienced by many people across the EU.

Recent developments

During its 2014-2019 term, the Commission adopted several programmes to further equality, including strategies to combat [anti-Semitic and anti-Muslim hatred](#) and [anti Gypsyism](#), a '[list of actions to advance LGBTI equality](#)' and a [European Disability Strategy](#). The [Strategic Engagement for Gender Equality](#) (2016-2019) prioritises five areas for action: closing the gaps in employment, pay, pensions, and decision-making; eradicating gender-based violence and supporting victims; and promoting gender equality and women's rights across the world. Two other action plans aimed at tackling the [gender pay gap](#), and mainstreaming [gender in international cooperation and development cooperation](#), will run to the end of 2019 and 2020 respectively.

To further gender equality, a [work-life balance package](#), proposed by the Commission as part of the [European Pillar of Social Rights](#) – was adopted in June 2019, establishing EU-wide rights to carer's and paternity leave, pay during leave, and flexible working arrangements for parents and carers. New legislation was also adopted to enshrine the rights of disabled people at EU level, requiring public-sector bodies to make their [websites and mobile apps more accessible](#) and introducing [common rules](#) for goods and services such as TV equipment and air, bus and rail transport.

Other legislative initiatives have stalled. These include a new [proposal](#) for the EU to accede to the Council of Europe's Convention on preventing and combating violence against women (Istanbul Convention) and earlier proposals for EU legislation on [gender balance on company boards](#) and [EU accession](#) to the European Convention on Human Rights. [EU anti-discrimination legislation](#) proposed by the Commission in 2008 to harmonise protection, and endorsed by the Parliament in 2009, is also blocked as the required unanimity of all Member States has not yet been achieved.

Priorities and challenges

Public opinion

A [Eurobarometer survey](#) found that, out of a list of 12 values, one in five (21 %) Europeans identifies equality as the value that counts the most for them personally, but only 12 % feel that it is the value that best represents the EU. A [majority](#) of respondents want to know more about their rights as citizens of the EU.

Gender equality is one area where a gap between expectations and current realities is evident. According to a 2017 [Eurobarometer survey](#), a large majority of Europeans think that promoting gender equality is important for a fair and democratic society (91 %), for the economy (87 %) and for them personally (84 %). A survey conducted for the European Parliament in [2016](#) and [2018](#) showed that half or fewer than half of citizens think gender equality has been achieved in politics, at work and in leadership positions in companies and other organisations. The majority support further action to improve the situation, with a 10 percentage point increase to 65 % from 2016 to 2018.

EPRS [research](#) finds that further progress could be made by improving the implementation of existing EU equality legislation, expanding it to cover grounds and areas that are not fully protected, addressing multiple discrimination, and fully incorporating international standards, for instance on [human rights](#) and the [rights of people with disabilities](#). Meanwhile, FRA highlights that [growing intolerance and attacks](#) on people's fundamental rights are eroding the progress that has been made. Before the 2019 European elections, European women's organisations pointed to a [worsening climate](#) for women's rights in Europe and called for [concrete action](#) to protect and enhance them, including a strong political strategy for equality between women and men, gender parity in the designation of Commissioner posts and other top EU positions and the [inclusion](#) of gender equality as a key political priority in the EU budget and post-2020 funding programmes. The outgoing European Commissioner responsible for gender equality stressed the [challenge](#) of achieving results in an area that requires not only legislation, but also funding and support for organisations and long-term work to influence mind-sets that are slow to change.

In her [political guidelines](#), the President-elect of the European Commission, Ursula von der Leyen, has stressed that **equality in all of its senses will be one of the major priorities of her Commission** and committed to put forward new anti-discrimination legislation that would ensure equal opportunities for all. Regarding gender equality specifically, she promised a new European strategy, including binding measures to achieve equal pay, and assessment of the impact of existing laws on how women and men make important life decisions. She also said that she would work to unblock the proposed EU legislation on gender balance on company boards and (should EU accession to the Istanbul Convention remain stalled) consider legislative measures to combat violence against women, and domestic violence. She put forward a gender-balanced College of Commissioners and has committed to achieve full equality at all levels of Commission management by the end of her mandate. **Preparations for a follow-up to the current EU gender equality work programme** will provide a focus for further debate on the direction, scope and scale of EU action. The outgoing Commission has held a [public consultation](#) on which issues, groups, and types of action should be prioritised over the next five years, and which EU policy areas require better integration of the gender perspective. It has also [identified](#) an initiative to prevent violence against women as a priority, as part of a broader proposal to coordinate crime prevention across the EU. Follow-ups to the [framework](#) for combating **discrimination based on sexual orientation, gender identity and sex characteristics** and the [disability strategy](#) are also being discussed.

The [European Council strategic agenda](#) adopted in June 2019 stresses that it is a societal and economic imperative for the EU and its Member States to do more to ensure rights and equal opportunities for all and equality between women and men. The Presidency [trio programme](#) (January 2019 to June 2020) and the [programme](#) of the Finnish Presidency (July to December 2019) also stress the importance of equality as a common value and the need to promote equal opportunities and gender equality across all EU policies and to introduce a gender equality strategy combining specific actions and mainstreaming.

European Parliament

Treaty basis and European Parliament competence

Equality provisions are set out in Articles 2 and 3 of the Treaty on European Union (TEU) and Articles 8, 10, 19, and 157(1) of the Treaty on the Functioning of the European Union (TFEU): ordinary legislative procedure applies for all these except for anti-discrimination measures (Article 19) where Parliament must give consent to a unanimous decision of the Council. In addition, specific provisions of the Charter of Fundamental Rights govern the actions of the EU institutions and Member States in legislating and implementing laws in this area.

The Parliament has consistently taken a **proactive stance on advancing equality**, stressing the need to deliver on EU commitments. Its broad work on equality is spearheaded by the Committee for Civil Liberties, Justice and Home Affairs (LIBE), which drafts an annual report on the situation of fundamental rights in the EU (latest: [January 2019](#)). Work on gender equality is piloted by the [Committee for Women's Rights and Gender Equality](#) (FEMM), which has been in the vanguard in highlighting issues. In the 2014-2019 term, Parliament proposed ways of improving the [implementation of the Charter of Fundamental Rights](#), called for progress on the blocked proposals for EU [anti-discrimination](#) and [gender equality](#) legislation, and strongly backed the introduction of new legislation on [minimum standards of protection for minorities](#), EU accession to the [Istanbul Convention](#) and the [ECHR](#), and [combating violence against women](#). Parliament also broke new ground by flagging the need to address the rights of [people of African descent](#) and [intersex persons](#), and called for new strategies on [Roma inclusion](#) and [LGBTI rights](#). Parliament has called for a revision of the existing legislation on [equal pay](#), and for a [stronger EU framework for promoting gender equality](#), more integrated with other EU and international strategies and with clear and quantifiable objectives to measure and achieve progress. It has also called for more proactive use of EU [funding](#) to achieve gender equality goals, including better inclusion of gender equality objectives in the next [EU budget and multiannual financial framework](#), which is not yet agreed with the Council.

FURTHER READING

Van Ballegooij W., [Equality and the Fight against Racism and Xenophobia – Cost of Non-Europe Report](#), EPRS, European Parliament, March 2018.

[Achievements of the FEMM Committee in the area of gender equality during the 2014-2019 term](#), Policy Department for Citizens' Rights and Constitutional Affairs, European Parliament, May 2019.

[Briefing for the LIBE Committee on the protection of fundamental rights in the EU: European Parliament achievements during the 2014-2019 legislative term and challenges for the future](#), Policy Department for Citizens' Rights and Constitutional Affairs, European Parliament, April 2019.

[What Europe does for me: Promoting equality between women and men](#), European Parliament.

[What Europe does for me: Human rights](#), European Parliament

DISCLAIMER AND COPYRIGHT

This document is prepared for, and addressed to, the Members and staff of the European Parliament as background material to assist them in their parliamentary work. The content of the document is the sole responsibility of its author(s) and any opinions expressed herein should not be taken to represent an official position of the Parliament.

Reproduction and translation for non-commercial purposes are authorised, provided the source is acknowledged and the European Parliament is given prior notice and sent a copy.

© European Union, 2019.

Photo credits: © European Union, 2019: Council of the EU, 2019.

eprs@ep.europa.eu (contact)

www.eprs.ep.parl.union.eu (intranet)

www.europarl.europa.eu/thinktank (internet)

<http://epthinktank.eu> (blog)

