



2016/2012(INI)

14.11.2016

OPINION

of the Committee on Transport and Tourism

for the Committee on Women's Rights and Gender Equality

Report on the application of Council Directive 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services
(2016/2012(INI))

Rapporteur: Jens Nilsson

SUGGESTIONS

The Committee on Transport and Tourism calls on the Committee on Women's Rights and Gender Equality, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Having regard to Articles 10 and 19(1) of the Treaty on the Functioning of the European Union (TFEU);
2. Notes that the Commission has presented its report on the application of Directive 2004/113/EG with a long delay after its first reporting in 2009;
3. Recalls that there have always been major differences between men and women with regard to transport policy, including travel patterns, access to and choice of transport means, security, safety and gender imbalance in employment in the transport sector; encourages, therefore, the Commission to consider all obstacles and constraints encountered by women travellers in accordance with the conclusions of the Fifth Conference on Women's Issues in Transport in Paris in 2014;
4. Underlines that, while the Horizon 2020 strategy for the period 2014 to 2020 is structured to respond to societal challenges that need innovative solutions, and while many of the issues in gender mobility and travel patterns have been researched extensively in recent years, limited attention has been given to developing gender-specific policies, programmes and mandates;
5. Calls on the Commission, and on insurance companies, not to discriminate between gender when it comes to car insurance pricing for accidents, but rather to include the individual's performance in their assessments;
6. Regrets that differential treatment of men and women still prevails in travel insurances, and that this creates a barrier for equal access in the tourism sector, especially for pregnant women;
7. Calls on the Commission to clarify whether the activities of the fast-growing sharing economy in the transport and tourism sectors constitute goods and services that fall under the scope and the application of the directive, and whether the service providers and the associated online platforms are liable on the basis of it;
8. Encourages innovative concepts, such as 'mobility of care' and 'trip planning analysis', that support the design and implementation of more equitable and responsive public transport services and more efficient urban planning; insists that regular and systematic gender impact assessments are essential for designing and implementing gender-neutral transport in all Member States;
9. Reaffirms its call on the Commission to create a publicly accessible database on gender-related non-discrimination legislation and European Court of Justice rulings;
10. Highlights the key role that equality bodies play in ensuring the enforcement of gender equality for all persons living in the EU, and calls on the Commission to assist in safeguarding the independence and effectiveness of these bodies in all Member States;

11. Encourages the Member States, including at regional and local level, to equip their national equality bodies with sufficient resources to provide information on remedy proceedings, and on the range of consultation services available to assist in national compliance with the directive;
12. Emphasises the role in this domain of local and regional institutions – as service providers, regulators and parties to inspections – with regard to the basic aspects of transport and tourism;
13. Regrets the lack of awareness of the directive across the Member States, and encourages competent authorities at all levels to raise awareness of rights and obligations under the directive;
14. Calls on the Commission to collect examples of best practices to ensure better application of the directive, and to continue efforts to unify definitions and concepts with regard to this issue; highlights the role and competence of the European Institute for Gender Equality (EIGE) in realising this objective;
15. Recalls that women account for only 22 % of the workforce in the EU transport sector, reflecting the fact that the number of women holding technical and operational jobs is especially low (less than 10 %); urges, therefore, ambitious and continuous measures to be taken to improve the attractiveness of the transport sector for prospective female employees;
16. Recalls that promoting equal access for women to public and private goods and services must be based on the recognition of women's and girls' distinct choices, needs and experiences, and must be guaranteed without undermining their fundamental rights;
17. Asks the Commission to apply to the transport policy, and to the funds managed by DG MOVE, a global strategy favouring the equality of men and woman similar to the one currently in force in the implementation of the Horizon 2020 programme;
18. Highlights the fact that, while official statistics show that the mobility needs and travel patterns of women and men differ widely, very little attention has been paid to this issue, whether in Commission legislative proposals or in the public transport policies of most Member States;
19. Recalls that women are the main users of public transport services all around the EU; calls on local, regional and national authorities specifically to take into account the mobility needs of women when designing and developing their public transport services; calls on the Commission properly to include the gender dimension in its main approach to transport legislation in the EU;
20. Considers that, in order to provide transport and tourism services that are free of gender discrimination, it is essential that the service providers concerned implement global strategies ensuring equal treatment of clients and providers, as well as of consumers;
21. Emphasises that breastfeeding in public is covered by the directive and shall not be restricted by service providers; welcomes national legislation supporting the right of women to breastfeed in public, and reiterates the importance of this right for the tourism

sector; strongly encourages Member States to adopt and fully implement legislation preventing discrimination against breastfeeding in public;

22. Considers that providing baby changing facilities in all public toilets free of charge would help promote inclusive transport and tourism; considers, furthermore, that such facilities should not be linked to a specific gender;
23. Deplores the poor hygienic state of public toilet and shower facilities; calls on the Commission to take practical steps to overcome this problem which persist in many Member States and hampers inclusive tourism and transport;
24. Stresses that rest stops and facilities must be accessible and safe for all persons regardless of gender expression, as this would promote inclusive tourism and could promote an improved gender balance in the transport sector;
25. Notes that persons, usually women, responsible for caring for other family members often need to plan and undertake complex journeys with specific timing, transport and accessibility requirements;
26. Points to the need to improve the accessibility of public transport infrastructure, and to remove barriers on board means of transport, in order to make them easier to use for parents travelling with children; calls, in particular, for measures to ensure adequate accessibility for pushchairs in the public transport area;
27. Calls on the Commission and the Member States to ensure that public transport vehicles and infrastructures are equally accessible and adapted to women and men, not only as end-users and passengers, but also as professionals working in the sector;
28. Calls on the Commission, when proposing or mandating new design requirements for transport vehicles, services or infrastructures, to take into account the diverse needs of men and women, as well as of persons with reduced mobility (i.e. toilets adapted for both genres, vehicles accessible for pregnant women, changing facilities, space for baby carriages, etc.);
29. Calls on the Commission to assess airlines' rules on allowing pregnant women to board flights, and on assisting them during flights, and to take steps to make airlines ensure a harmonised approach in this regard;
30. Calls on the Council to adopt Parliament's position on the Passengers' Rights Regulation as regards the obligation of airport handlers to return baby carriages to passengers immediately after disembarking, or to provide alternative means of transport to spare passengers from carrying children through the airport until they reach the baggage claim area;
31. Expresses serious concern over the fact that cases of verbal and physical violence, including sexual harassment, occur on both public transport and on-demand transport, including in the context of the sharing economy;
32. Stresses, in particular, that Article 4(3) of Directive 2004/113/EG on sexual harassment, which is of utmost importance for the public transport sector, lacks a clear interpretation

of liability for goods and service providers in instances involving third-party harassers other than the providers of goods and services;

33. Calls, therefore, on the Member States and the Commission urgently to address the issues of liability in the aforementioned contexts, and to provide a better interpretation of Directive 2004/113/EG for victims of harassment and service providers alike;
34. Recalls that promoting safe public spaces and safe public transit for everyone – during the daytime and at night, in particular for vulnerable individuals and in more isolated places and situations – is a responsibility shared by all actors at all levels;
35. Stresses that safety issues should play an important part in urban planning, ensuring, for example, the provision of adequate lighting at night at bus and tram stops, and on paths to and from them;
36. Considers that segregated wagons for women is not a good way to address sexual harassment in public transport; calls on Member States to address sexual harassment in transport and tourism services through comprehensive policies that including adequate wagons and alert systems, more surveillance staff, education and law enforcement;
37. Calls on transport and tourist service providers explicitly to condemn and sue sex offenders;
38. Calls for a deeper legal debate on the responsibility of internet service providers for the prevention and suppression of harassment using virtual relationship platforms, and on the role they can play in improving such prevention and suppression;
39. Condemns any restriction of access to transport services for passengers travelling with children;
40. Encourages Member States to take a flexible approach to regulating safety requirements for passengers of taxi services, specifically to avoid discrimination of woman and passengers travelling with children.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	10.11.2016
Result of final vote	+: 33 -: 4 0: 1
Members present for the final vote	Daniela Aiuto, Lucy Anderson, Marie-Christine Arnautu, Georges Bach, Izaskun Bilbao Barandica, Deirdre Clune, Michael Cramer, Luis de Grandes Pascual, Andor Deli, Karima Delli, Isabella De Monte, Ismail Ertug, Jacqueline Foster, Bruno Gollnisch, Merja Kyllönen, Miltiadis Kyrkos, Bogusław Liberadzki, Peter Lundgren, Marian-Jean Marinescu, Gesine Meissner, Cláudia Monteiro de Aguiar, Renaud Muselier, Jens Nilsson, Salvatore Domenico Pogliese, Gabriele Preuß, Dominique Riquet, Massimiliano Salini, David-Maria Sassoli, Claudia Schmidt, Jill Seymour, Claudia Țapardel, Pavel Telička, István Ujhelyi, Wim van de Camp, Roberts Ziļe, Elżbieta Katarzyna Łukacijewska
Substitutes present for the final vote	Maria Grapini, Ramona Nicole Mănescu